



Minnesota Legislature:  
Senate Bills

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House  
Companion  
No.

DUPLICATE

S. F. No. 1389

A bill for an act relating to education; state aids; levies and levy limitations; granting additional pupil unit weighting for handicapped pupils and pupils from families receiving aid to dependent children; increasing foundation aids; providing aid to school districts to offset costs of desegregation, tax revenue losses and declining enrollment; etc.; amending Minnesota Statutes 1974, Sections 124.04; 124.17, Subdivision 1; 124.212, by adding subdivisions; etc.

B. D. No. B2808

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ APR 10 1975 and Referred to the  
Committee on EDUCATION  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

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S. F.

No.

Printed Page No.



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Messrs. Hughes, O'Neill and Humphrey introduced--

S. F. No. 1389: Referred to the Committee on EDUCATION

1                                   A bill for an act

2       relating to education; state aids; levies and levy

3       limitations; granting additional pupil unit

4       weighting for handicapped pupils and pupils from

5       families receiving aid to dependent children;

6       increasing foundation aids; providing aid to

7       school districts to offset costs of desegregation,

8       tax revenue losses and declining enrollment;

9       allowing additional capital outlay levy; allowing

10      cities of the first class an additional levy;

11      amending Minnesota Statutes 1974, Sections 124.04;

12      124.17, Subdivision 1; 124.212, by adding

13      subdivisions; 124.215, by adding subdivisions;

14      124.32, Subdivision 2; and 275.125, Subdivision 3.

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

16       Section 1. Minnesota Statutes 1974, Section 124.04, is

17      amended to read:

18       124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In

19      addition to the tax levy prescribed by law for general and

20      special school purposes, the board of any district may levy

21      annually an amount such that the sum of the levy and

22      attached machinery aid for capital outlay purposes

23      calculated pursuant to section 273.138, subdivision 3,

24      clause (1), shall not exceed ~~\$65~~ \$75 per pupil unit. No

25      levy under this section shall exceed 10 mills on each dollar

26      of assessed valuation of the taxable property in the

27      district as adjusted for the preceding year by the

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1 equalization aid review committee notwithstanding the  
2 provisions of sections 272.64 and 275.49, provided that said  
3 levy may not exceed by more than two mills (three mills if  
4 the district adds units pursuant to section 124.17,  
5 subdivision 1, clause (7)) the levy under this section in  
6 the previous year and provided further that any district  
7 which did not levy pursuant to this section in 1972 may  
8 certify a maximum levy of six mills not to exceed \$65 per  
9 pupil unit in 1974. The tax so levied shall be collected in  
10 the manner provided by law for the collection of school  
11 taxes. The proceeds of the tax may be used only to acquire  
12 land, improve and repair school sites and to equip,  
13 re-equip, repair and improve buildings and permanent  
14 attached fixtures. Subject to the commissioner's approval,  
15 the tax proceeds may also be used to rent or lease buildings  
16 for school purposes and to acquire or construct buildings.  
17 The board shall establish a fund in which the proceeds of  
18 this tax shall be accumulated until expended.

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

21 Sec. 2. Minnesota Statutes 1974, Section 124.17,  
22 Subdivision 1, is amended to read:

23 124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1.  
24 pupil units for each resident pupil in average daily  
25 membership shall be counted as follows:

26 (1) In an elementary school, for kindergarten and for  
27 handicapped pre-kindergarten pupils as defined in section  
28 120.03, and enrolled in one-half day sessions throughout the  
29 school year or the equivalent thereof, approved by the  
30 commissioner of education, one-half pupil unit and other  
31 elementary pupils, one pupil unit.

32 (2) In secondary schools, pupils in junior high school

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1 or a six-year school and all other pupils in secondary  
2 schools, one and four-tenths pupil units. Pupils enrolled  
3 in the seventh and eighth grades of a middle school shall be  
4 counted as secondary pupils.

5 (3) In area vocational-technical schools one and  
6 one-half pupil units.

7 (4) To meet the problems of educational overburden  
8 caused by broken homes, poverty and low income, each pupil  
9 in clauses (1) and (2) from families receiving aid to  
10 families with dependent children or its successor program  
11 shall be counted as an additional five-tenths pupil unit.  
12 The department of public welfare is directed to furnish to  
13 the department of education that information concerning  
14 children from families with dependent children which is  
15 necessary to calculate pupil units. Additional aids to a  
16 district for such pupils may be distributed on a delayed  
17 basis until the department of education publicly certifies  
18 that the information needed for paying such aids is  
19 available on such a timely basis that such aids may be paid  
20 concurrently with other foundation aids.

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

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1 five percent but not more than eight percent of the total  
2 pupil units in the district for the same year, as computed  
3 in clauses (1) and (2), each such pupil shall be counted as  
4 an additional one-tenth of a pupil unit. Such weighing  
5 shall be in addition to the weighing provided in clauses  
6 (1), (2), (3), and (4) of this section. School districts  
7 are encouraged to allocate a major portion of the aids that  
8 they receive on account of clauses (4) and (5) to primary  
9 grade programs and services, particularly to programs and  
10 services that involve participation of parents.

11 (6) Where the total pupil units of a district are used  
12 as a multiplier in determining foundation aids and spending  
13 and levy limitations and where the actual number of pupil  
14 units has decreased from the prior year, the number of pupil  
15 units for such district shall ~~equal the average of actual~~  
16 ~~pupil units for the prior and current years~~ be reduced by  
17 one-third of the actual decrease or two percent of the  
18 actual pupil units for the 1975-1976 school year whichever  
19 is lesser; use of this computation is limited to four school  
20 years .

21 (7) Where the actual number of pupil units has  
22 increased from the prior year by more than three percent, a  
23 number of pupil units equal to one fourth of the difference  
24 between the units as computed in clauses (1) and (2) for the  
25 two years shall be added to the other units for the  
26 district.

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

29 Sec. 3. Minnesota Statutes 1974, Section 124.212, is  
30 amended by adding a subdivision to read:

31 Subd. 6b. For the 1975-1976 school year a district  
32 shall receive in foundation aid, the lesser of (1) \$925 per



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1 pupil unit less 30 mills times the 1973 adjusted assessed  
2 valuation of the district, or (2) the amount that bears the  
3 same relation to the difference in (1) as the sum of the  
4 1970-1971 adjusted maintenance cost per pupil unit increased  
5 by \$162 and the greater of (a) one-third of the difference  
6 that results when such greater sum is subtracted from \$925,  
7 or (b) \$100, bears to \$950. This section shall not be  
8 construed as in any instance authorizing the levy of total  
9 amounts of taxes for school purposes in excess of the amount  
10 allowed by law on October 15, 1974.

11 Sec. 4. Minnesota Statutes 1974, Section 124.212, is  
12 amended by adding a subdivision to read:

13 Subd. 7b. For the 1976-1977 school year a district  
14 shall receive in foundation aid, the lesser of (1) \$1,065  
15 per pupil unit less 30 mills times the 1974 adjusted  
16 assessed valuation of the district, or (2) the amount that  
17 bears the same relation to the difference in (1) as the sum  
18 of the 1970-1971 adjusted maintenance cost per pupil unit  
19 increased by \$262 and the greater of (a) one-third of the  
20 difference that results when such greater sum is subtracted  
21 from \$1,065, or (b) \$140, bears to \$1,065. This section  
22 shall not be construed as in any instance authorizing the  
23 levy of total amounts of taxes for school purposes in excess  
24 of the amount allowed by law on October 15, 1975.

25 Sec. 5. Minnesota Statutes 1974, Section 124.215, is  
26 amended by adding a subdivision to read:

27 Subd. 9. In addition to regular foundation aid  
28 payments, there shall be paid from the appropriation for  
29 foundation aid to any district whose schools have been  
30 desegregated by court order, regulation of the state board  
31 of education, law enacted by the legislature or an approved  
32 plan set up by local authorities, an amount not to exceed 90

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1 percent of the actual maintenance costs necessitated by  
2 compliance with the desegregation program. It is the  
3 purpose of this additional aid to provide sufficient funds  
4 so that no teacher's employment will be terminated by reason  
5 of the desegregation plan.

6 Sec. 6. Minnesota Statutes 1974, Section 124.215, is  
7 amended by adding a subdivision to read:

8 Subd. 10. In addition to regular foundation aid  
9 payments, there shall be paid from the appropriation for  
10 foundation aid a sum equal to any loss of revenue sustained  
11 by a district by reason of tax delinquencies, tax reduction,  
12 or removal of property from the tax rolls. This aid shall  
13 be paid in the 1975-1976 school year and thereafter for  
14 losses sustained in the prior year.

15 Sec. 7. Minnesota Statutes 1974, Section 124.32,  
16 Subdivision 2, is amended to read:

17 Subd. 2. ~~The state shall reimburse~~ Each district or  
18 unorganized territory incurring additional costs for special  
19 facilities, transportation, supplies and equipment purchased  
20 or rented for use in the instruction of handicapped children  
21 pursuant to a special education program required by the  
22 legislature shall be reimbursed in the amount of one-half  
23 80 percent of the sum actually expended by the district or  
24 unorganized territory but not to exceed an average of \$50 in  
25 any one school year for each handicapped child receiving  
26 instruction which is in excess of the costs of the previous  
27 year and is attributable to the required special education  
28 program .

29 No ruling or regulation shall limit the number of  
30 students qualified to receive the special education service.

31 Sec. 8. Minnesota Statutes 1974, Section 275.125,  
32 Subdivision 3, is amended to read:

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1 Subd. 3. In addition to the levy authorized by section  
2 275.125, subdivision 2a, a qualifying district may levy  
3 additional amounts as follows:

4 (1) The amounts necessary to make payments for bonds  
5 issued and for interest thereon, including the bonds and  
6 interest thereon, issued as authorized by clause (7)(C) of  
7 this subdivision, and for repayment of debt service loans  
8 and capital loans, the amount authorized for capital  
9 expenditures pursuant to section 124.04 and the amount  
10 authorized for liabilities of dissolved districts pursuant  
11 to section 122.45.

12 (2) For school transportation services, an amount not  
13 to exceed the amount raised by a levy of one mill times the  
14 adjusted assessed valuation of the taxable property of the  
15 district for the preceding year; provided that in 1973 and  
16 thereafter a district having boundaries coterminous with the  
17 boundaries of a city of the first class may levy an amount  
18 not to exceed 20 percent of its costs for transportation and  
19 related services for which state aid is authorized for the  
20 1974-1975 school year and thereafter, and provided further  
21 that a district may levy under this clause for the annual  
22 cash payments to be made for the purchase of buses, but only  
23 for that portion of the payments not offset by state  
24 transportation aid received on account of depreciation; and  
25 provided further that beginning with the levy certified in  
26 1974, a district may levy for that portion of transportation  
27 costs approved by the commissioner as qualifying for aid  
28 because of extraordinary traffic hazards but for which no  
29 state aid is receivable for the current fiscal year pursuant  
30 to section 124.223, clause (1).

31 (3) For purposes of the ~~1973~~ 1975 levy, collectible in  
32 ~~1974~~ 1976, any district which qualified for an extra levy

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1 under Minnesota Statutes 1971, Section 275.125, Subdivision  
2 3, Clause (4), shall be allowed to levy the same amount per  
3 pupil unit allowed by that clause. ~~Provided, however, that~~  
4 ~~a district having boundaries coterminous with the boundaries~~  
5 ~~of a city of the first class which was affected by the~~  
6 ~~limitation of an extra levy not to exceed 1.5 mills since~~  
7 ~~the adjusted assessed valuation of the district shall be~~  
8 ~~allowed to levy 1.9 mills.~~ For purposes of the 1973 levy,  
9 collectible in 1974, any district which qualified for an  
10 extra levy in 1971, collectible in 1972, under Minnesota  
11 Statutes 1971, Section 275.125, Subdivision 3, Clause (3)  
12 but did not qualify for an extra levy under Minnesota  
13 Statutes 1971, Section 275.125, Subdivision 3, Clause (4) in  
14 1972, collectible in 1973, shall be allowed to levy the  
15 amount per pupil unit it was qualified to levy under  
16 Minnesota Statutes 1971, Section 275.125, Subdivision 3,  
17 Clause (3).

18 (4) In 1973 only, for a district which was authorized  
19 to levy pursuant to Minnesota Statutes 1971, Section  
20 275.125, Subdivision 3, Clause (3), but which was not  
21 authorized to levy pursuant to Minnesota Statutes 1971,  
22 Section 275.125, Subdivision 3, Clause (4), an amount not to  
23 exceed the aggregate amount authorized by Minnesota Statutes  
24 1971, Section 275.125, Subdivision 3, Clause (3).

25 (5) For the ~~1974~~ 1976 levy, collectible in ~~1975~~ 1977  
26 , any district, in which the 1970-1971 adjusted maintenance  
27 cost per pupil unit in average daily membership was greater  
28 than \$663 per pupil unit, may levy an amount per pupil unit  
29 which is equal to or less than the difference between the  
30 1970-1971 adjusted maintenance cost per pupil unit in  
31 average daily membership and \$663 per pupil unit, reduced by  
32 two and one-half percent. No district may levy under this



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1 clause an amount which exceeds the sum of the levy permitted  
2 under section 275.125, subdivision 3(3) and the amount  
3 raised by 2 mills times the adjusted assessed valuation of  
4 the taxable property of the district for the preceding year.  
5 ~~Provided, however, that a district with boundaries~~  
6 ~~coterminous with the boundaries of a city of the first class~~  
7 ~~which was affected by the limitation of an extra levy not to~~  
8 ~~exceed 1.9 mills times the adjusted assessed valuation of~~  
9 ~~the district shall be allowed to levy 2.0 mills.~~

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

21 (7) (A) In order that the transition from existing  
22 patterns of financing public schools to the system  
23 prescribed in Extra Session Laws 1971, Chapter 31, Article  
24 20 may be made in an orderly fashion, a district may levy an  
25 additional levy under the terms of this section.

26 (B) If that part of the levy certified by the school  
27 district in 1970, received in 1971, plus so much of the  
28 levy, allowed under subdivisions 2 and 3, sections 1 to 5 of  
29 this act, to be certified in 1971, received in 1972, as will  
30 be received between July 1, 1971 and June 30, 1972, and when  
31 added to all other state aids, local funds available and net  
32 existing local debts, exclusive of bonded debt and existing

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1 capital loans will not be sufficient to allow a district to  
2 spend an amount per pupil unit sufficient to raise its  
3 1970-1971 adjusted maintenance cost per pupil unit by \$42 it  
4 may petition the commissioner of education for authority to  
5 levy an additional levy. Before such a levy can be made,  
6 the commissioner must authorize such a levy. Such  
7 authorization shall specify the amount of the levy, provided  
8 that such levy may not exceed .5 mills in a city of the  
9 first class or 1.5 mills in any other district times the  
10 1970 adjusted assessed valuation of the district as  
11 determined by the equalization aid review committee.

