



Minnesota Legislature:
Senate Bills

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X

House
Companion
No.

DUPLICATE

S. F. NO. 1428

A bill for an act relating to the capitol area architectural and planning commission; authorizing the city of St. Paul to expend moneys held by it in accordance with the city capital improvement budget; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3.

B. D. No. B2564

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

Coleman *Stumpf* *Neill*

★ 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.

1428

Printed Page No.

S. F.

No.

1428

Messrs. Stumpf, Coleman and O'Neill introduced--

S. F. No. 1428:

Referred to the Committee on GOVERNMENTAL OPERATIONS

1 A bill for an act

2 relating to the capitol area architectural and
3 planning commission; authorizing the city of St.
4 Paul to expend moneys held by it in accordance
5 with the city capital improvement budget; amending
6 Minnesota Statutes 1974, Section 15.50,
7 Subdivision 3.

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

9 Section 1, Minnesota Statutes 1974, Section 15.50,
10 Subdivision 3, is amended to read:

11 Subd. 3. The administrative and planning expenses of
12 the commission shall be borne by the state. The expenses of
13 the commission for competition premiums, land acquisition or
14 improvement or any other capital expenditures in or upon
15 properties owned or to be owned by the state shall be borne
16 by the state. The expenses of any other public body for
17 such expenditures shall be borne by the body concerned. The
18 city of Saint Paul ~~shall not~~ may expend moneys currently
19 in the city of Saint Paul Capitol Approach Improvement Fund
20 established by Laws 1945, Chapter 315, and acts amendatory
21 thereof ~~until such time as the legislature may require the~~
22 ~~commission to request these funds for planning and~~
23 ~~development purposes in the capitol area--Upon such request~~
24 ~~by the commission, the city shall expend such funds in the~~

1428

1 ~~manner and for the purposes specified by the request~~ for
2 capital improvements contained in the city's approved
3 capital improvement budget. The budget is to be adopted in
4 accordance with the provisions contained in the city charter
5 .
6 Sec. 2. Section 1 is effective upon final enactment.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT
S. F. NO. 1428

A bill for an act relating to the capitol area architectural and planning commission; authorizing the city of St. Paul to expend moneys held by it in accordance with the city capital improvement budget; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3.

B. D. No. **B2564**

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 **Stumpf**
Coleman **O'Neill**
Read FIRST TIME **APR 10 1975** and Referred to the
Committee on **GOVERNMENTAL OPERATIONS**
Committee Recommendation and Adoption of Report

To pass as amended
Calendar of ordinary matters 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.

1428

S. F. No. 1428

Printed Page No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

348

S. F. NO. 1428

1428

Introduced by Stumpf, Coleman and O'Neill.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Governmental Operations.
Committee Recommendation. To Pass as Amended and be
placed on the Calendar of Ordinary Matters.
Committee Report Adopted Apr. 23, 1975.
Read Second Time Apr. 23, 1975.

1 A bill for an act
2 relating to the capitol area architectural and
3 planning commission; authorizing the city of St.
4 Paul to expend moneys held by it in accordance
5 with the city capital improvement budget; amending
6 Minnesota Statutes 1974, Section 15.50,
7 Subdivision 3.
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
9 Section 1. Minnesota Statutes 1974, Section 15.50,
10 Subdivision 3, is amended to read:
11 Subd. 3. The administrative and planning expenses of
12 the commission shall be borne by the state. The expenses of
13 the commission for competition premiums, land acquisition or
14 improvement or any other capital expenditures in or upon
15 properties owned or to be owned by the state shall be borne
16 by the state. The expenses of any other public body for
17 such expenditures shall be borne by the body concerned. The
18 city of Saint Paul shall ~~not~~ expend moneys currently in
19 the city of Saint Paul Capitol Approach Improvement Fund
20 established by Laws 1945, Chapter 315, and acts amendatory
21 thereof ~~until such time as the legislature may require the~~
22 ~~commission to request these funds for planning and for~~
23 development purposes in the capitol area upon the request of
24 the commission . Upon such request by the commission, the

1428

- 1 city shall expend such funds in the manner and for the
- 2 purposes specified by the request.
- 3 Sec. 2. Section 1 is effective upon final enactment.

X

House
Companion
No.

DUPLICATE

S. F. NO. 1429

A bill for an act relating to the city of Saint Paul;
compensation of elected officers; amending Laws 1973,
Chapter 691, Section 4, Subdivision 3.