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

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

32 (B) In 1973, and each year thereafter, for a district

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1 which has established a community school advisory council  
2 pursuant to section 121.88, whether or not the district  
3 receives reimbursement from the state pursuant to section  
4 121.89, an amount of money raised by the greater of (A) \$1  
5 per capita, or (B) the number of mills not to exceed the  
6 number of mills necessary in 1973 to raise \$1 per capita in  
7 1973 for community services including summer school,  
8 nonvocational adult programs, recreation programs, and  
9 programs contemplated by sections 121.85 to 121.89.

10 The population of the district for purposes of this  
11 clause is the population determined as provided in section  
12 275.14 or as certified by the department of education from  
13 the most recent federal census.

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

25 (10) The commissioner shall certify to the county  
26 auditors the levy limits for all school districts  
27 headquartered in the respective counties together with  
28 adjustments for errors in levies not penalized pursuant to  
29 subdivision 4 as well as adjustments to final pupil unit  
30 counts.

31 A school district shall have the right to require the  
32 commissioner to review his certification and to present

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1 evidence in support of modification of his certification.

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

7       (11) The commissioner of education shall certify to the  
8 county auditors any underlevies made in 1971 and 1972 in the  
9 transportation levy amounts. The 1971 underlevies shall be  
10 determined to be (1) the actual net costs of reimbursable  
11 transportation as reported to the department of education  
12 for the 1972-1973 school year plus the amount expended by  
13 the district to acquire school buses in 1972-1973 used for  
14 reimbursable transportation, less (2) the 1971 certified  
15 transportation levy as amended and state aids received in  
16 1972-1973 for transportation including depreciation.  
17 Underlevies in the 1972 transportation levy shall be  
18 computed in like manner using 1973-1974 costs and state aids  
19 received in the 1973-1974 school year. The 1974 levy shall  
20 be adjusted to correct for such underlevies, provided that  
21 upon written request of the affected school board to the  
22 commissioner, the adjustment shall be prorated in the 1974  
23 and 1975 transportation levies. No district may levy under  
24 this clause in any year an amount which exceeds the amount  
25 raised by a levy of two mills times the previous year's  
26 adjusted assessed valuation of the taxable property of the  
27 district.

28       (12) When a district finds it economically advantageous  
29 to rent or lease existing school buildings for instructional  
30 purposes, and the proceeds of the levy permitted under  
31 section 124.04 are insufficient for this purpose, it may  
32 apply to the commissioner for permission to make an



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1 additional capital expenditure levy for this purpose. An  
2 application for permission to levy under this clause shall  
3 contain financial justification for the proposed levy, the  
4 terms and conditions of the proposed lease, and a  
5 description of the space to be leased and its proposed use.  
6 The criteria for approval of applications to levy under this  
7 clause shall include: the reasonableness of the price, the  
8 appropriateness of the space to the proposed activity, the  
9 feasibility of transporting pupils to the leased building,  
10 conformity of the lease to the laws and regulations of the  
11 state of Minnesota, and the appropriateness of the proposed  
12 lease to the space needs and the financial condition of the  
13 district. The commissioner shall not authorize a levy under  
14 this clause in an amount greater than the cost to the  
15 district of renting or leasing a school building for  
16 approved purposes.

House  
Companion  
No.

DUPLICATE

S. F. NO. 1390

A bill for an act relating to landlords and tenants; providing additional remedies for landlords and tenants; providing penalties; amending Minnesota Statutes 1974, Sections 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; Chapter 504, by adding sections; Chapter 566, by adding a section.

B. D. No. B2488

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Doyle Tamm  
Read FIRST TIME APR 10 1975 and Referred to the  
Committee on JUDICIARY  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
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HOUSE ACTION

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☐ OTHER ACTION  
Refer to back of cover for other  
action.

☐ CONFERENCE COMMITTEE ACTION  
Refer to back of cover for conference  
committee action.

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Printed Page No.

S. F. No. \_\_\_\_\_

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Messrs. Doty; Keefe, J. and Tennesen introduced--

S. F. No. 1390: Referred to the Committee on JUDICIARY

1 A bill for an act  
2 relating to landlords and tenants; providing  
3 additional remedies for landlords and tenants;  
4 providing penalties; amending Minnesota Statutes  
5 1974, Sections 487.17; 488A.01, Subdivision 5;  
6 488A.18, Subdivision 6; Chapter 504, by adding  
7 sections; Chapter 566, by adding a section,  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
9 Section 1. Minnesota Statutes 1974, Chapter 504, is  
10 amended by adding a section to read:  
11 [504.24] [PROPERTY ABANDONMENT.] Subdivision 1. If a  
12 tenant abandons rented premises the landlord may take  
13 possession of the tenant's personal property remaining on  
14 the premises, and shall store and care for the property.  
15 The landlord may bring an action against the tenant for  
16 reasonable costs and expenses incurred in removing the  
17 tenant's property and in storing and caring for the  
18 property. The landlord may sell the property 60 days after  
19 the landlord receives actual notice of the abandonment or 60  
20 days after it reasonably appears that the tenant has  
21 abandoned the premises and may apply a reasonable amount of  
22 the proceeds of the sale to the removal, care, and storage  
23 costs and expenses or to any claims authorized pursuant to  
24 section 504.20, subdivision 3, clauses (a) and (b). Prior



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1 to the sale the landlord shall make reasonable efforts to  
2 notify the tenant of the sale including sending written  
3 notification of the sale by certified mail, return receipt  
4 requested, to the tenant's last known address or usual place  
5 of abode, if known by the landlord, and by posting notice of  
6 the sale in a conspicuous place on the premises for at least  
7 two weeks.

8 Subd. 2. If a landlord, his agent or person acting  
9 under the landlord's direction or control, in possession of  
10 a tenant's personal property, fails to return or allow the  
11 tenant to retake possession of the property within 24 hours  
12 after written demand by the tenant or his duly authorized  
13 representative or within 48 hours, exclusive of weekends and  
14 holidays, after written demand by the tenant or his duly  
15 authorized representative when the landlord, his agent or  
16 person acting under the landlord's direction or control has  
17 removed and stored the personal property in accordance with  
18 subdivision 1 in a location other than the premises, the  
19 tenant may recover from the landlord punitive damages of  
20 \$300 in addition to actual damages and reasonable attorney's  
21 fees.

22 Sec. 2. Minnesota Statutes 1974, Chapter 504, is  
23 amended by adding a section to read:

24 [504.25] [UNLAWFUL OUSTER OR EXCLUSION.] A landlord,  
25 agent of the landlord or person acting under the landlord's  
26 direction or control who unlawfully and intentionally  
27 removes or excludes a tenant from lands or tenements or  
28 intentionally interrupts or causes the interruption of  
29 electrical, heat, gas or water services to the tenant with  
30 intent to unlawfully remove or exclude the tenant from lands  
31 or tenements is guilty of a misdemeanor. In any trial under  
32 this subdivision, it shall be presumed that the landlord,



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1 agent or other person interrupted or caused the interruption  
2 of the service with intent to unlawfully remove or exclude  
3 the tenant from lands or tenements, if it is established by  
4 evidence that the landlord, his agent or a person acting  
5 under the landlord's direction or control intentionally  
6 interrupted or caused the interruption of the service to the  
7 tenant. The burden is upon the landlord to rebut the  
8 presumption.

9       Sec. 3, Minnesota Statutes 1974, Chapter 504, is  
10 amended by adding a section to read:

11       [504.26] [UNLAWFUL TERMINATION OF UTILITIES.] Except as  
12 otherwise provided in this subdivision, if a landlord, his  
13 agent or a person acting under the landlord's direction or  
14 control, interrupts or causes the interruption of  
15 electricity, heat, gas, or water services to the tenant, the  
16 tenant may recover from the landlord treble damages and  
17 reasonable attorney's fees. It is a defense to any action  
18 brought under this subdivision that the interruption was the  
19 result of the deliberate or negligent act or omission of the  
20 tenant or anyone acting under his direction or control. The  
21 tenant may recover only actual damages under this  
22 subdivision if:

23       (a) the tenant has not given the landlord, his agent or  
24 person acting under the landlord's direction or control,  
25 notice of the interruption; or

26       (b) the landlord, his agent or person acting under the  
27 landlord's direction or control, after receiving notice of  
28 the interruption from the tenant and within a reasonable  
29 period of time after the interruption, taking into account  
30 the nature of the service interrupted and the effect of the  
31 interrupted service on the health, welfare and safety of the  
32 tenants, has reinstated or made a good faith effort to

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1 reinstate the service or has taken other remedial action; or  
2 (c) the interruption was for the purpose of repairing  
3 or correcting faulty or defective equipment or protecting  
4 the health and safety of the occupants of the premises  
5 involved and the service was reinstated or a good faith  
6 effort was made to reinstate the service or other remedial  
7 action was taken by the landlord, his agent, or person  
8 acting under the landlord's direction or control within a  
9 reasonable period of time, taking into account the nature of  
10 the defect, the nature of the service interrupted and the  
11 effect of the interrupted service on the health, welfare and  
12 safety of the tenants.

13 Sec. 4. Minnesota Statutes 1974, Chapter 504, is  
14 amended by adding a section to read:

15 [504.27] [REMEDIES ARE ADDITIONAL.] The remedies  
16 provided in sections 1, 2 and 3 are in addition to and shall  
17 not limit other remedies available to landlords and tenants.

18 Sec. 5. Minnesota Statutes 1974, Chapter 566, is  
19 amended by adding a section to read:

20 [566.175] [UNLAWFUL REMOVAL OR EXCLUSION; RECOVERY OF  
21 POSSESSION.] Subdivision 1. Any tenant who is unlawfully  
22 removed or excluded from lands or tenements which are  
23 demised or let to him may recover possession of the premises  
24 in the following manner:

25 (a) The tenant shall present a verified petition to the  
26 county or municipal court of the county in which the  
27 premises are located, which petition shall:

28 (1) describe the premises of which possession is  
29 claimed and the owner, as defined in section 566.18,  
30 subdivision 3, of the premises;

31 (2) specifically state the facts and grounds that  
32 demonstrate that the removal or exclusion was unlawful

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1 including a statement that no judgment and writ of  
2 restitution have been issued under section 566.09 in favor  
3 of the owner and against petitioner as to the premises and  
4 executed in accordance with section 566.17; and

5 (3) ask for possession thereof.

6 (b) If it clearly appears from the specific grounds and  
7 facts stated in the verified petition or by separate  
8 affidavit of petitioner or his counsel or agent that the  
9 removal or exclusion was unlawful, the court shall  
10 immediately order that petitioner have possession of the  
11 premises.

12 (c) The petitioner shall furnish monetary or other  
13 security if any as the court deems appropriate under the  
14 circumstances for payment of all costs and damages the  
15 defendant may sustain if the order is subsequently found to  
16 have been obtained wrongfully. In determining the  
17 appropriateness of any security the court may consider  
18 petitioner's ability to afford monetary security.

19 (d) The court shall direct the order to the sheriff or  
20 any constable of the county in which the premises is located  
21 and the sheriff or constable shall execute the order  
22 immediately by making a demand upon the defendant, if he can  
23 be found, or his agent or other person in charge of the  
24 premises, for possession of the premises. If the defendant  
25 fails to comply with the demand, the officer shall take with  
26 him whatever assistance may be necessary and immediately  
27 place the petitioner in possession of the premises. If the  
28 defendant or his agent or other person in control of the  
29 premises cannot be found and if there is no person in charge  
30 of the premises detained so that no demand can be made, the  
31 officer shall immediately enter into possession of the  
32 premises, breaking in if necessary, and place the petitioner



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1 in possession of the premises. The officer shall also serve  
2 the order and verified petition or affidavit without delay  
3 upon the defendant or upon his agent, in the same manner as  
4 a summons is required to be served in a civil action in  
5 district court.

6 Subd. 2. The defendant by written motion and notice  
7 served upon petitioner or his attorney at least two days  
8 prior to the hearing date on the motion and in the manner as  
9 a summons is required to be served under section 566.06 may  
10 obtain dissolution or modification of the order for  
11 possession, issued pursuant to subdivision 1, clause (b),  
12 unless the petitioner proves the facts and grounds upon  
13 which the writ is issued. A defendant bringing a motion  
14 pursuant to this subdivision may recover possession of the  
15 premises only in accordance with sections 566.03 to 566.17.  
16 Upon the dissolution of the order, the court shall tax costs  
17 to petitioner, subject to the provisions of section 563.01,  
18 and may allow damages and reasonable attorney's fees for the  
19 wrongful granting of the order for possession. If the order  
20 is affirmed the court shall tax costs against defendant and  
21 may allow petitioner reasonable attorney's fees.

22 Subd. 3. An order issued under subdivision 1, clause  
23 (b), or affirmed, modified or dissolved under subdivision 2  
24 is a final order for purposes of appeal and either party  
25 aggrieved by the order may appeal within ten days after the  
26 entry of the order. If the party appealing remains in  
27 possession of the premises, his bond shall be conditioned to  
28 pay all costs of the appeal, to abide by the order the court  
29 may make and to pay all rent and other damages justly  
30 accruing to the party excluded from possession during the  
31 pendency of the appeal.

32 Subd. 4. Any provisions, whether oral or written, of



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1 any lease or other agreement whereby any provision of this  
2 section is waived by a tenant is contrary to public policy  
3 and void.

4 Subd. 5. The purpose of this section is to provide an  
5 additional and summary remedy for tenants unlawfully removed  
6 or excluded from rental property and except as where  
7 expressly provided in this section, sections 566.03 to  
8 566.17 shall not apply to proceedings under this section.

9 Sec. 6. Minnesota Statutes 1974, Section 487.17, is  
10 amended to read:

11 487.17 [FORCIBLE ENTRY AND UNLAWFUL DETAINER.] Whether  
12 or not title to real estate is involved, the county court  
13 has jurisdiction of actions of forcible entry and unlawful  
14 detainer or actions for unlawful removal or exclusion  
15 pursuant to section 2 of this act, involving land located  
16 wholly or partly within the county court district and of  
17 actions seeking relief for code violations pursuant to  
18 sections 566.18 to 566.33 involving premises located wholly  
19 or partly within the county court district.

20 Sec. 7. Minnesota Statutes 1974, Section 488A.01,  
21 Subdivision 5, is amended to read:

22 Subd. 5. [FORCIBLE ENTRY AND UNLAWFUL DETAINER.]  
23 Whether or not the title to real estate is involved, the  
24 court has jurisdiction of actions of forcible entry and  
25 unlawful detainer or actions for unlawful removal or  
26 exclusion pursuant to section 2 of this act, involving land  
27 located wholly or in part within Hennepin county and,  
28 notwithstanding any provision of subdivision 7 to the  
29 contrary, of actions seeking relief for code violations  
30 pursuant to sections 566.18 to 566.33 involving premises  
31 located wholly or partly within Hennepin county.

32 Sec. 8. Minnesota Statutes 1974, Section 488A.18,

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1 Subdivision 6, is amended to read:  
2 Subd. 6. [FORCIBLE ENTRY AND UNLAWFUL DETAINER.]  
3 Whether or not the title to real estate is involved, the  
4 court has jurisdiction of actions of forcible entry and  
5 unlawful detainer or actions for unlawful removal or  
6 exclusion pursuant to section 2 of this act, involving land  
7 located wholly or in part within Ramsey county and,  
8 notwithstanding any provision of subdivision 8 to the  
9 contrary, of actions seeking relief for code violations  
10 pursuant to sections 566.18 to 566.33 involving premises  
11 located wholly or partly within Ramsey county.

House  
Companion  
No.

1146

DUPLICATE  
FIRST ENGROSSMENT

**S. F.** NO. 1390

A bill for an act relating to landlords and tenants; providing additional remedies for landlords and tenants; security deposits; withholding rent for last payment period; providing penalties; amending Minnesota Statutes 1974, Sections 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; 504.20, by adding a subdivision; Chapter 504, by adding sections; Chapter 566, by adding a section.

B. D. No. B2486

COMPARISON ACTION

Date MAY 13 1975

Rules & Administration moved that

~~HF. No. 1146~~ and ~~SF. No. 1390~~  
be referred for comparison.

Date \_\_\_\_\_

Upon motion of \_\_\_\_\_

\_\_\_\_ F. No. \_\_\_\_\_ was substituted

for \_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_

Laid on Table \_\_\_\_\_

Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_

The Senate concurred in House amendments to

S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Doty

Keefe J

Tennessen

★ Read FIRST TIME APR 10 1975 and Referred to the  
Committee on JUDICIARY

Committee Recommendation and Adoption of Report

To Pass As Amended

Pursuant to joint rule 20 the bill and report were  
referred to the Committee on Rules and Administration  
MAY 9 1975

★ Adopt the Previous Committee Report MAY 13 1975

★ Read SECOND TIME MAY 13 1975  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

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S. F. No. 1390

Printed Page No.



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Introduced by Doty; Keefe, J. and Tennesen.  
Read First Time Apr. 10, 1975, and Referred to  
the Committee on Judiciary.  
Committee Recommendation. To Pass as Amended.  
Pursuant to Joint Rule 20, Re-referred to the Committee on  
Rules and Administration May 9, 1975.  
Committee Recommendation. Adopt the Previous Committee Report.  
Committee Report Adopted May 13, 1975.  
Read Second Time May 13, 1975.

- 1 A bill for an act
- 2 relating to landlords and tenants; providing  
3 additional remedies for landlords and tenants;  
4 security deposits; withholding rent for last  
5 payment period; providing penalties; amending  
6 Minnesota Statutes 1974, Sections 487.17; 488A.01,  
7 Subdivision 5; 488A.18, Subdivision 6; 504.20, by  
8 adding a subdivision; Chapter 504, by adding  
9 sections; Chapter 566, by adding a section,
- 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 11 Section 1. Minnesota Statutes 1974, Chapter 504, is  
12 amended by adding a section to read:
- 13 [504.24] [PROPERTY ABANDONMENT.] Subdivision 1. If a  
14 tenant abandons rented premises the landlord may take  
15 possession of the tenant's personal property remaining on  
16 the premises, and shall store and care for the property.  
17 The landlord has a claim against the tenant for reasonable  
18 costs and expenses incurred in removing the tenant's  
19 property and in storing and caring for the property. The  
20 landlord may sell or otherwise dispose of the property 60  
21 days after the landlord receives actual notice of the  
22 abandonment or 60 days after it reasonably appears to the  
23 landlord that the tenant has abandoned the premises  
24 whichever occurs last and may apply a reasonable amount of  
25 the proceeds of the sale to the removal, care, and storage



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1 costs and expenses or to any claims authorized pursuant to  
2 section 504.20, subdivision 3, clauses (a) and (b). Any  
3 remaining proceeds of the sale shall be paid to the tenant  
4 upon written demand. Prior to the sale the landlord shall  
5 make reasonable efforts to notify the tenant of the sale at  
6 least 14 days prior to the sale, by personal service in  
7 writing or sending written notification of the sale by  
8 certified mail, return receipt requested, to the tenant's  
9 last known address or usual place of abode, if known by the  
10 landlord, and by posting notice of the sale in a conspicuous  
11 place on the premises for at least two weeks.

12 Subd. 2. If a landlord, his agent or person acting  
13 under the landlord's direction or control, in possession of  
14 a tenant's personal property, fails to allow the tenant to  
15 retake possession of the property within 24 hours after  
16 written demand by the tenant or his duly authorized  
17 representative or within 48 hours, exclusive of weekends and  
18 holidays, after written demand by the tenant or his duly  
19 authorized representative when the landlord, his agent or  
20 person acting under the landlord's direction or control has  
21 removed and stored the personal property in accordance with  
22 subdivision 1 in a location other than the premises, the  
23 tenant shall recover from the landlord punitive damages not  
24 to exceed \$300 in addition to actual damages and reasonable  
25 attorney's fees. In determining the amount of punitive  
26 damages the Court shall consider (a) the nature and value of  
27 the property; (b) the effect the deprivation of the property  
28 has had on the tenant; (c) if the landlord, his agent or  
29 person acting under the landlord's direction or control  
30 unlawfully took possession of the tenant's property; and (d)  
31 if the landlord, his agent or person under the landlord's  
32 direction or control acted in bad faith in failing to allow

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1 the tenant to retake possession of the property. The  
2 provisions of this subdivision shall not apply to personal  
3 property which has been sold or otherwise disposed of by the  
4 landlord in accordance with subdivision 1.

5 Subd. 3. If the landlord, his agent or person acting  
6 under the landlord's direction or control has unlawfully  
7 taken possession of a tenant's personal property the  
8 landlord shall be responsible for paying the cost and  
9 expenses relating to the removal, storage or care of the  
10 property.

11 Sec. 2. Minnesota Statutes 1974, Chapter 504, is  
12 amended by adding a section to read:

13 [504.25] [UNLAWFUL OUSTER OR EXCLUSION.] A landlord,  
14 agent of the landlord or person acting under the landlord's  
15 direction or control who unlawfully and intentionally  
16 removes or excludes a tenant from lands or tenements or  
17 intentionally interrupts or causes the interruption of  
18 electrical, heat, gas or water services to the tenant with  
19 intent to unlawfully remove or exclude the tenant from lands  
20 or tenements is guilty of a misdemeanor. In any trial under  
21 this subdivision, it shall be presumed that the landlord,  
22 agent or other person acting under the landlord's direction  
23 or control interrupted or caused the interruption of the  
24 service with intent to unlawfully remove or exclude the  
25 tenant from lands or tenements, if it is established by  
26 evidence that the landlord, his agent or a person acting  
27 under the landlord's direction or control intentionally  
28 interrupted or caused the interruption of the service to the  
29 tenant. The burden is upon the landlord to rebut the  
30 presumption.

31 Sec. 3. Minnesota Statutes 1974, Chapter 504, is  
32 amended by adding a section to read:

1        [504.26] [UNLAWFUL TERMINATION OF UTILITIES.] Except as  
2        otherwise provided in this subdivision, if a landlord, his  
3        agent or a person acting under the landlord's direction or  
4        control, interrupts or causes the interruption of  
5        electricity, heat, gas, or water services to the tenant, the  
6        tenant may recover from the landlord treble damages and  
7        reasonable attorney's fees. It is a defense to any action  
8        brought under this subdivision that the interruption was the  
9        result of the deliberate or negligent act or omission of a  
10       tenant or anyone acting under his direction or control. The  
11       tenant may recover only actual damages under this  
12       subdivision if:

13       (a) the tenant has not given the landlord, his agent or  
14       person acting under the landlord's direction or control,  
15       notice of the interruption; or

16       (b) the landlord, his agent or person acting under the  
17       landlord's direction or control, after receiving notice of  
18       the interruption from the tenant and within a reasonable  
19       period of time after the interruption, taking into account  
20       the nature of the service interrupted and the effect of the  
21       interrupted service on the health, welfare and safety of the  
22       tenants, has reinstated or made a good faith effort to  
23       reinstate the service or has taken other remedial action; or

24       (c) the interruption was for the purpose of repairing  
25       or correcting faulty or defective equipment or protecting  
26       the health and safety of the occupants of the premises  
27       involved and the service was reinstated or a good faith  
28       effort was made to reinstate the service or other remedial  
29       action was taken by the landlord, his agent, or person  
30       acting under the landlord's direction or control within a  
31       reasonable period of time, taking into account the nature of  
32       the defect, the nature of the service interrupted and the



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1 effect of the interrupted service on the health, welfare and  
2 safety of the tenants.

3 Sec. 4. Minnesota Statutes 1974, Chapter 504, is  
4 amended by adding a section to read:

5 [504.27] [REMEDIES ARE ADDITIONAL.] The remedies  
6 provided in sections 1, 2 and 3 are in addition to and shall  
7 not limit other rights or remedies available to landlords  
8 and tenants. Any provision, whether oral or written, of any  
9 lease or other agreement, whereby any provision of sections  
10 1 to 4 is waived by a tenant is contrary to public policy  
11 and void.

12 Sec. 5. Minnesota Statutes 1974, Chapter 566, is  
13 amended by adding a section to read:

14 [566.175] [UNLAWFUL REMOVAL OR EXCLUSION; RECOVERY OF  
15 POSSESSION.] Subdivision 1. Any tenant who is unlawfully  
16 removed or excluded from lands or tenements which are  
17 demised or let to him may recover possession of the premises  
18 in the following manner:

19 (a) The tenant shall present a verified petition to the  
20 county or municipal court of the county in which the  
21 premises are located, which petition shall:

22 (1) describe the premises of which possession is  
23 claimed and the owner, as defined in section 566.18,  
24 subdivision 3, of the premises;

25 (2) specifically state the facts and grounds that  
26 demonstrate that the removal or exclusion was unlawful  
27 including a statement that no judgment and writ of  
28 restitution have been issued under section 566.09 in favor  
29 of the owner and against petitioner as to the premises and  
30 executed in accordance with section 566.17; and

31 (3) ask for possession thereof.

32 (b) If it clearly appears from the specific grounds and



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1 facts stated in the verified petition or by separate  
2 affidavit of petitioner or his counsel or agent that the  
3 removal or exclusion was unlawful, the court shall  
4 immediately order that petitioner have possession of the  
5 premises.

6 (c) The petitioner shall furnish monetary or other  
7 security if any as the court deems appropriate under the  
8 circumstances for payment of all costs and damages the  
9 defendant may sustain if the order is subsequently found to  
10 have been obtained wrongfully. In determining the  
11 appropriateness of any security the court shall consider  
12 petitioner's ability to afford monetary security.

13 (d) The court shall direct the order to the sheriff or  
14 any constable of the county in which the premises is located  
15 and the sheriff or constable shall execute the order  
16 immediately by making a demand upon the defendant, if he can  
17 be found, or his agent or other person in charge of the  
18 premises, for possession of the premises. If the defendant  
19 fails to comply with the demand, the officer shall take with  
20 him whatever assistance may be necessary and immediately  
21 place the petitioner in possession of the premises. If the  
22 defendant or his agent or other person in control of the  
23 premises cannot be found and if there is no person in charge  
24 of the premises detained so that no demand can be made, the  
25 officer shall immediately enter into possession of the  
26 premises and place the petitioner in possession of the  
27 premises. The officer shall also serve the order and  
28 verified petition or affidavit without delay upon the  
29 defendant or upon his agent, in the same manner as a summons  
30 is required to be served in a civil action in district  
31 court.

32 Subd. 2. The defendant by written motion and notice

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1 served by mail or personally upon petitioner or his attorney  
2 at least two days prior to the hearing date on the motion  
3 may obtain dissolution or modification of the order for  
4 possession, issued pursuant to subdivision 1, clause (b),  
5 unless the petitioner proves the facts and grounds upon  
6 which the writ is issued. A defendant bringing a motion  
7 pursuant to this subdivision may recover possession of the  
8 premises only in accordance with sections 566.03 to 566.17  
9 or otherwise provided by law. Upon the dissolution of the  
10 order, the court shall tax costs to petitioner, subject to  
11 the provisions of section 563.01, and may allow damages and  
12 reasonable attorney's fees for the wrongful granting of the  
13 order for possession. If the order is affirmed the court  
14 shall tax costs against defendant and may allow petitioner  
15 reasonable attorney's fees.

16 Subd. 3. An order issued under subdivision 1, clause  
17 (b), or affirmed, modified or dissolved under subdivision 2  
18 is a final order for purposes of appeal and either party  
19 aggrieved by the order may appeal within ten days after the  
20 entry of the order. If the party appealing remains in  
21 possession of the premises, his bond shall be conditioned to  
22 pay all costs of the appeal, to abide by the order the court  
23 may make and to pay all rent and other damages justly  
24 accruing to the party excluded from possession during the  
25 pendency of the appeal.

26 Subd. 4. Any provisions, whether oral or written, of  
27 any lease or other agreement whereby any provision of this  
28 section is waived by a tenant is contrary to public policy  
29 and void.

30 Subd. 5. The purpose of this section is to provide an  
31 additional and summary remedy for tenants unlawfully removed  
32 or excluded from rental property and except as where

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1 expressly provided in this section, sections 566.03 to  
2 566.17 shall not apply to proceedings under this section.