B. D. No. B2638

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

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.

1429

Printed Page No.

S. F. No.

1429

Messrs. Coleman, O'Neill and Chenoweth introduced--

S. F. No. 1429: Referred to the Committee on METROPOLITAN AND URBAN AFFAIRS

1 A bill for an act
2 relating to the city of Saint Paul; compensation
3 of elected officers; amending Laws 1973, Chapter
4 691, Section 4, Subdivision 3.
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
6 Section 1. Laws 1973, Chapter 691, Section 4,
7 Subdivision 3, is amended to read:
8 Subd. 3. ~~[FEES.] No elected official shall receive any~~
9 ~~other compensation than that provided for pursuant to this~~
10 ~~section for the performance of his official duties and such~~
11 ~~compensation shall include compensation for all services~~
12 ~~rendered in any office or employment for said city. All~~
13 ~~fees, moneys or remuneration of whatever kind that accrue to~~
14 ~~any official in his elected capacity shall be reported to~~
15 ~~the city council and paid monthly into the treasury of the~~
16 ~~city. The city council may, by ordinance, specify which~~
17 fees, moneys, or remuneration of whatever character accruing
18 to any duly elected city officer in his elected capacity
19 shall be reported to the city council and either paid into
20 the city treasury or retained by such duly elected officer.
21 Such fees, moneys or remuneration which are not specified in
22 any such ordinance to be salaries shall not be considered

1429

1 compensation for purposes of this section.

2 Sec. 2. This act shall become effective only after its
3 approval by a majority of the governing body of the city of
4 Saint Paul and upon compliance with the provisions of
5 Minnesota Statutes, Section 645.021.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1429

A bill for an act relating to the city of Saint Paul;
compensation of elected officers; amending Laws 1973, Chapter
691, Section 4, Subdivision 1.

B. D. No. B2638

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 Coleman O'Neill
Chenoweth
★ 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 19 1975

★ Read SECOND TIME APR 19 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.

1429

Printed Page No.

S. F. No. 1429

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

298

S. F. NO 1429

1429

Introduced by Coleman, O'Neill and Chenoweth.
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. 19, 1975.
Read Second Time Apr. 19, 1975.

1 A bill for an act
2 relating to the city of Saint Paul; compensation
3 of elected officers; amending Laws 1973, Chapter
4 691, Section 4, Subdivision 1.
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
6 Section 1. Laws 1973, Chapter 691, Section 4,
7 Subdivision 1, is amended to read:
8 Sec. 4. [ST. PAUL, CITY OF; OFFICERS' COMPENSATION.]
9 Subdivision 1. Notwithstanding any provision of law or the
10 St. Paul city charter to the contrary, the city of St. Paul
11 shall have the power, from and after the effective date of
12 this section, to fix in term and refix from time to time the
13 compensation of all duly elected officers under its charter.
14 Such compensation shall be fixed by ordinance passed upon in
15 the manner provided for by the charter of the city of St.
16 Paul, provided that no ordinance increasing compensation of
17 elected officials may be passed during the last three months
18 of any term of office. ~~Except for the initial fixing of~~
19 ~~compensation authorized~~ as provided herein, no subsequent
20 fixing of compensation shall be prescribed to take effect
21 during the term of office for which the elected officials
22 shall have been elected. The city of St. Paul is authorized

1429

1 to provide by ordinance, adopted in the manner provided for
2 by the charter of the city of St. Paul, that compensation
3 of all duly elected officers under its charter be increased
4 by an amount not to exceed \$2,000, provided that the
5 ordinance is enacted and becomes effective prior to December
6 31, 1975.

House
Companion
No.

DUPLICATE
S. F. NO. 1430

A bill for an act relating to taxation; providing a homestead property tax freeze for retired persons 62, 63 and 64 years old; amending Minnesota Statutes 1974, Section 273.011, Subdivision 2.

B. D. No. B1302

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 Hughes
★ Read FIRST TIME APR 10 1975 and Referred to the
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

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.

1430

Printed Page No.