3 Sec. 6. Minnesota Statutes 1974, Section 487.17, is  
4 amended to read:

5 487.17 [FORCIBLE ENTRY AND UNLAWFUL DETAINER.] Whether  
6 or not title to real estate is involved, the county court  
7 has jurisdiction of actions of forcible entry and unlawful  
8 detainer or actions for unlawful removal or exclusion  
9 pursuant to section 2 of this act, involving land located  
10 wholly or partly within the county court district and of  
11 actions seeking relief for code violations pursuant to  
12 sections 566.18 to 566.33 involving premises located wholly  
13 or partly within the county court district.

14 Sec. 7. Minnesota Statutes 1974, Section 488A.01,  
15 Subdivision 5, is amended to read:

16 Subd. 5. [FORCIBLE ENTRY AND UNLAWFUL DETAINER.]  
17 Whether or not the title to real estate is involved, the  
18 court has jurisdiction of actions of forcible entry and  
19 unlawful detainer or actions for unlawful removal or  
20 exclusion pursuant to section 2 of this act, involving land  
21 located wholly or in part within Hennepin county and,  
22 notwithstanding any provision of subdivision 7 to the  
23 contrary, of actions seeking relief for code violations  
24 pursuant to sections 566.18 to 566.33 involving premises  
25 located wholly or partly within Hennepin county.

26 Sec. 8. Minnesota Statutes 1974, Section 488A.18,  
27 Subdivision 6, is amended to read:

28 Subd. 6. [FORCIBLE ENTRY AND UNLAWFUL DETAINER.]  
29 Whether or not the title to real estate is involved, the  
30 court has jurisdiction of actions of forcible entry and  
31 unlawful detainer or actions for unlawful removal or  
32 exclusion pursuant to section 2 of this act, involving land

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1 located wholly or in part within Ramsey county and,  
2 notwithstanding any provision of subdivision 8 to the  
3 contrary, of actions seeking relief for code violations  
4 pursuant to sections 566.18 to 566.33 involving premises  
5 located wholly or partly within Ramsey county.

6 Sec. 9. Minnesota Statutes 1974, Section 504.20, is  
7 amended by adding a subdivision to read:

8 Subd. 7a. No tenant may withhold payment of all or any  
9 portion of rent for the last payment period of a residential  
10 rental agreement on the grounds that such deposit should  
11 serve as payment for the rent. Withholding all or any  
12 portion of rent for the last payment period of the  
13 residential rental agreement creates a rebuttable  
14 presumption that the tenant withheld the last payment on the  
15 grounds that such deposit should serve as payment for the  
16 rent. Violation of this subdivision after written demand  
17 and notice of this subdivision shall subject the tenant to  
18 damages of twice the deposit and forfeiture of any interest  
19 due on the deposit in addition to any actual damages.



House  
Companion  
No.

DUPLICATE

S. F. NO. 1391

A bill for an act relating to water and related land resources management; amending Minnesota Statutes 1974, Section 378.31, Subdivision 2, and by adding a subdivision; repealing Laws 1945, Chapter 163.

B. D. No. B2704

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators \_\_\_\_\_

★ Read FIRST TIME APR 10 1975 and Referred to the  
Committee on NATURAL RESOURCES AND AGRICULTURE  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

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S. F. No. 1391

Printed Page No.

SENATE  
STATE OF MINNESOTA  
SIXTY-NINTH LEGISLATURE

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S. F. NO. 1391

1391

Introduced by Pillsbury, Hughes and Keefe, J.  
Read First Time Apr. 10, 1975, and Referred to  
the Committee on Natural Resources and Agriculture.  
Committee Recommendation. To Pass.  
Committee Report Adopted Apr. 19, 1975.  
Read Second Time Apr. 19, 1975.

1                                   A bill for an act  
2           relating to water and related land resources  
3           management; amending Minnesota Statutes 1974,  
4           Section 378.31, Subdivision 2, and by adding a  
5           subdivision; repealing Laws 1945, Chapter 163,  
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
7           Section 1. Minnesota Statutes 1974, Section 378.31,  
8           Subdivision 2, is amended to read:  
9           Subd. 2. The county board of every county shall have  
10          the powers set forth in this section with respect to any  
11          bodies of water situated wholly or partly within the  
12          boundaries of the county and not situated entirely within  
13          the boundaries of a single city or lake conservation  
14          district established by law. Upon approval by the affected  
15          city or lake conservation district, a county board may  
16          assume and thereafter exercise the powers set forth in this  
17          section with respect to bodies of water lying wholly within  
18          that city or lake conservation district. All programs  
19          undertaken pursuant to such powers shall be consistent with  
20          the statewide water and related land resources plan prepared  
21          under the direction of the commissioner of natural  
22          resources, and with regional water and related resources  
23          plans. No body of water shall be improved under this

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1 section unless the public has access to some portion of the  
2 shoreline thereof. The county boards shall have power:

3 Sec. 2. Minnesota Statutes 1974, Section 378.31, is  
4 amended by adding a subdivision to read:

5 Subd. 5a. To improve navigation and to acquire by gift  
6 or purchase land, equipment or other facilities for this  
7 purpose;

8 Sec. 3. Laws 1945, Chapter 163, is repealed.

9 Sec. 4. This act is effective on the day following its  
10 final enactment,



House  
Companion  
No.

DUPLICATE

S. F. NO. 1392

A bill for an act relating to taxation; tax upon open spaces, agricultural and timber lands; repealing Minnesota Statutes 1974, Sections 273.111 and 273.112.

B. D. No. B2598

SENATE ACTION

Introduced by Senators *Pillsbury*

APR 10 1975

and Referred to the

Read FIRST TIME

Committee on

TAXES AND TAX LAWS

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

☐ OTHER ACTION  
Refer to back of cover for other  
action.

☐ CONFERENCE COMMITTEE ACTION  
Refer to back of cover for conference  
committee action.

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S. F. No.

Printed Page No.



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Messrs. Pillsbury and Ashbach introduced--

S. F. No. 1392: Referred to the Committee on TAXES AND TAX LAWS

1                                   A bill for an act  
2           relating to taxation; tax upon open spaces,  
3           agricultural and timber lands; repealing Minnesota  
4           Statutes 1974, Sections 273.111 and 273.112.  
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
6           Section 1. [OPEN SPACES, AGRICULTURAL AND TIMBER LANDS  
7 TAX LAW.] Subdivision 1. [LEGISLATIVE DECLARATION.] The  
8 legislature hereby declares that it is in the best interest  
9 of the state to maintain, preserve, conserve, and otherwise  
10 continue in existence adequate open space lands for the  
11 production of food, fiber and forest crops, and to assure  
12 the use and enjoyment of natural resources and scenic beauty  
13 for the economic and social well being of the state and its  
14 citizens. The legislature further declares that assessment  
15 practices must be designed to permit the continued  
16 availability of open space for these purposes, and it is the  
17 intent of this act to so provide.  
18           Subd. 2. [DEFINITIONS.] As used in this act, unless a  
19 different meaning is required by the context:  
20           (a) "Open space land" means (1) any land area so  
21 designated by an official comprehensive land use plan adopted  
22 by a municipality or town which possesses statutory city

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1 powers, county or regional governmental unit or the  
2 metropolitan council and zoned accordingly; or (2) any land  
3 area, the preservation of which in its present use does or  
4 would (i) conserve and enhance natural or scenic resources,  
5 or (ii) protect streams or water supply, or (iii) promote  
6 conservation of soils, wetlands, beaches, or (iv) enhance  
7 the value to the public of abutting or neighboring parks,  
8 forests, wildlife preserves, nature reservations or  
9 sanctuaries or other open space, or (v) enhance recreation  
10 and sports opportunities, or (vi) preserve historic sites,  
11 or (vii) retain in its natural state tracts of land which  
12 are not less than five acres, are situated in an urban area  
13 and are open to public use on conditions as reasonably  
14 required by the governmental body granting the open space  
15 classification; or (3) any land if it is actively and  
16 exclusively devoted to golf or skiing, and other  
17 recreational use carried on at those golf or skiing  
18 establishments and is five acres in size or more; and is (i)  
19 operated by private individuals and open to the public; or  
20 is (ii) operated by firms or corporations for the benefit of  
21 employees or guests; or is (iii) operated by private clubs  
22 having a membership of 50 or more.

23 (b) "Farm and agricultural land" means either (1)  
24 contiguous land in the same ownership of 20 or more acres  
25 devoted primarily to the production of livestock or  
26 agricultural commodities for commercial purposes; or (2) any  
27 parcel of land five acres or more but less than 20 acres  
28 devoted primarily to agricultural uses, which has produced a  
29 gross income of \$1,000 or more for three of the five  
30 calendar years preceding the date of application for  
31 classification under this section. In case of a sale of  
32 livestock, gross income shall be deemed to be the difference

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1 between the sale price and purchase price of the livestock,  
2 Agricultural lands shall also include: (i) slough,  
3 wasteland and woodland contiguous to land described above,  
4 if it is under the same ownership as the land, and (ii) the  
5 land on which appurtenances necessary to the production,  
6 preparation for sale of agricultural products that exist in  
7 conjunction with the lands producing those products.

8 (c) "Timber lands" means contiguous land in the same  
9 ownership of five or more acres which is devoted primarily  
10 to the growth and harvest of forest crops.

11 (d) "Current" or "currently" means as of the date on  
12 which property is to be listed and valued by the county  
13 assessor and for 12 months prior thereto.

14 (e) "Owner" means the party or parties having the fee  
15 interest in land, except that where land is subject to real  
16 estate contract "owner" shall mean the contract vendee.

17 (f) "Contiguous" means land adjoining and touching  
18 other property held by the same ownership. Land divided by  
19 a public road, but otherwise an integral part of the farming  
20 operation, shall be considered contiguous.

21 Subd. 3. [APPLICATIONS FOR CURRENT USE ASSESSMENT;  
22 FORMS; FEE; TIMES FOR MAKING.] An owner of agricultural land  
23 desiring current use classification under subdivision 2  
24 shall make application to the county assessor upon forms  
25 prepared by the state department of revenue and supplied by  
26 the county assessor. An owner of open space or timber land  
27 desiring current use classification under subdivision 2,  
28 clauses (a) and (c) shall make application to the county  
29 assessor upon forms prepared by the department of revenue  
30 and supplied by the county assessor. The application shall  
31 be accompanied by a reasonable processing fee not to exceed  
32 \$30 if the processing fee is established by the city or

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1 county legislative authority. If the application is not  
2 approved, the application fee shall be returned to the  
3 applicant. The application shall require only information  
4 reasonably necessary to classify properly an area of land  
5 under subdivision 2 with a notarized verification of the  
6 truth thereof and shall include a statement that the  
7 applicant is aware of the potential tax liability involved  
8 when the land ceases to be designated as open space, farm  
9 and agricultural or timber land. Applications must be made  
10 prior to December 31, 1975, for classification to begin in  
11 the assessment year commencing January 1, 1976, and  
12 thereafter applications to the county assessor shall be made  
13 prior to July 1 of the calendar year preceding that in which  
14 the classification is to begin. The assessor shall make  
15 necessary information, including copies of this section and  
16 applicable regulations, readily available to interested  
17 parties, and shall render reasonable assistance to such  
18 parties upon request.

19 Subd. 4. [APPROVAL OF APPLICATION; LISTING OF  
20 ASSESSMENT.] The assessor shall act upon the application for  
21 current use classification of farm and agricultural lands  
22 under subdivision 2, with due regard to all relevant  
23 evidence. The application shall be deemed to have been  
24 approved unless, prior to May 1 of the year after the  
25 application was mailed or delivered to the assessor, he  
26 shall notify the applicant in writing of the extent to which  
27 the application is denied. An owner who receives notice  
28 that his application has been denied may appeal the denial  
29 to the county governmental body. Within ten days following  
30 approval of the application, the assessor shall submit  
31 notification of approval to the county auditor for recording  
32 in the place and manner provided for the public recording



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1 of state tax liens on real property.

2 The assessor shall, as to approved land, make a  
3 notation each year on the assessment list and the tax roll  
4 of the assessed value of the land for the use for which it  
5 is classified in addition to the assessed value of the land  
6 were it not so classified.

7 The assessor shall also file notice of both values with  
8 the county treasurer, who shall record the notice in the  
9 place and manner provided for recording delinquent taxes.

10 Subd. 5. [REFERRAL OF APPLICATION TO PROPER  
11 GOVERNMENTAL BODY; APPROVAL OR DISAPPROVAL; FACTORS;  
12 REVIEW.] Each application for classification shall be  
13 referred by the county assessor to the county governmental  
14 body, if the land is in an unincorporated area, or to the  
15 municipal governmental body, if it is in an incorporated  
16 area or to the town board if the town possesses statutory  
17 city powers. Applications for classification under  
18 subdivision 2, clauses (a) or (c) shall be made to the  
19 county legislative authority. An application made for  
20 classification of land under subdivision 2, clauses (a)(2)  
21 or (c) which is in an area subject to a comprehensive plan  
22 shall be acted upon in the same manner in which an amendment  
23 to the comprehensive plan is processed. Application made  
24 for classification of land which is in an area not subject  
25 to a comprehensive plan shall be acted upon after a public  
26 hearing and after notice of the hearing shall have been  
27 given by one publication in a newspaper of general  
28 circulation in the area at least ten days before the  
29 hearing.

30 In determining whether an application made for  
31 classification under subdivision 2 should be approved, the  
32 granting authority may approve a use lower than that for

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1 which the land is presently zoned and may take cognizance of  
2 the benefits of the general welfare of preserving the  
3 current use of the property which is the subject of  
4 application, and may consider whether or not preservation of  
5 current use of the land will (a) conserve or enhance natural  
6 or scenic resources, (b) protect streams or water supplies,  
7 (c) promote conservation of soils, wetlands, beaches or  
8 tidal marshes, (d) enhance the value of abutting or  
9 neighboring parks, forests, wildlife preserves, nature  
10 reservations, sanctuaries, or other open spaces, (e) enhance  
11 recreation opportunities including sports such as golf and  
12 skiing, (f) preserve historic sites, (g) maintain farm and  
13 agricultural land, or (h) affect any other factors relevant  
14 in weighing benefits to the general welfare of preserving  
15 open spaces or the current use of the property against the  
16 potential loss in revenue which may result from granting the  
17 application. However, the granting authority may approve  
18 the application with respect to only the part of the land  
19 which is the subject of the application. The granting  
20 authority in approving in part or whole an application may  
21 also require that certain conditions be met, including the  
22 granting of easements. If any part of the application is  
23 denied or modified or any additional conditions placed  
24 thereon by the granting authority the applicant may withdraw  
25 the entire application. The grant or denial of an  
26 application for current use assessment is an administrative  
27 determination and shall be reviewable only for arbitrary and  
28 capricious actions. With respect to land in the seven  
29 county metropolitan area made up of Hennepin, Ramsey, Anoka,  
30 Dakota, Scott, Carver, and Washington counties, approval  
31 shall not become effective if within 90 days of submission  
32 of the application, the metropolitan council shall

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1 disapprove the application and send notices thereof to the  
2 applicant, the appropriate governing body and the assessor.

3 Subd. 6. [NOTICE OF APPROVAL OR DISAPPROVAL; PROCEDURE  
4 WHEN APPROVAL GRANTED.] (a) The granting authority shall  
5 immediately notify the county assessor and the applicant and  
6 with respect to land in the metropolitan area, the  
7 metropolitan council, of its approval or disapproval which  
8 shall in no event be more than six months from the receipt  
9 of the application. No land other than farm and  
10 agricultural land shall be considered qualified under  
11 subdivision 2 until an application has been approved by the  
12 appropriate governmental authority and with respect to land  
13 in the metropolitan area, the metropolitan council has not  
14 disapproved of the application within 90 days of its  
15 submission.

16 (b) When the granting authority finds that land  
17 qualifies, it shall file notice with the assessor within ten  
18 days. The assessor shall make a notation each year on the  
19 assessment list and the tax roll of the value of the land as  
20 it is currently used in accordance with the application and  
21 the market value of the land.

22 (c) Within ten days following receipt of the notice  
23 from the granting authority that the land qualifies, the  
24 assessor shall submit the notice to the register of deeds  
25 for recording in the place and manner provided for the  
26 public recording of state tax liens on real property.

27 (d) The assessor shall also file notice of the value  
28 with the county auditor, who shall record the notice in the  
29 place and manner provided for recording delinquent taxes.

30 Subd. 7. [WITHDRAWAL FROM CLASSIFICATION.] When land  
31 has once been classified under this section, it shall remain  
32 under classification and shall not be applied to other use

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1 for at least ten years from the date of classification and  
2 shall continue under classification until and unless  
3 withdrawn from classification after notice for request of  
4 withdrawal shall be made by the owner. During any year  
5 after eight years of the initial ten year classification  
6 period have elapsed, notice for request for withdrawal of  
7 all or a portion of the land, which shall be irrevocable,  
8 may be given by the owner to the county assessor or  
9 assessors of the county or counties in which the land is  
10 situated. If a portion of a parcel is removed from  
11 classification, the remaining portion must meet the same  
12 requirements as did the entire parcel when the land was  
13 originally granted its classification. Within seven days  
14 the county assessor shall transmit one copy of the notice to  
15 the legislative body which originally approved the  
16 application. The county assessor shall, when two assessment  
17 years have elapsed following the date of receipt of notice,  
18 withdraw the land from the classification. The county  
19 treasurer shall impose and collect upon the property for the  
20 seven years last past an amount which would be the  
21 difference between the property tax paid as "open space  
22 land", "farm and agricultural land", or "timber land" and  
23 the amount of property tax otherwise due and payable had the  
24 land not been so classified, and the owner shall be liable  
25 therefor, and the tax may be collected, as in the case of  
26 any other property taxes levied against the land. In  
27 determining the amount of property tax otherwise due and  
28 payable had the land not been so classified, the assessor  
29 shall, for each year of taxes due pursuant to this  
30 subdivision, use as the estimated market value a value  
31 computed on the basis of all similar lands in the municipal  
32 or town taxing district, not so classified as the basis for



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1 valuation. The county treasurer shall impose and collect  
2 interest upon the amounts of such additional tax paid at the  
3 same statutory rate charged on delinquent property taxes  
4 pursuant to Minnesota Statutes, Chapter 279 from the dates  
5 on which the additional tax could have been paid without  
6 penalty each year if the land had been assessed at a value  
7 computed without regard to this section. Any agreement to  
8 tax according to use shall not be considered to be a  
9 contract and can be abrogated at any time by the legislature  
10 in which event no additional tax or penalty shall be  
11 imposed.

12 Subd. 8. [CHANGE IN USE.] When land which has been  
13 classified under this section as open space land, farm and  
14 agricultural land, or timber land is applied to some other  
15 use, except through compliance with subdivision 7, or except  
16 as a result solely from any one of the conditions listed in  
17 subdivision 9, clause (e), the owner shall within 60 days  
18 notify the county assessor of the change in use and  
19 additional real property tax shall be imposed upon the land  
20 in an amount equal to the sum of the following:

21 (a) The total amount of the additional tax due under  
22 subdivision 9; plus

23 (b) A penalty amounting to 20 percent of the amount  
24 determined in clause (a) of this subdivision.

25 Subd. 9. [REMOVAL OF CLASSIFICATION; DETERMINATION OF  
26 THE TAX; EXEMPTIONS.] (a) When a land has once been  
27 classified under this section, a notation of the designation  
28 shall be made each year upon the assessment and tax rolls  
29 and the land shall be computed pursuant to its estimated  
30 market value until removal of all or a portion of such  
31 designation by the assessor upon occurrence of any of the  
32 following:

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1 (1) Receipt of notice from the owner to remove all or a  
2 portion of such designation;

3 (2) Passage of 60 days following the sale or transfer  
4 of all or a portion of the land to a new owner without  
5 receipt of a notice of compliance from the owner. Notice of  
6 compliance forms shall be prepared by the department of  
7 revenue and supplied by the county assessor. The notice  
8 shall contain a statement that the new owner is aware of the  
9 use classification of the land and of the potential tax  
10 liability involved when the land ceases to be designated as  
11 open space, farm and agricultural or timber land;

12 (3) Determination by the assessor, after giving the  
13 owner written notice and an opportunity to be heard, that  
14 all or a portion of the land is no longer primarily devoted  
15 to and used for the purposes under which it was granted  
16 classification;

17 (4) Sale or transfer to an ownership making all or a  
18 portion of the land exempt from ad valorem taxation.

19 (b) Within 30 days after removal of all or a portion of  
20 the land from current use classification, the assessor shall  
21 notify the owner in writing, setting forth the reasons for  
22 removal. The owner may appeal to the county board of  
23 equalization.

24 (c) Unless the removal is reversed on appeal, the  
25 assessor shall revalue the affected land with reference to  
26 full market value on the date of removal from  
27 classification. Both the assessed valuation before and  
28 after the removal of classification shall be listed and  
29 taxes shall be allocated according to that part of the year  
30 to which each assessed valuation applies. Except as  
31 provided in clause (e), an additional tax shall be imposed  
32 which shall be due and payable to the county treasurer on or

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1 before April 30 of the following year. The assessor shall  
2 compute the amount of the additional tax and the treasurer  
3 shall mail a notice to the owner of the amount due and the  
4 date on which payment is due. The amount of the additional  
5 tax shall be equal to:

6 (1) The difference between the property tax paid as  
7 "open space land", "farm and agricultural land", or "timber  
8 land" and the amount of property tax otherwise due and  
9 payable for the seven years last past had the land not been  
10 so classified. In determining the amount of property tax  
11 otherwise due and payable had the land not been so  
12 classified, the assessor shall, for each year of taxes due  
13 pursuant to this subdivision, use as the estimated market  
14 value a value computed on the basis of all similar lands in  
15 the municipal or township taxing district, not so classified  
16 as the basis for valuation; plus

17 (2) Interest upon the amounts of the additional tax  
18 paid at the rate of six percent from the dates on which the  
19 additional tax could have been paid without penalty if the  
20 land had been assessed at a value without regard to this  
21 section.

22 (d) Any additional tax unpaid on its due date shall  
23 thereupon become delinquent and together with applicable  
24 interest thereon, shall as of its due date become a lien on  
25 the land which shall have priority to and shall be fully  
26 paid and satisfied before any recognizance, mortgage,  
27 judgment, debt, obligation, or responsibility to or with  
28 which the land may become charged or liable. The lien may  
29 be foreclosed upon expiration of the same period after  
30 delinquency and in the same manner provided by law for  
31 foreclosure of liens for delinquent real property taxes as  
32 provided in Minnesota Statutes, Chapter 284. From the date

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1 of delinquency until paid, interest shall be charged at the  
2 same rate applied by law to delinquent ad valorem property  
3 taxes,

4 (e) The additional tax specified in clause (c) shall  
5 not be imposed if the removal of designation pursuant to  
6 clause (a) resulted solely from:

7 (1) A taking through the exercise of the power of  
8 eminent domain, or sale or transfer to an entity having the  
9 power of eminent domain in anticipation of the exercise of  
10 the power;

11 (2) Transfer to a government entity in exchange for  
12 other land located within the state of Minnesota;

13 (3) Sale or transfer of land within two years after the  
14 death of the owner of at least 50 percent interest in the  
15 land;

16 (4) A natural disaster such as a flood, windstorm,  
17 earthquake, or other similar calamity rather than by the  
18 landowner changing the use of the property;

19 (5) Official action by an agency of the state of  
20 Minnesota or by the county or city within which the land is  
21 located which disallows the present use of the land;

22 (6) Transfer to an organization of the type referred to  
23 in Article X, Section 1 of the Minnesota Constitution,

24 Subd. 10. Lands classified under the provisions of  
25 Minnesota Statutes, Sections 273.111 and 273.112 prior to  
26 the effective date of this act as "green acres" or "open  
27 space" lands shall continue subject to the provisions of  
28 those sections as though the sections were to continue in  
29 full force and effect,

30 Subd. 11. [SPECIAL ASSESSMENTS.] The payment of  
31 special local assessments levied after the effective date of  
32 Extra Session Laws 1967, Chapter 60, for improvements made



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1 to any real property described in subdivision 2 together  
2 with the interest thereon shall, on timely application as  
3 provided in subdivision 3, be deferred as long as the  
4 property meets the conditions contained in subdivisions 2  
5 and 5. When the property no longer qualifies under  
6 subdivisions 2 and 5 all deferred special assessments plus  
7 interest shall be payable within 90 days. Penalty shall not  
8 be levied on any special assessments if timely paid. If not  
9 paid within 90 days, the county auditor shall include the  
10 deferred special assessments plus a ten percent penalty on  
11 the tax list for the current year.

12 Subd. 12. [REMEDIES AVAILABLE TO OWNER LIABLE FOR  
13 ADDITIONAL TAX.] The owner of any land on which additional  
14 tax is imposed as provided in subdivisions 7 and 8 shall  
15 have with respect to valuation of the land and imposition of  
16 the additional tax all remedies provided by the laws of  
17 Minnesota with respect to real estate tax assessments,  
18 levies, collections, and other enforcement and delinquency  
19 provisions.

20 Subd. 13. [REPORTS REQUIRED.] The assessor shall at  
21 all times be authorized to demand and receive reports by  
22 registered or certified mail from owners of land classified  
23 under this section. If the owner shall fail, within 90 days  
24 notice in writing by certified mail sent to the address  
25 specified for notices to comply with the demand, the  
26 assessor may immediately withdraw the land from  
27 classification and apply the penalties provided by law.

28 Subd. 14. [RULES AND REGULATIONS.] The department of  
29 revenue shall make rules and regulations consistent with the  
30 provisions of this section as shall be necessary or  
31 desirable to permit its effective administration.

32 Sec. 2. Minnesota Statutes 1974, Sections 273.111 and

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1 273.112, are repealed,

2       Sec. 3. [EFFECTIVE DATE.] This act is effective for  
3 taxes assessed and levied in 1975 and thereafter and payable  
4 in 1976 and thereafter.

House  
Companion  
No.

DUPLICATE

S. F. NO. 1393

A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition of public lands and interests in land needed for natural resource programs; appropriating money from the fund for this purpose; appropriating money from the general fund for payment of bonds.

B. D. No. B2993

SENATE ACTION

Introduced by Senators

*Anderson Arnold*

Read FIRST TIME

APR 10 1975

Committee on

NATURAL RESOURCES AND AGRICULTURE

Committee Recommendation and Adoption of Report

★

Read SECOND TIME

Committee of the Whole

★

Read THIRD TIME

Passed by the Senate

Transmitted to the House

Secretary of the Senate  
State of Minnesota

COMPARISON ACTION

Date

moved that

F. No. and F. No.  
be referred for comparison.

Date

Upon motion of

F. No. was substituted  
for F. No. which  
was indefinitely postponed.

(SENATE ACTION)

Received from House

Laid on Table

Taken from Table

CONCURRENCE

Date

The Senate concurred in House amendments to

S. F. No. and regassed  
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion  
is H. F. No.

★

Read FIRST TIME

Committee on

and Referred to the

Committee Recommendation and Adoption of Report

★

Read SECOND TIME

Committee of the Whole

★

Read THIRD TIME

Passed by the House

Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐

Refer to back of cover for other  
action.

☐

CONFERENCE COMMITTEE ACTION

Refer to back of cover for conference  
committee action.

Printed Page No.

S. F. No.

1393

SENATE  
STATE OF MINNESOTA  
SIXTY-NINTH LEGISLATURE

524

S. F. NO. 1393

Introduced by Anderson, Arnold and Ogdahl.  
Read First Time Apr. 10, 1975, and Referred to  
the Committee on Natural Resources and Agriculture.  
Committee Recommendation. To Pass and Re-referred to  
the Committee on Finance.  
Committee Report Adopted Apr. 23, 1975.  
Committee Recommendation. To Pass.  
Committee Report Adopted May 14, 1975.  
Read Second Time May 14, 1975.

1393

1 A bill for an act  
2 relating to natural resources; creating the  
3 natural resource land fund and authorizing the  
4 issuance of state bonds to provide money for  
5 appropriation from the fund for acquisition of  
6 public lands and interests in land needed for  
7 natural resource programs; appropriating money  
8 from the fund for this purpose; appropriating  
9 money from the general fund for payment of bonds.  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
11 Section 1. [84.04] [PUBLIC POLICY IN FAVOR OF ISSUANCE  
12 OF BONDS FOR NATURAL RESOURCES LAND ACQUISITION.] Within the  
13 boundaries of the state the citizens of Minnesota have  
14 enjoyed and continue to enjoy a great variety of natural  
15 resources, such as are exhibited in its forests, lakes,  
16 streams, marshes, prairies, and other physical features, all  
17 of which provide food and shelter for an equally great  
18 variety of wildlife. However, due to a combination of  
19 increases in population, mobility, and the desire of private  
20 individuals for ownership and control of undeveloped land,  
21 the public is faced with diminishing opportunities to use,  
22 enjoy, and benefit from the natural resources so abundantly  
23 available in the past. For the purpose of providing future  
24 generations with similar opportunities in years to come, it  
25 is necessary and desirable that the state acquire lands and



1 interests in land before additional development occurs and  
2 before the costs of lands and interests in land accelerate  
3 to levels beyond which the state, for practical reasons, is  
4 unable to acquire. It is, therefore, in the public interest  
5 and serves the public health, safety, and welfare to issue  
6 state bonds to provide money for the acquisition by the  
7 state of land and interests in land for the natural resource  
8 purposes described in this section and in section 2.