S. F. No.

1430

Mr. Hughes introduced--

S. F. No. 1430: Referred to the Committee on TAXES AND TAX LAWS

1 A bill for an act
2 relating to taxation; providing a homestead
3 property tax freeze for retired persons 62, 63 and
4 64 years old; amending Minnesota Statutes 1974,
5 Section 273.011, Subdivision 2.
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
7 Section 1. Minnesota Statutes 1974, Section 273.011,
8 Subdivision 2, is amended to read:
9 Subd. 2. [QUALIFIED HOME OWNER.] The term "qualified
10 home owner" means:
11 (a) (i) A person 65 years of age or older or a person
12 62, 63 or 64 years old who has retired from gainful
13 employment ; or
14 (ii) The surviving spouse of a decedent, if such
15 decedent was 65 years of age or older at his death, and such
16 spouse has not remarried; and
17 (b) Who owns property as his homestead, and title to
18 the property so used is held:
19 (i) In his name as owner of the fee; or
20 (ii) Only in his name and that of his spouse as joint
21 tenants or tenants in common; or
22 (iii) Only in his name, or his name and that of his
23 spouse as owner of an estate for life or an estate for

1430

- 1 years; or
- 2 (iv) In the name of two or more joint tenants or
- 3 tenants in common where each of such joint tenants or
- 4 tenants in common would meet the requirements of a
- 5 "qualified home owner" set out in this subdivision if he
- 6 were the sole owner of the fee.

House
Companion
No.

DUPLICATE

S. F. NO. 1431

A bill for an act relating to education; learning disabled and mildly retarded children; establishing a pilot program for in-service training of teachers; appropriating money.

B. D. No. B3168

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 _____

Ashland

APR 10 1975

Doty

★ Read FIRST TIME _____ 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.

1431

S. F. No.

Printed Page No.

1431

Messrs. Anderson, Ashbach and Doty introduced--

S. F. No. 1431: *Referred to the Committee on* EDUCATION

1 A bill for an act

2 relating to education; learning disabled and
3 mildly retarded children; establishing a pilot
4 program for in-service training of teachers;
5 appropriating money.

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

7 Section 1. [POLICY.] The legislature finds and
8 declares that assistance to school districts is needed for
9 the education of pupils with mild learning disabilities and
10 mildly retarded pupils. The most effective way to improve
11 the educational opportunities for these pupils is to provide
12 in-service training in the techniques of special education
13 applicable to these pupils for regular classroom teachers in
14 the school system.

15 Sec. 2. [PILOT PROGRAMS.] In furtherance of this
16 policy pilot programs for in-service training shall be
17 established in school districts designated by the
18 commissioner of education, funds for which shall be granted
19 by the commissioner upon the recommendation of the advisory
20 council for special education of mildly learning disabled
21 pupils and mildly retarded pupils.

22 Sec. 3. [ADVISORY COUNCIL ON LD AND MR SPECIAL
23 EDUCATION.] There is hereby established the advisory council

1431

1 for special education of mildly learning disabled pupils and
2 mildly retarded pupils which shall be responsible for
3 recommending grants for and assisting the districts in
4 developing the pilot programs of in-service teacher
5 training.

6 Sec. 4. [MEMBERSHIP.] The advisory council shall
7 consist of 12 members who shall be appointed by the
8 commissioner of education. Nine members shall be
9 professionally qualified in the fields of special or general
10 education, and three shall be public members. The
11 professionally qualified members shall be representative of
12 teacher training departments or institutions, educators
13 acting as consultants in the field of special learning
14 behavior problems, mental retardation, and other educational
15 handicaps and the department of education. The public
16 members shall be representative of associations and
17 organizations concerned with the problems of learning
18 disabled pupils and retarded pupils.

19 Sec. 5. [DUTIES.] The advisory council shall be
20 charged with the following duties:

21 (1) To make recommendations to the commissioner of
22 education as to priority in the use of funds available for
23 the in-service training programs for classroom teachers;

24 (2) To formulate policies, rules and regulations as to
25 the awarding of grants by the commissioner;

26 (3) To propose minimum standards to be met by the
27 district in order to receive program approval;

28 (4) To review proposals of programs submitted by the
29 district and make recommendations as to acceptability; and

30 (5) Evaluate and make periodic reports on the programs
31 funded under this act.

32 Sec. 6. [REQUIREMENTS FOR PROGRAMS.] A grant received

1431

1 by the district shall be used solely for costs incurred in
2 the in-service training of the teachers and shall not be
3 used for any other general education or special education
4 functions. Applications for grants may be considered from
5 districts initiating an in-service training program or
6 continuing an existing program. A single district may
7 initiate or continue a program or may join with another
8 district or other districts. A district may cooperate with
9 other districts in a special educational regional council,
10 educational service area, or educational cooperative service
11 unit wherever such arrangement is available. Distribution
12 of funds between or among the pilot programs shall depend
13 upon the needs of the district, its population, and the
14 number of teachers to be trained in the program. There is
15 no requirement that funds be equally distributed.