9       Sec. 2. [84.041] [NATURAL RESOURCE LAND FUND.]  
10 Subdivision 1. [PURPOSE.] A natural resource land fund is  
11 created as a separate bookkeeping account in the general  
12 books of the state for the purpose of providing money  
13 appropriated to the commissioner of natural resources for  
14 the acquisition of public lands and interests in land needed  
15 for any of the following programs for which the commissioner  
16 is responsible:

17       (1) State parks and recreation areas, as listed and  
18 described in Minnesota Statutes, Sections 85.012 and 85.013,  
19 respectively, and in the laws referred to therein;

20       (2) State trails, as listed and described in Minnesota  
21 Statutes, Section 85.015;

22       (3) State forests, as listed and described in Minnesota  
23 Statutes, Section 89.021;

24       (4) wildlife management, comprising lands and riparian  
25 rights and other interests therein needed for the management  
26 of waters of the state for primary wildlife use and benefit  
27 pursuant to Minnesota Statutes, Section 97.48, Subdivision  
28 11; for establishing and maintaining public hunting grounds,  
29 game refuges, and food and cover planting areas pursuant to  
30 Minnesota Statutes, Section 97.48, Subdivision 13; and for  
31 water conservation relating to wildlife development pursuant  
32 to Minnesota Statutes, Section 97.481;

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1 (5) River management, comprising lands and riparian  
2 rights, scenic easements, and other interests therein needed  
3 to preserve and enhance the scenic, recreational, and  
4 natural characteristics of wild, scenic, and recreational  
5 river areas established pursuant to Minnesota Statutes,  
6 Sections 104.25 to 104.40 and to develop canoe and boating  
7 routes, portages, and camp sites pursuant to Minnesota  
8 Statutes, section 85.32; and

9 (6) Fishing management, comprising lands and riparian  
10 rights and other interests therein needed for management of  
11 waters for primary wildlife use and benefit and for access  
12 to fishing waters pursuant to Minnesota Statutes, Section  
13 97.48, Subdivisions 8, 11, and 15.

14 Subd. 2. [RECEIPTS.] The commissioner of finance and  
15 treasurer shall deposit in the fund as received all proceeds  
16 of natural resource bonds, except accrued interest and  
17 premiums received upon the sale thereof. All such receipts  
18 are annually appropriated for the permanent acquisition  
19 purposes of the fund, and shall be and remain available for  
20 expenditure in accordance with this section until the  
21 purposes of the appropriations or grants have been  
22 accomplished or abandoned.

23 Subd. 3. [DISBURSEMENTS.] Disbursements from the fund  
24 shall be made by the state treasurer upon the order of the  
25 commissioner of finance at the times and in the amounts  
26 requested by the commissioner of natural resources in  
27 accordance with the applicable appropriation acts and upon  
28 the conditions and in accordance with all standards and  
29 plans established in or pursuant to the laws referred to in  
30 subdivision 1.

31 Sec. 3. [84.042] [NATURAL RESOURCE BONDS.] Subdivision  
32 1. [PURPOSE; APPROPRIATION.] For the purpose of providing

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1 money appropriated from the natural resource land fund for  
2 the acquisition of public land, including interests in land,  
3 needed for state natural resource programs in accordance  
4 with the provisions of section 2, when requested by the  
5 governor, the commissioner of finance shall sell and issue  
6 bonds of the state of Minnesota for the prompt and full  
7 payment of which, with interest thereon, the full faith and  
8 credit and taxing powers of the state are irrevocably  
9 pledged. Bonds shall be issued pursuant to this section  
10 only as authorized by a law specifying the purpose or  
11 purposes thereof and the maximum amount of the proceeds  
12 authorized to be expended for each purpose, as set forth in  
13 section 2, subdivision 1 and in the laws referred to  
14 therein; provided that bonds may be authorized for the  
15 acquisition of lands and interests in land more specifically  
16 described or subject to further conditions, to be included  
17 in one or more of the programs referred to in section 2,  
18 subdivision 1. Any such law, together with this section and  
19 the laws herein referred to, constitutes complete authority  
20 for the issue, and such bonds shall not be subject to  
21 restrictions or limitations contained in any other law.

22 Subd. 2. [ISSUANCE.] The bonds shall be sold upon  
23 sealed bids and upon notice, at a price, in form and  
24 denominations, bearing interest at a rate or rates, maturing  
25 in amounts and on dates, subject to prepayment upon notice  
26 and at times and prices, payable at a bank or banks within  
27 or outside the state, with or without provisions for  
28 registration, conversion, exchange, and issuance of notes in  
29 anticipation of the sale or delivery of definitive bonds,  
30 and in accordance with further regulations, as the  
31 commissioner of finance shall determine subject to the  
32 approval of the attorney general, but not subject to the

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1 provisions of Minnesota Statutes, Sections 15.0411 to  
2 15.0422. The bonds shall be executed by the commissioner of  
3 finance and attested by the state treasurer under their  
4 official seals. The signatures of the bonds and on any  
5 interest coupons and the seals may be printed or otherwise  
6 reproduced, except that each bond shall be authenticated by  
7 the manual signature on its face of one of the officers or  
8 of a person authorized to sign on behalf of a bank  
9 designated by them as authenticating agent. The  
10 commissioner of finance shall ascertain and certify to the  
11 purchasers of the bonds the performance and existence of all  
12 acts, conditions, and things necessary to make them valid  
13 and binding general obligations of the state of Minnesota,  
14 subject to the approval of the attorney general.

15 Subd. 3 [EXPENSES.] All expenses incidental to the  
16 sale, printing, execution, and delivery of bonds pursuant to  
17 this section, including but not limited to actual and  
18 necessary travel and subsistence expenses of state officers  
19 and employees for such purposes, shall be paid from the  
20 natural resource land fund and the amounts necessary  
21 therefor are appropriated from that fund; provided that if  
22 any amount is specifically appropriated for this purpose in  
23 an act authorizing the issuance of bonds pursuant to this  
24 section, such expenses shall be limited to the amount so  
25 appropriated.

26 Subd. 4. [NATURAL RESOURCE BOND ACCOUNT IN THE STATE  
27 BOND FUND.] The commissioner of finance shall maintain in  
28 the state bond fund a separate bookkeeping account  
29 designated as the natural resource bond account, to record  
30 receipts and disbursements of money transferred to the fund  
31 to pay natural resource bonds and interest thereon, and of  
32 income from the investment of such money, which income shall



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1 be credited to the account in each fiscal year in an amount  
2 equal to the approximate average rate of return that year on  
3 all funds invested by the state treasurer, as determined by  
4 the treasurer, times the average balance in the account that  
5 year.

6 Subd. 5. [APPROPRIATIONS TO BOND ACCOUNT.] There shall  
7 be credited to the natural resource bond account the premium  
8 and accrued interest received on each issue of natural  
9 resource bonds and, from the general fund in the state  
10 treasury, on November 1 in each year, a sum of money equal  
11 to the amount of the tax which the Constitution would  
12 otherwise require to be levied for collection in the  
13 following year, for the purpose of increasing the balance  
14 then on hand in the account to an amount sufficient to pay  
15 principal and interest due and to become due with respect to  
16 natural resource bonds. All money so credited and all  
17 income from the investment thereof is annually appropriated  
18 to the bond account for the payment of such bonds and  
19 interest thereon, and shall be available in the bond account  
20 prior to the levy of the tax for the state bond fund in any  
21 year as required by the constitution. The commissioner of  
22 finance and the state treasurer are directed to make the  
23 appropriate entries in the accounts of the respective funds.

24 Subd. 6. [TAX LEVY.] On or before December 1 in each  
25 year, if the full amount appropriated to the bond account in  
26 subdivision 5 has not been credited thereto, the tax  
27 required by the constitution shall be levied upon all  
28 taxable property within the state. This tax shall be levied  
29 upon all real property used for the purposes of a homestead,  
30 as well as other taxable property, notwithstanding the  
31 provisions of Minnesota Statutes, Section 273.13,  
32 Subdivisions 6 and 7, and shall be subject to no limitation

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1 of rate or amount until all natural resource bonds and  
2 interest thereon are fully paid. The proceeds of this tax  
3 are appropriated and shall be credited to the state bond  
4 fund, and the principal of and interest on the bonds are  
5 payable from such proceeds, and the whole thereof, or so  
6 much as may be necessary, is appropriated for such payments.  
7 If at any time there is not sufficient money from the  
8 proceeds of such taxes to pay the principal and interest  
9 when due on natural resource bonds, such principal and  
10 interest shall be paid out of the general fund in the state  
11 treasury, and the amount necessary therefor is hereby  
12 appropriated.

13 Sec. 4. [APPROPRIATIONS AND AUTHORIZATION OF BONDS.]  
14 Subdivision 1. [APPROPRIATIONS.] The following sums, or so  
15 much thereof as is determined to be needed, are appropriated  
16 from the natural resource land fund to the commissioner of  
17 natural resources for the acquisition of public lands and  
18 interests in land needed for the following purposes:

- 19 (1) \$9,000,000 for state parks and recreation areas;  
20 (2) \$1,000,000 for state trails;  
21 (3) \$3,000,000 for state forests;  
22 (4) \$5,000,000 for wildlife management lands;  
23 (5) \$1,000,000 for river management lands; and  
24 (6) \$1,000,000 for fishing management lands.

25 Subd. 2. [BONDS.] To provide the money appropriated in  
26 subdivision 1, the commissioner of finance is authorized  
27 upon the request of the governor to sell and issue natural  
28 resource bonds in the amount of \$20,000,000, in the manner  
29 and upon the conditions prescribed in section 3 and in the  
30 constitution. The proceeds of the bonds, except as provided  
31 in section 3, subdivision 5, are appropriated to the natural  
32 resource land fund for expenditure in accordance with

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1 section 2.

2       Sec. 5. [EFFECTIVE DATE.] This act shall become

3 effective the day following its final enactment.

House  
Companion  
No.

DUPLICATE

S. F. NO. 1394

A bill for an act relating to military affairs; allowing an employee who wishes to be a member of a color guard or an honor guard at a military funeral time off from his employment.

B. D. No. B2834

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that

\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_

Upon motion of \_\_\_\_\_

\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted

for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_

Laid on Table \_\_\_\_\_

Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to

S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Approved

★ Read FIRST TIME APR 10 1975 and Referred to the

Committee on TRANSPORTATION AND GENERAL LEGISLATION

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

☐ OTHER ACTION  
Refer to back of cover for other  
action.

☐ CONFERENCE COMMITTEE ACTION  
Refer to back of cover for conference  
committee action.

1394

S. F.

No.

Printed Page No.



1394

Mr. Arnold introduced--

S. F. No. 1394: Referred to the Committee on TRANSPORTATION AND GENERAL LEGISLATION

1 A bill for an act

2 relating to military affairs; allowing an employee  
3 who wishes to be a member of a color guard or an  
4 honor guard at a military funeral time off from  
5 his employment.

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

7 Section 1. [TIME OFF FOR MILITARY FUNERALS.] Any  
8 person who desires to be a member of a color guard or honor  
9 guard at a military funeral shall be allowed time off from  
10 his work by his employer for that purpose. No person is  
11 entitled to more than one day off for one funeral. If an  
12 employee is absent for less than one half of a work day for  
13 a purpose authorized by this section, he shall be  
14 compensated for the whole day at his usual rate of  
15 compensation.

House  
Companion  
No.

DUPLICATE  
S. F. NO. 1395

A bill for an act relating to elections; prohibiting interference with candidacy; permitting public officials time off to attend meetings of their public offices; prohibiting retaliatory action by employers; amending Minnesota Statutes 1974, Section 211.10.

B. D. No. B0098

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Arnold  
Read FIRST TIME APR 10 1975 and Referred to the  
Committee on TRANSPORTATION AND GENERAL LEGISLATION  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1395

Printed Page No.

S. F. No.

1395

Mr. Arnold introduced--

S. F. No. 1395: Referred to the Committee on TRANSPORTATION AND GENERAL LEGISLATION

1 A bill for an act

2 relating to elections; prohibiting interference  
3 with candidacy; permitting public officials time  
4 off to attend meetings of their public offices;  
5 prohibiting retaliatory action by employers;  
6 amending Minnesota Statutes 1974, Section 211.10.

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

8 Section 1. Minnesota Statutes 1974, Section 211.10, is  
9 amended to read:

10 211.10 [SHALL NOT INDUCE PERSON TO BECOME A CANDIDATE  
11 OR REFRAIN THEREFROM; PERMISSION TO ATTEND MEETINGS.]  
12 Subdivision 1. No person shall pay, or promise to reward  
13 another in any manner or form for the purpose of inducing  
14 him to be or refrain from or cease being a candidate, and no  
15 person shall solicit or receive any payment, promise, or  
16 reward from another for such purpose.

17 Subd. 2. Any person elected to a public office shall  
18 be permitted time off from his regular employment to attend  
19 meetings of his public office. No retaliatory action may be  
20 taken by the employer for absences necessary for the  
21 employee to attend the meetings.



House  
Companion  
No.

DUPLICATE

S. F. NO. 1396

A bill for an act relating to taxation; providing for classification of watercraft used for rental dwellings as class 3 property; amending Minnesota Statutes 1974, Section 273.13, Subdivision 4.

B. D. No. B1839

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Solon

Read FIRST TIME APR 10 1975 and Referred to the  
Committee on Tax TAXES AND TAX LAWS  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

☐ OTHER ACTION  
Refer to back of cover for other  
action.

☐ CONFERENCE COMMITTEE ACTION  
Refer to back of cover for conference  
committee action.

1396

Printed Page No.