16 Sec. 7. There is hereby appropriated from the general
17 fund to the commissioner of education for the purposes of
18 this act the sum of \$ Notwithstanding the
19 provisions of Minnesota Statutes, Section 16A.28 or any
20 other law, this appropriation shall not cancel but shall be
21 available until July 1, 1977.

22 The council is authorized to hire such personnel as
23 needed in order to carry out the duties assigned to them in
24 this act.

X
House
Companion
No.

DUPLICATE

S. F. NO. 1432

A bill for an act relating to education; higher education coordinating commission; providing procedure for registration and approval of private post-secondary institutions.

B. D. No. B2943

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 Hughes
Wegener (4-21-75) Stassen (4-21-75)

★ 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.

1432

S. F.

No. _____

Printed Page No.

1432

Mr. Hughes introduced--

S. F. No. 1432: Referred to the Committee on EDUCATION

1 A bill for an act

2 relating to education; higher education
3 coordinating commission; providing procedure for
4 registration and approval of private
5 post-secondary institutions.

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

7 Section 1. [POLICY.] The legislature has found and
8 hereby declares that the availability of legitimate courses
9 and programs leading to academic degrees offered by
10 responsible private institutions of post-secondary education
11 and the existence of legitimate private colleges and
12 universities are in the best interests of the people of this
13 state. The legislature has found and declares that the
14 state can provide assistance and protection for persons
15 choosing private institutions and programs, by establishing
16 policies and procedures to assure the authenticity and
17 legitimacy of private post-secondary education institutions
18 and programs.

19 Sec. 2. [DEFINITIONS.] Subdivision 1. [WORDS, TERMS,
20 AND PHRASES.] The following words, terms, and phrases shall
21 have the meanings ascribed to them in this section for the
22 purposes of sections 1 to 11.

23 Subd. 2. [COMMISSION.] "Commission" means the

1432

1 Minnesota higher education coordinating commission.

2 Subd. 3. [SCHOOL.] "School" means any individual,
3 partnership, company, firm, society, trust, association,
4 corporation, or any combination thereof, which (a) is, owns,
5 or operates a private, nonprofit post-secondary education
6 institution, (b) provides a post-secondary instructional
7 program or course leading to a degree whether or not for
8 profit, or (c) uses the term "college" or "university" in
9 its name.

10 Subd. 4. [DEGREE.] "Degree" means any award given by a
11 school for completion of a program or course which is
12 designated by the term degree, associate, bachelor,
13 baccalaureate, masters, or doctorate, or any other award
14 which the commission shall include by regulation.

15 Subd. 5. [RECORDS.] "Records" means those school
16 documents and files containing student data relating to
17 academic credits, grades, degrees awarded, periods of
18 attendance, and such other matters as the commission shall
19 determine by regulation.

20 Sec. 3. [REGISTRATION.] All schools located within
21 Minnesota shall register annually with the commission. The
22 commission shall have the authority to require those schools
23 located outside Minnesota which offer programs or courses
24 within Minnesota to register annually.

25 Sec. 4. [INFORMATION.] As a basis for registration,
26 schools shall provide the commission with such information
27 as the commission needs to determine the nature and
28 activities of the school, including but not limited to,
29 requirements for admission, enrollments, tuition charge,
30 refund policies, curriculum, degrees granted, and faculty
31 employed. The commission shall have the authority to verify
32 the accuracy of the information submitted to it by

1432

1 inspection or any other means it deems necessary.

2 Sec. 5. [APPROVAL OF DEGREES AND NAME.] No school
3 subject to registration shall grant a degree unless such
4 degree is approved by the commission, nor shall any school
5 subject to registration use the name "college" or
6 "university" in its name without approval by the commission.
7 The commission shall establish procedures for approval,
8 including notice and an opportunity for a hearing pursuant
9 to Minnesota Statutes, Chapter 15 if such approval is not
10 granted. If a hearing is requested, no disapproval shall
11 take effect until after such hearing.

12 Sec. 6. [LIST.] The commission shall maintain a list
13 of schools authorized to grant degrees and schools
14 authorized to use the name "college" or "university", and
15 shall make such list available to the public.

16 Sec. 7. [UNAUTHORIZED REPRESENTATIONS.] No school and
17 none of its officials or employees shall advertise or
18 represent in any manner that such school is approved or
19 accredited by the commission or state of Minnesota except
20 that any school which is duly registered with the
21 commission, or any of its officials or employees, may
22 represent that the school is registered with the commission.

23 Sec. 8. [RECORDS.] After the effective date of
24 sections 1 to 11, all schools located in this state must
25 maintain permanent records of all students enrolled therein
26 at any time. The commission may require schools to provide
27 a plan acceptable to the commission for preserving all such
28 records for at least ten years. The commission may require
29 that such plan include the filing of a continuous surety
30 bond or a deposit of funds in trust in an amount not to
31 exceed \$20,000 for the purpose of preserving records after
32 such school ceases to exist.

1432

1 Sec. 9. [FEES.] The commission may collect reasonable
2 registration fees not to exceed \$200 for an initial
3 registration of each school and \$150 for each annual renewal
4 of such existing registration.

5 Sec. 10. [RULES AND REGULATIONS.] The commission shall
6 adopt policies and prescribe appropriate rules and
7 regulations to carry out the purposes of sections 1 to 11.
8 Such rules and regulations may include delegation of
9 authority for implementation of sections 1 to 11 to the
10 commission's executive director.

11 Sec. 11. [INJUNCTION.] Upon application of the
12 attorney general the district courts shall have jurisdiction
13 to enjoin any violations of sections 1 to 11.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1432

A bill for an act relating to education; higher education
coordinating commission; providing procedure for registra-
tion and approval of private post-secondary institutions.

B. D. No. B2943

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 Hughes
Wegner (9-21-75) Stassen (9-21-75)

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

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.

1432

S. F. No.

Printed Page No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

371

S. F. NO. 1432

1432

Introduced by Hughes.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Education.
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 education; higher education
3 coordinating commission; providing procedure for
4 registration and approval of private
5 post-secondary institutions,
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
7 Section 1. [POLICY.] The legislature has found and
8 hereby declares that the availability of legitimate courses
9 and programs leading to academic degrees offered by
10 responsible private institutions of post-secondary education
11 and the existence of legitimate private colleges and
12 universities are in the best interests of the people of this
13 state. The legislature has found and declares that the
14 state can provide assistance and protection for persons
15 choosing private institutions and programs, by establishing
16 policies and procedures to assure the authenticity and
17 legitimacy of private post-secondary education institutions
18 and programs.
19 Sec. 2. [DEFINITIONS.] Subdivision 1. [WORDS, TERMS,
20 AND PHRASES.] The following words, terms, and phrases shall
21 have the meanings ascribed to them in this section for the
22 purposes of sections 1 to 11.
23 Subd. 2. [COMMISSION.] "Commission" means the

1432

1 Minnesota higher education coordinating commission.

2 Subd. 3. [SCHOOL.] "School" means any individual,
3 partnership, company, firm, society, trust, association,
4 corporation, or any combination thereof, which (a) is, owns,
5 or operates a private, nonprofit post-secondary education
6 institution, (b) provides a post-secondary instructional
7 program or course leading to a degree whether or not for
8 profit, or (c) uses the term "college", "academy",
9 "institute" or "university" in its name.

10 Subd. 4. [DEGREE.] "Degree" means any award given by a
11 school for completion of a program or course which is
12 designated by the term degree, associate, bachelor,
13 baccalaureate, masters, or doctorate, or any other award
14 which the commission shall include by regulation.

15 Subd. 5. [RECORDS.] "Records" means those school
16 documents and files containing student data relating to
17 academic credits, grades, degrees awarded, periods of
18 attendance, and such other matters as the commission shall
19 determine by regulation.

20 Sec. 3. [REGISTRATION.] All schools located within
21 Minnesota shall register annually with the commission. The
22 commission shall have the authority to require those schools
23 located outside Minnesota which offer programs or courses
24 within Minnesota to register annually.

25 Sec. 4. [INFORMATION.] As a basis for registration,
26 schools shall provide the commission with such information
27 as the commission needs to determine the nature and
28 activities of the school, including but not limited to,
29 requirements for admission, enrollments, tuition charge,
30 refund policies, curriculum, degrees granted, and faculty
31 employed. The commission shall have the authority to verify
32 the accuracy of the information submitted to it by

1 inspection or any other means it deems necessary.