S. F. No.



1396

Mr. Solon introduced--

S. F. No. 1396: Referred to the Committee on TAXES AND TAX LAWS

1                                   A bill for an act  
2       relating to taxation; providing for classification  
3       of watercraft used for rental dwellings as class 3  
4       property; amending Minnesota Statutes 1974,  
5       Section 273.13, Subdivision 4.  
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
7       Section 1. Minnesota Statutes 1974, Section 273.13,  
8       Subdivision 4, is amended to read:  
9       Subd. 4. [CLASS 3.] Tools, implements and machinery of  
10      an electric generating, transmission or distribution system  
11      or a pipeline system transporting or distributing water,  
12      gas, or petroleum products or mains and pipes used in the  
13      distribution of steam or hot or chilled water for heating or  
14      cooling buildings, which are fixtures, all agricultural  
15      land, except as provided by classes 1, 3b, 3e, all buildings  
16      and structures assessed as personal property and situated  
17      upon land of the state of Minnesota or the United States  
18      government which is rural in character and devoted or  
19      adaptable to rural but not necessarily agricultural use  
20      shall constitute class 3 and shall be valued and assessed at  
21      33 1/3 percent of the market value thereof. All real  
22      property devoted to temporary and seasonal residential  
23      occupancy for recreational purposes, and which is not

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1 devoted to commercial purposes for more than 200 days in the  
2 year preceding the year of assessment, shall be class 3  
3 property and assessed accordingly. For this purpose,  
4 property is devoted to commercial use on a specific day if  
5 it is used, or offered for use, and a fee is charged for  
6 such use. All watercraft devoted to temporary and seasonal  
7 residential occupancy for commercial recreational purposes  
8 shall be class 3 property and assessed accordingly.

House  
Companion  
No.

DUPLICATE

S. F. NO. 1397

A bill for an act relating to state government; providing for compensation for classified and unclassified state employees; appropriating money.

B. D. No. B3405

SENATE ACTION

Introduced by Senators

*McIntire*  
*Leaty*

Read FIRST TIME

APR 10 1975

Committee on

GOVERNMENTAL OPERATIONS

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

☐ OTHER ACTION  
Refer to back of cover for other  
action.

☐ CONFERENCE COMMITTEE ACTION  
Refer to back of cover for conference  
committee action.

Printed Page No.

S. F. No.

1397

Messrs. McCutcheon and Gearty introduced--

S. F. No. 1397: Referred to the Committee on GOVERNMENTAL OPERATIONS

1 A bill for an act

2 relating to state government; providing for  
3 compensation for classified and unclassified state  
4 employees; appropriating money,

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

6 Section 1. Salary increases shall be granted to state  
7 employees as provided by law,

8 Sec. 2. There is hereby appropriated from any moneys  
9 in the state treasury not otherwise appropriated the sum of  
10 \$..... for the purposes of this act.



House  
Companion  
No.

DUPLICATE

S. F. NO. 1398

A bill for an act relating to taxation; defining "common carrier" for certain purposes in connection with the sales and use tax; amending Minnesota Statutes 1974, Section 297A.01, by adding a subdivision.

B. D. No. B2420

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

SENATE ACTION

Introduced by Senators

*Larson* *Seamon* *Hanson* *Baldy*

APR 10 1975

and Referred to the

★ Read FIRST TIME

Committee on TAXES AND TAX LAWS

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

★ Read FIRST TIME  
Committee on

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1398

ON J.F.S.

Printed Page No.

1398

Messrs. Schrom, Larson and Hansen, Baldy introduced---

S. F. No. 1398: Referred to the Committee on TAXES AND TAX LAWS

A bill for an act

1  
2 relating to taxation; defining "common carrier"  
3 for certain purposes in connection with the sales  
4 and use tax; amending Minnesota Statutes 1974,  
5 Section 297A.01, by adding a subdivision.

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

7 Section 1. Minnesota Statutes 1974, Section 297A.01,  
8 is amended by adding a subdivision to read:

9 Subd. 14. "Common carrier", for the purposes of  
10 section 297A.211, includes any person who engages in  
11 for-hire transportation of tangible personal property by  
12 motor vehicle such as, (1) persons possessing a certificate  
13 or permit authorizing for-hire transportation of property  
14 from the Interstate Commerce Commission or the Minnesota  
15 Public Service Commission; or (2) such persons transporting  
16 commodities defined as "exempt" in for-hire transportation;  
17 or (3) such persons who pursuant to contracts with persons  
18 described in (1) or (2) above, transport tangible personal  
19 property.

House  
Companion  
No.

DUPLICATE

S. F. NO. 1399

A bill for an act relating to the department of public safety; highway patrol; communications officers.

B. D. No. B1261

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Leach

★ Read FIRST TIME APR 10 1975 and Referred to the  
Committee on TRANSPORTATION AND GENERAL LEGISLATION  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1399

Printed Page No.

S. F. No.



1399

Mr. Borden introduced--

S. F. No. 1399: Referred to the Committee on TRANSPORTATION AND GENERAL LEGISLATION

1                           A bill for an act  
2           relating to the department of public safety;  
3           highway patrol; communications officers.  
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
5       Section 1. [299D.06] [COMMUNICATIONS OFFICERS.] The  
6       department of public safety, the division of highway patrol  
7       or any other division of the department of public safety may  
8       employ communications officers to receive and broadcast by  
9       radio or other means messages, instructions and information  
10      to state, county and municipal law enforcement agencies and  
11      personnel. The duties of a communications officer shall  
12      also include but are not limited to, maintaining written  
13      logs of all transmissions, receiving and transmitting  
14      messages by teletype, working with computer facilities and  
15      keeping files on wanted persons and stolen property.  
16      The department may establish minimum standards for  
17      communications officers.  
18      Sec. 2. This act is effective the day following final  
19      enactment.



House  
Companion  
No.

DUPLICATE

S. F. NO. 1400

A bill for an act relating to Aitkin county; authorizing  
issuance of additional on-sale intoxicating liquor licenses.

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

B. D. No. B3000

SENATE ACTION

Introduced by Senators \_\_\_\_\_

APR 10 1975

- ★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on **LABOR AND COMMERCE**  
Committee Recommendation and Adoption of Report

- ★ Read SECOND TIME  
Committee of the Whole

- ★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

- ★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

- ★ Read SECOND TIME  
Committee of the Whole

- ★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1400

S. F.

No.

Printed Page No.

1400

Mr. Borden introduced--

S. F. No. 1400: Referred to the Committee on LABOR AND COMMERCE

1                                   A bill for an act  
2           relating to Aitkin county; authorizing issuance of  
3           additional on-sale intoxicating liquor licenses.  
4   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
5           Section 1. [AITKIN COUNTY; ON-SALE LIQUOR LICENSES.]  
6   The county board of Aitkin county may issue not to exceed  
7   five licenses for the on-sale of intoxicating liquor, which  
8   licenses shall be in addition to the number authorized by  
9   Minnesota Statutes, Section 340.11, Subdivision 10. All  
10   other provisions of section 340.11, subdivision 10, shall  
11   apply to a license issued pursuant to this act.  
12           Sec. 2. This act is effective upon approval by the  
13   Aitkin county board and upon compliance with Minnesota  
14   Statutes, Section 645.021.

House  
Companion  
No.

DUPLICATE  
**S. F.** NO. 1401

A bill for an act relating to retirement; authorizing optional early retirement for constitutional officers or commissioners; amending Minnesota Statutes 1974, Sections 352C.03, by adding a subdivision; and 352C.04, by adding a subdivision.

B. D. No. B2556

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators *Rode*  
Read FIRST TIME APR 10 1975 and Referred to the  
Committee on **GOVERNMENTAL OPERATIONS**  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1401

Printed Page No.

S. F. No. \_\_\_\_\_



1401

Mr. Borden introduced--

S. F. No. 1401: Referred to the Committee on GOVERNMENTAL OPERATIONS

1                                   A bill for an act  
2           relating to retirement; authorizing optional early  
3           retirement for constitutional officers or  
4           commissioners; amending Minnesota Statutes 1974,  
5           Sections 352C.03, by adding a subdivision; and  
6           352C.04, by adding a subdivision.  
7   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
8           Section 1. Minnesota Statutes 1974, Section 352C.03,  
9   is amended by adding a subdivision to read:  
10          Subd. 1a. In lieu of the retirement allowance provided  
11          in subdivision 1, a constitutional officer or commissioner  
12          who meets the service requirements of subdivision 1 may  
13          elect to retire at age 62 or thereafter. In this event, the  
14          retirement allowance payable shall be reduced by five  
15          percent for each year or major fraction thereof that the  
16          constitutional officer or commissioner is under the age of  
17          65 years on the effective date of retirement.  
18          Sec. 2. Minnesota Statutes 1974, Section 352C.04, is  
19   amended by adding a subdivision to read:  
20          Subd. 2c. Survivor benefits payable pursuant to  
21          subdivision 2 or 2a shall be reduced proportionately in the  
22          case of a constitutional officer or commissioner who elects  
23          the optional retirement allowance under section 352C.03,



1401

1 subdivision la.

House  
Companion  
No.

DUPLICATE

S. F. NO. 1402

A bill for an act relating to the highway patrolmen's retirement association; disability benefits; providing that disability benefits shall not be reduced by amounts received or receivable under workmen's compensation laws; amending Minnesota Statutes 1974, Section 352B.10.

B. D. No. B2555

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators *Leide*

APR 10 1975

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on

**GOVERNMENTAL OPERATIONS**

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1402

S. F.

No.

Printed Page No.

1402

Mr. Borden introduced--

S. F. No. 1402: Referred to the Committee on GOVERNMENTAL OPERATIONS

1 A bill for an act

2 relating to the highway patrolmen's retirement  
3 association; disability benefits; providing that  
4 disability benefits shall not be reduced by  
5 amounts received or receivable under workmen's  
6 compensation laws; amending Minnesota Statutes  
7 1974, Section 352B.10.

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

9 Section 1. Minnesota Statutes 1974, Section 352B.10,  
10 is amended to read:

11 352B.10 [DISABILITY BENEFITS.] (1) Any member less than  
12 55 years of age, who shall become disabled and physically  
13 unfit to perform his duties as a direct result of an injury,  
14 sickness, or other disability incurred in or arising out of  
15 any act of duty, which shall render him physically or  
16 mentally unable to perform his duties, shall receive  
17 disability benefits during the period of such disability.  
18 The benefits shall be paid in monthly installments equal to  
19 that portion of the average monthly salary of the  
20 beneficiary multiplied (a) by 50 percent and, (b) by an  
21 additional two percent for each year of service in excess of  
22 20,

23 ~~(2) If a member is injured under circumstances which~~  
24 ~~entitle him to receive benefits under the Workmen's~~

1402

1 ~~Compensation law, he shall receive the same benefits as~~  
2 ~~provided in clause (1), less the amount paid to him in~~  
3 ~~weekly benefits under the Workmen's Compensation law~~ The  
4 benefits payable under this section shall not be reduced by  
5 amounts received or receivable under applicable workmen's  
6 compensation laws .

7 (3) Any member who after not less than five years of  
8 service, before reaching the age of 55, terminates his  
9 employment because of sickness or injury occurring while not  
10 on duty and not engaged in state work entitling him to  
11 membership in the association, and the termination is  
12 necessary because the member is unable to perform his duties  
13 shall be entitled to receive a disability benefit. The  
14 benefit shall be in the same amount and paid in the same  
15 manner as if the annuitant were 55 years of age at the date  
16 of his disability and the annuity were paid pursuant to  
17 section 352B.08. Should disability under this clause occur  
18 after five but in less than ten years service, the  
19 disability benefit shall be the same as though the member  
20 had at least ten years service.

21 (4) No member shall receive any disability benefit  
22 payment when there remains to his credit unused annual leave  
23 or sick leave or under any other circumstances, when during  
24 the period of disability there has been no impairment of his  
25 salary and should such member or former member resume a  
26 gainful occupation and his earnings are less than his salary  
27 at the date of disability or the salary currently paid for  
28 similar positions, the association shall continue the  
29 disability benefit in an amount which when added to such  
30 earnings does not exceed his salary at the date of  
31 disability or the salary currently paid for similar  
32 positions, whichever is higher, provided the disability



1402

1 benefit in such case does not exceed the disability benefit  
2 originally allowed.

3 (5) No disability benefit payment shall be made except  
4 upon adequate proof furnished to the association of the  
5 existence of such disability, and during the time when any  
6 such benefits are being paid, the association shall have the  
7 right, at reasonable times, to require the disabled former  
8 member to submit proof of the continuance of the disability  
9 claimed.

House  
Companion  
No.

DUPLICATE

S. F. NO. 1403

A bill for an act relating to the district court;  
increasing the compensation for retired judges hearing  
cases; amending Minnesota Statutes 1974, Section 484.62.

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

B. D. No. 83011

SENATE ACTION

Introduced by Senators \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ APR 10 1975 \_\_\_\_\_  
Committee on JUDICIARY and Referred to the  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1403

S. F.

No.

Printed Page No.

1403

Messrs. Gearty and Ogdahl introduced--

S. F. No. 1403: Referred to the Committee on JUDICIARY

1                   A bill for an act  
2           relating to the district court; increasing the  
3           compensation for retired judges hearing cases;  
4           amending Minnesota Statutes 1974, Section 484.62.  
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
6           Section 1. Minnesota Statutes 1974, Section 484.62, is  
7           amended to read:  
8           484.62 [COMPENSATION AND REPORTER.] When such retired  
9           judge undertakes such service, he shall be provided at the  
10          expense of the county in which he is performing such service  
11          with a reporter, selected by such retired judge, clerk,  
12          bailiff, if the judge deems a bailiff necessary, and a  
13          courtroom or hearing room for the purpose of holding court  
14          or hearings, to be paid for by the county in which such  
15          service is rendered and shall be paid in addition to his  
16          retirement compensation and not affecting the amount  
17          thereof, the sum of ~~the~~ \$100 per diem for such additional  
18          service, together with travel pay in the sum of ~~nine~~ 12  
19          cents per mile and his actual expenses incurred in such  
20          service, said payment to be made in the same manner as the  
21          payment of salaries for district judges, on certification by  
22          the presiding or senior judge of the district or by the

1403

- 1 Chief Judge of the Supreme Court of the state of Minnesota.
- 2 A deputy clerk may act as bailiff when called to do so for
- 3 the purposes of this section.



House  
Companion  
No.

DUPLICATE

S. F. NO. 1404

A bill for an act relating to unemployment compensation; excluding from benefits those persons employed by a municipality for a school year; amending Minnesota Statutes 1974, Section 268.08, Subdivision 5.

B. D. No. B3014

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators *Bratton* *Laufenburger*

Read FIRST TIME

Committee on

LABOR AND COMMERCE

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1404

S. F. No.

Printed Page No.

1404

Mrs. Brataas and Messrs. Laufenburger and Frederick introduced--

S. F. No. 1404: Referred to the Committee on LABOR AND COMMERCE

1                                   A bill for an act  
2           relating to unemployment compensation; excluding  
3           from benefits those persons employed by a  
4           municipality for a school year; amending Minnesota  
5           Statutes 1974, Section 268.08, Subdivision 5.  
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
7           Section 1. Minnesota Statutes 1974, Section 268.08,  
8           Subdivision 5, is amended to read:  
9           Subd. 5. [SERVICES PERFORMED FOR STATE, MUNICIPALITIES  
10          OR CHARITABLE CORPORATIONS.] Effective January 1, 1974,  
11          benefits based on service in employment defined in section  
12          268.04, subdivision 12, clauses (7), (8), and (9), shall be  
13          payable in the same amount, on the same terms and subject to  
14          the same conditions as compensation payable on the basis of  
15          other service subject to this law except that, (a) benefits  
16          based on service in an instructional, research, or principal  
17          administrative capacity in an institution of higher  
18          education (as defined in section 268.04, subdivision 12,  
19          clause (15)) shall not be paid to an individual for any week  
20          of unemployment which begins during the period between two  
21          successive academic years, or during a similar period  
22          between two regular terms, whether or not successive, or  
23          during a period of paid sabbatical leave provided for in the

1404

1 individual's contract, if the individual has a contract or  
2 contracts to perform services in any such capacity for any  
3 institution or institutions of higher education for both  
4 such academic years or both such terms; (b) benefits based  
5 on wage credits earned in the employment of a public school  
6 or a municipality shall not be paid to an individual during  
7 any period between two successive school years when the  
8 activity in which the wage credits were earned is not  
9 normally performed. This provision shall not apply to any  
10 individual who, prior to the end of a school year, has  
11 voluntarily left or has been indefinitely separated from  
12 such employment. For the purposes of this clause, school  
13 year means that period established by a school board in  
14 accordance with Minnesota Statutes 1971, Section 126.12.

15 Sec. 2. This act is effective the day following final  
16 enactment.



House  
Companion  
No.

DUPLICATE  
FIRST ENGROSSMENT

**S. F.** NO. 1404

A bill for an act relating to unemployment compensation; excluding from benefits those persons employed by a municipality for a school year; amending Minnesota Statutes 1974, Section 268.08, Subdivision 5.

B. D. No. B3014

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Brataas Laufenburger  
Frederick

★ Read FIRST TIME APR 10 1975 and Referred to the  
Committee on LABOR AND COMMERCE

Committee Recommendation and Adoption of Report

To pass as amended APR 21 1975

★ Read SECOND TIME APR 21 1975  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

☐ OTHER ACTION  
Refer to back of cover for other  
action.

☐ CONFERENCE COMMITTEE ACTION  
Refer to back of cover for conference  
committee action.

1404

Printed Page No.

S. F. No. 1404



SENATE  
STATE OF MINNESOTA  
SIXTY-NINTH LEGISLATURE

330

S. F. NO 1404

1404

Introduced by Brataas, Laufenburger and Frederick.  
Read First Time Apr. 10, 1975, and Referred to  
the Committee on Labor and Commerce.  
Committee Recommendation. To Pass as Amended.  
Committee Report Adopted Apr. 21, 1975.  
Read Second Time Apr. 21, 1975.

1 A bill for an act  
2 relating to unemployment compensation; excluding  
3 from benefits those persons employed by a  
4 municipality for a school year; amending Minnesota  
5 Statutes 1974, Section 268.08, Subdivision 5.  
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
7 Section 1. Minnesota Statutes 1974, Section 268.08,  
8 Subdivision 5, is amended to read:  
9 Subd. 5. [SERVICES PERFORMED FOR STATE, MUNICIPALITIES  
10 OR CHARITABLE CORPORATIONS.] Effective January 1, 1974,  
11 benefits based on service in employment defined in section  
12 268.04, subdivision 12, clauses (7), (8), and (9), shall be  
13 payable in the same amount, on the same terms and subject to  
14 the same conditions as compensation payable on the basis of  
15 other service subject to this law except that, (a) benefits  
16 based on service in an instructional, research, or principal  
17 administrative capacity in an institution of higher  
18 education (as defined in section 268.04, subdivision 12,  
19 clause (15)) shall not be paid to an individual for any week  
20 of unemployment which begins during the period between two  
21 successive academic years, or during a similar period  
22 between two regular terms, whether or not successive, or  
23 during a period of paid sabbatical leave provided for in the

1404

1 individual's contract, if the individual has a contract or  
2 contracts to perform services in any such capacity for any  
3 institution or institutions of higher education for both  
4 such academic years or both such terms; (b) benefits based  
5 on wage credits earned in the employment of a public school  
6 or a municipality when the employment is school related  
7 shall not be paid to an individual during any period between  
8 two successive school years when the activity in which the  
9 wage credits were earned is not normally performed. This  
10 provision shall not apply to any individual who, prior to  
11 the end of a school year, has voluntarily left or has been  
12 indefinitely separated from such employment. For the  
13 purposes of this clause, school year means that period  
14 established by a school board in accordance with Minnesota  
15 Statutes 1971, Section 126.12.

16 Sec. 2. This act is effective the day following final  
17 enactment.

House  
Companion  
No.

DUPLICATE  
**S. F. NO. 1405**

A bill for an act relating to the city of Edina; establishing  
terms for certain municipal offices.

COMPARISON ACTION

Date \_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.  
Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

B. D. No. B3143

SENATE ACTION

Introduced by Senators *Bang*  
*Ogdahl*

Read FIRST TIME APR 10 1975 and Referred to the  
Committee on **METROPOLITAN AND URBAN AFFAIRS**  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1405

S. F.

No.

Printed Page No.

1405

Messrs. Bang and Ogdahl introduced--

S. F. No. 1405: Referred to the Committee on METROPOLITAN AND URBAN AFFAIRS

1                                   A bill for an act  
2       relating to the city of Edina; establishing terms  
3       for certain municipal offices.  
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
5       Section 1. Beginning with the municipal elections in  
6       1976 in the city of Edina, three trustees shall be elected.  
7       The two candidates for that office receiving the highest  
8       number of votes shall serve for four years. The candidate  
9       receiving the third highest number of votes shall serve for  
10      two years. The mayor shall be elected for a four year term.



House  
Companion  
No.

DUPLICATE

FIRST ENGROSSMENT

S. F. NO. 1405

A bill for an act relating to the city of Edina; establishing terms for certain municipal offices.

B. D. No. B3143

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Bang  
Ogdahl

★ Read FIRST TIME APR 10 1975 and Referred to the  
Committee on METROPOLITAN AND URBAN AFFAIRS

Committee Recommendation and Adoption of Report

To Pass as Amended APR 23 1975

★ Read SECOND TIME APR 23 1975  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No.

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_

Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1405

Printed Page No.

S. F. No. 1405

SENATE  
STATE OF MINNESOTA  
SIXTY-NINTH LEGISLATURE

1405

Introduced by Bang and Ogdahl.  
Read First Time Apr. 10, 1975, and Referred to  
the Committee on Metropolitan and Urban Affairs.  
Committee Recommendation. To Pass as Amended.  
Committee Report Adopted Apr. 23, 1975.  
Read Second Time Apr. 23, 1975.

1                                   A bill for an act  
2           relating to the city of Edina; establishing terms  
3           for certain municipal offices.  
4   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
5           Section 1. At the city elections in 1976 for the city  
6   of Edina, three councilmen shall be elected. The two  
7   candidates receiving the highest number of votes shall serve  
8   for four years. The candidate receiving the third highest  
9   number of votes shall serve for two years. Thereafter, all  
10   councilmen shall serve for terms as provided by law.  
11   Beginning with the 1976 city election the mayor shall be  
12   elected for a four year term.  
13           Sec. 2. This act is effective upon its approval by the  
14   city of Edina and upon compliance with Minnesota Statutes,  
15   section 645.021.

House  
Companion  
No.

DUPLICATE  
SECOND ENGROSSMENT

S. F. NO. 1405

A bill for an act relating to the city of Edina; establishing terms for certain municipal offices.

B. D. No. B3143

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House FEB 12 1976  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date FEB 12 1976  
The Senate concurred in House amendments to  
S. F. No. 1405 and repassed  
the bill as amended.  
*Patrick E. Flahaver*  
Secretary of the Senate

SENATE ACTION

Introduced by Senators Bang  
Ogdahl

Read FIRST TIME APR 10 1975 and Referred to the  
Committee on METROPOLITAN AND URBAN AFFAIRS

Committee Recommendation and Adoption of Report  
To Pass as Amended APR 23 1975

★ Read SECOND TIME APR 23 1975  
Committee of the Whole *By motion, placed on the Calendar of Ordinary Matters*  
APR 24 1975

★ Read THIRD TIME APR 26 1975  
Passed by the Senate APR 26 1975  
Transmitted to the House APR 26 1975

*Patrick E. Flahaver*  
Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

APR 28 1975

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on LOCAL AND URBAN AFFAIRS

Committee Recommendation and Adoption of Report TO PASS as AMENDED  
and placed on CONSENT CAL. FEB 9 1976

★ Read SECOND TIME FEB 9 1976  
Committee of the Whole

★ Read THIRD TIME FEB 11 1976  
Passed by the House FEB 11 1976  
Returned to the Senate FEB 11 1976

*Edward J. Burdick*  
Chief Clerk, House of Representatives  
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other  
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference  
committee action.

1405

Printed Page No.



1405

1                                   A bill for an act  
2           relating to the city of Edina; establishing terms  
3           for certain municipal offices.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
5           Section 1. At the city elections in 1976 for the city  
6 of Edina, three councilmen shall be elected. The two  
7 candidates receiving the highest number of votes shall serve  
8 for four years. The candidate receiving the third highest  
9 number of votes shall serve for two years. Thereafter, all  
10 councilmen shall serve for terms as provided by law.  
11 Beginning with the 1976 city election the mayor shall be  
12 elected for a four year term.

13           Sec. 2. This act is effective upon its approval by the  
14 city council of the city of Edina and upon compliance with  
15 Minnesota Statutes, Section 645.021.



House  
Companion  
No.

DUPLICATE

S. F. NO. 1406

A bill for an act relating to education; increasing foundation aid; amending Minnesota Statutes 1974, Section 124.212, Subdivisions 1, 6a, and 7a.

B. D. No. B2298

COMPARISON ACTION

Date \_\_\_\_\_  
\_\_\_\_\_ moved that  
\_\_\_\_\_ F. No. \_\_\_\_\_ and \_\_\_\_\_ F. No. \_\_\_\_\_  
be referred for comparison.

Date \_\_\_\_\_  
Upon motion of \_\_\_\_\_  
\_\_\_\_\_ F. No. \_\_\_\_\_ was substituted  
for \_\_\_\_\_ F. No. \_\_\_\_\_ which  
was indefinitely postponed.

(SENATE ACTION)

Received from House \_\_\_\_\_  
Laid on Table \_\_\_\_\_  
Taken from Table \_\_\_\_\_

CONCURRENCE

Date \_\_\_\_\_  
The Senate concurred in House amendments to  
S. F. No. \_\_\_\_\_ and repassed  
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Proctor  
Lewis  
★ Read FIRST TIME APR 10 1975 and Referred to the  
Committee on EDUCATION  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the Senate  
Transmitted to the House

Secretary of the Senate  
State of Minnesota

HOUSE ACTION

House Companion  
is H. F. No. \_\_\_\_\_

★ Read FIRST TIME \_\_\_\_\_ and Referred to the  
Committee on \_\_\_\_\_  
Committee Recommendation and Adoption of Report

★ Read SECOND TIME  
Committee of the Whole

★ Read THIRD TIME  
Passed by the House  
Returned to the Senate

Chief Clerk, House of Representatives  
State of Minnesota

☐ OTHER ACTION  
Refer to back of cover for other  
action.

☐ CONFERENCE COMMITTEE ACTION  
Refer to back of cover for conference  
committee action.

1406

S. F.

No.

Printed Page No.

1406

Mrs. Brataas and Messrs. Frederick and Lewis introduced--

S. F. No. 1406: Referred to the Committee on EDUCATION

1 A bill for an act  
2 relating to education; increasing foundation aid;  
3 amending Minnesota Statutes 1974, Section 124.212,  
4 Subdivisions 1, 6a, and 7a.  
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:  
6 Section 1. Minnesota Statutes 1974, Section 124.212,  
7 Subdivision 1, is amended to read:  
8 124.212 [FOUNDATION AID.] Subdivision 1. The  
9 foundation aid program for school districts for school years  
10 ~~1973-1974~~ 1975-1976 and ~~1974-1975~~ 1976-1977 shall be  
11 governed by the terms and provisions of this section.  
12 Sec. 2. Minnesota Statutes 1974, Section 124.212,  
13 Subdivision 6a, is amended to read:  
14 Subd. 6a. For the ~~1973-1974~~ 1975-1976 school year a  
15 district shall receive in foundation aid ~~the lesser of (1)~~  
16 ~~\$700~~ \$925 per pupil unit less 30 mills times the ~~1971~~ 1973  
17 adjusted assessed valuation of the district ~~or (2) the~~  
18 ~~amount that bears the same relation to the difference in (1)~~  
19 ~~as the sum of the 1970-1971 adjusted maintenance cost per~~  
20 ~~pupil unit increased by 607, and the greater of (a)~~  
21 ~~one-sixth of the difference that results when the adjusted~~  
22 ~~maintenance cost per pupil unit, so increased, is subtracted~~

1406

1 ~~from \$700, or (b) \$30, bears to \$700 .~~

2 Sec. 3. Minnesota Statutes 1974, Section 124.212,

3 Subdivision 7a, is amended to read:

4 Subd. 7a. For the ~~1974-1975~~ 1976-1977 school year a  
5 district shall receive in foundation aid ~~the lesser of~~  
6 ~~(1) \$025~~ \$1,025 per pupil unit less 30 mills times the ~~1972~~  
7 1974 adjusted assessed valuation of the district ~~or (2)~~  
8 ~~the amount that bears the same relation to the difference in~~  
9 ~~(1) as the sum of the greater sum computed pursuant to~~  
10 ~~section 124.212, subdivision 6a, clause (2), and the greater~~  
11 ~~of (a) one-third of the difference that results when such~~  
12 ~~greater sum is subtracted from \$025, or (b) \$37, bears to~~  
13 ~~\$025. This section shall not be construed as in any~~  
14 ~~instance authorizing the levy of total amounts of taxes for~~  
15 ~~school purposes in excess of the amount allowed by law on~~  
16 ~~October 15, 1973 .~~