1432

2 Sec. 5. [APPROVAL OF DEGREES AND NAME.] No school
3 subject to registration shall grant a degree unless such
4 degree is approved by the commission, nor shall any school
5 subject to registration use the name "college", "academy",
6 "institute" or "university" in its name without approval by
7 the commission. The commission shall establish procedures
8 for approval, including notice and an opportunity for a
9 hearing pursuant to Minnesota Statutes, Chapter 15 if such
10 approval is not granted. If a hearing is requested, no
11 disapproval shall take effect until after such hearing.

12 Sec. 6. [LIST.] The commission shall maintain a list
13 of schools authorized to grant degrees and schools
14 authorized to use the name "college", "academy", "institute"
15 or "university", and shall make such list available to the
16 public.

17 Sec. 7. [UNAUTHORIZED REPRESENTATIONS.] No school and
18 none of its officials or employees shall advertise or
19 represent in any manner that such school is approved or
20 accredited by the commission or state of Minnesota except
21 that any school which is duly registered with the
22 commission, or any of its officials or employees, may
23 represent that the school is registered with the commission.

24 Sec. 8. [RECORDS.] After the effective date of
25 sections 1 to 11, all schools located in this state must
26 maintain permanent records of all students enrolled therein
27 at any time. The commission may require schools to provide
28 a plan acceptable to the commission for preserving all such
29 records for at least ten years. The commission may require
30 that such plan include the filing of a continuous surety
31 bond or a deposit of funds in trust in an amount not to
32 exceed \$20,000 for the purpose of preserving records after

1432

1 such school ceases to exist.

2 Sec. 9. [FEES.] The commission may collect reasonable
3 registration fees not to exceed \$200 for an initial
4 registration of each school and \$150 for each annual renewal
5 of such existing registration.

6 Sec. 10. [RULES AND REGULATIONS.] The commission shall
7 adopt policies and prescribe appropriate rules and
8 regulations to carry out the purposes of sections 1 to 11.
9 Such rules and regulations may include delegation of
10 authority for implementation of sections 1 to 11 to the
11 commission's executive director.

12 Sec. 11. [INJUNCTION.] Upon application of the
13 attorney general the district courts shall have jurisdiction
14 to enjoin any violations of sections 1 to 11.

House
Companion
No.

DUPLICATE

S. F. NO. 1433

A bill for an act relating to appropriations; appropriating funds for an emergency communications demonstration project.

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. B3099

SENATE ACTION

Introduced by Senators

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.

Printed Page No.

S. F. No.

1433

Messrs. Chmielewski, Solon and Doty introduced--

S. F. No. 1433: Referred to the Committee on TRANSPORTATION AND GENERAL LEGISLATION

A bill for an act

1
2 relating to appropriations; appropriating funds
3 for an emergency communications demonstration
4 project.

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

6 Section 1. There is hereby appropriated to the
7 department of public safety from the general fund the sum of
8 \$150,000, or so much thereof as may be required, for the
9 purpose of furnishing and equipping an emergency
10 communications demonstration project to serve volunteer fire
11 departments within the towns of Canosia, Duluth, Fredenberg,
12 Gnesen, Grand Lake, Herman, Lakewood, Rice Lake, and Solway,
13 in St. Louis county. Funds so expended for equipment may be
14 turned over to the volunteer fire departments participating,
15 to assist in the payment of the first years operating
16 expenses.

House
Companion
No.

DUPLICATE

S. F. NO. 1434

A bill for an act relating to counties; providing for formation of water and sewer districts; amending Minnesota Statutes 1974, Sections 116A.01, Subdivisions 1a and 4; 116A.02, Subdivision 3, and by adding a subdivision; 116A.12, Subdivision 8; 116A.20, Subdivisions 1, 2 and 5, and by adding a subdivision; and 116A.24, Subdivisions 1 and 2.

B. D. No. 82663

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 Fitzsimons

★ 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.

1434

Printed Page No.

S. F. No.

1434

Messrs. Fitzsimons, Moe and Olson, A. G. introduced--

S. F. No. 1434: Referred to the Committee on NATURAL RESOURCES AND AGRICULTURE

1 A bill for an act

2 relating to counties; providing for formation of
3 water and sewer districts; amending Minnesota
4 Statutes 1974, Sections 116A.01, Subdivisions 1a
5 and 4; 116A.02, Subdivision 3, and by adding a
6 subdivision; 116A.12, Subdivision 8; 116A.20,
7 Subdivisions 1, 2 and 5, and by adding a
8 subdivision; and 116A.24, Subdivisions 1 and 2.

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

10 Section 1. Minnesota Statutes 1974, Section 116A.01,
11 Subdivision 1a, is amended to read:

12 Subd. 1a. Any county board that has established a
13 water or sewer system or combined water and sewer system
14 under the provisions of this chapter, or that has formed a
15 district under the provisions of section 4 of this act, may
16 ~~acquire the right to~~ operate the system under and exercise
17 all the rights and authority and perform all the duties of
18 ~~section 444.075~~ a municipality under chapters 117, 412, 429
19 and 475 and sections 115.46, 444.075 and 471.59, instead of
20 this chapter, upon the filing by the county board, in the
21 office of the clerk of district court of the county, a
22 petition to the court asking that the county board be
23 granted such authority. The clerk of district court, as
24 directed by the judge, shall thereupon fix a time and place

1434

1 for hearing upon the petition. Notice of the hearing shall
2 be given by publication for two successive weeks in a
3 newspaper published in the county. The clerk of district
4 court shall give written notice of the hearing to the
5 Minnesota pollution control agency. If at the hearing the
6 court finds that it is for the best interests of the county
7 board to be granted such authority, it may by order grant
8 such petition. Thereafter the county board may acquire,
9 construct, finance, operate and maintain the water or sewer
10 system or combined water and sewer system ~~as provided in~~
11 ~~section 444.075~~ in the same manner and to the same extent
12 accorded a municipality under chapters 117, 412, 429 and 475
13 and sections 115.46, 444.075 and 471.59 .

14 Sec. 2. Minnesota Statutes 1974, Section 116A.01,
15 Subdivision 4, is amended to read:

16 Subd. 4. [AREA TO BE SERVED.] The area to be served by
17 any public water or sewer or combined system may include any
18 part or all of the area of any city which by resolution of
19 its governing body requests that its facilities be connected
20 to the system , or that all or any part of the area within
21 its corporate limits be included in the area to be served by
22 the system . For the purpose of any petition filed or
23 special assessment levied with respect to any system, the
24 entire area to be served within any city shall be treated as
25 if it were owned by a single person, and the governing body
26 shall exercise all the rights and be subject to all the
27 duties of an owner of the area, and shall have power to
28 provide for the payment of all special assessments and other
29 charges imposed upon the area with respect to the system by
30 the appropriation of money, the collection of service
31 charges, or the levy of taxes, which shall be deemed special
32 levies and shall be subject to no limitation of rate or

1434

1 amount ; provided that in the alternative the board or
2 boards and the court with jurisdiction over the system, or a
3 water and sewer commission to the extent authorized by the
4 board or boards and the court under section 116A.24, may, to
5 the extent authorized by resolution of the governing body of
6 the city, exercise within the area of the city served by the
7 system, or any extensions of the system, the same powers
8 granted to a county by this chapter .

9 Sec. 3. Minnesota Statutes 1974, Section 116A.02,
10 Subdivision 3, is amended to read:

11 Subd. 3. [PROCEEDING INITIATED BY COUNTY BOARD.] Any
12 county board, by duly adopted resolution, and without a
13 petition filed therefor, may initiate the proceedings for
14 ~~the formation~~ establishment of a water or sewer ~~district~~
15 system or combined water and sewer ~~district~~ system as
16 provided in sections 116A.01 to 116A.26. The proceedings
17 thereafter shall be the same as for proceedings initiated by
18 petition except that no bond need be filed. If any
19 proceeding initiated by resolution of a county board is
20 dismissed, the county shall pay all expenses connected with
21 such proceeding.

22 Sec. 4. Minnesota Statutes 1974, Section 116A.02, is
23 amended by adding a subdivision to read:

24 Subd. 4. [INITIAL FORMATION OF DISTRICT.] A county
25 board, or boards if more than one county is involved, by
26 duly adopted resolution, may, without a petition filed
27 therefor and after making such investigations as the board
28 or boards consider necessary, form a water or sewer district
29 or combined water or sewer district within the county or
30 counties and may expend available funds for this purpose
31 without the board or, if more than one county is involved,
32 the court first ordering the establishment of a water or

1434

1 sewer system or combined water and sewer system as provided
2 in sections 116A.01 to 116A.26. Thereafter the county board
3 or court may establish for all or a part of the district one
4 or more water systems or sewer systems or combined water and
5 sewer systems either by petition or on the initiative of the
6 board of any county located in whole or part within the
7 district, as provided in sections 116A.01 to 116A.26, except
8 that no bond need be filed whenever the county board elects
9 to proceed on its own initiative. If a proceeding is
10 initiated by resolution of a county board and is dismissed,
11 the county shall pay the expenses connected with the
12 proceeding.

13 Sec. 5. Minnesota Statutes 1974, Section 116A.12,
14 Subdivision 8, is amended to read:

15 Subd. 8. [ORDERS; SPECIAL ASSESSMENTS.] No order shall
16 be entered confirming special assessments for any system
17 under the provisions of this section or section 116A.17
18 unless it is determined that the amount of the special
19 assessments confirmed in the order, and to be extended upon
20 the tax rolls in each year of the term of any bonds issued
21 to finance the system, together with interest payable on
22 such assessments, the taxes, if any, and the net revenues
23 to be received in excess of the cost of operation of the
24 system during the same period, will be sufficient to pay all
25 of such bonds and interest thereon when due. The board or
26 court may make this determination in the order establishing
27 the system or by subsequent order, based upon the engineer's
28 report and such other investigation as it may deem
29 necessary, whether or not special assessments are finally
30 confirmed at the time of the entry of such order.

31 Sec. 6. Minnesota Statutes 1974, Section 116A.20,
32 Subdivision 1, is amended to read:

1434

1 116A.20 [BOND ISSUES.] Subdivision 1. The county board
2 of each county is authorized, at any time after the
3 establishment of any system, or the formation of any
4 district under section 4 of this act, to issue the bonds of
5 the county in such amount as may be necessary to defray, in
6 whole or in part, the cost of establishing and constructing
7 ~~the~~ a system. The board may in like manner issue bonds to
8 pay the cost of improvement or extension of any system, when
9 ordered in accordance with section 116A.12. It may also
10 issue bonds to refund outstanding bonds issued pursuant to
11 this section, in accordance with chapter 475.

12 Sec. 7. Minnesota Statutes 1974, Section 116A.20,
13 Subdivision 2, is amended to read:

14 Subd. 2. Such bonds shall be sold and issued in
15 accordance with chapter 475, as amended, and shall pledge
16 the full faith, credit, and resources of the county for the
17 prompt payment of the principal and interest thereof, but at
18 least 60 percent of the interest and principal shall be
19 ~~primarily payable from the special assessments and revenues~~
20 ~~to be credited to the fund of the system~~ systems financed
21 by the bonds. An election shall be required to authorize
22 bonds to be issued under this section, unless the board or
23 court having jurisdiction of the system has determined ~~the~~
24 ~~sufficiency of the~~ that special assessments, taxes, if
25 any, and revenues are sufficient for their payment, by order
26 entered pursuant to section 116A.12, subdivision 8. The
27 bonds shall be further secured by ~~a pledge of any and all~~
28 the net revenues from the system ~~systems financed thereby~~
29 by the bonds to the debt redemption fund, and a covenant
30 that rates and charges shall be established for the service
31 of such system, sufficient to pay all costs of operation and
32 maintenance thereof and to produce net revenues adequate,

1434

1 with special assessments and taxes, if any, received in the
2 fund, to pay all of the bonds and interest thereon when due.

3 Sec. 8. Minnesota Statutes 1974, Section 116A.20,
4 Subdivision 5, is amended to read:

5 Subd. 5. The board shall pay the principal of and
6 interest on bonds issued under the provisions of this
7 section out of any available funds in the county treasury
8 when the moneys on hand in the fund from which they are
9 primarily payable are insufficient therefor; but the funds
10 from which said moneys have been taken shall be replenished
11 with interest for the time actually needed at the rate of
12 eight percent per annum from the assessments levied for the
13 water or sewer or combined system or from the net revenues
14 of the system or from the taxes, if any, levied for the
15 payment of principal and interest on the bonds .

16 Sec. 9. Minnesota Statutes 1974, Section 116A.20, is
17 amended by adding a subdivision to read:

18 Subd. 6. Notwithstanding anything in Minnesota
19 Statutes, Sections 116A.01 to 116A.26 to the contrary, the
20 county board of each county is authorized, at any time after
21 the conditions in section 116A.20, subdivision 1 exist, to
22 issue for any of the purposes set forth in section 116A.20,
23 subdivision 1, general obligation temporary bonds in
24 anticipation of and in an amount not to exceed any grant or
25 loan of state or federal funds. Such bonds shall mature
26 within not more than three years from the date of issuance
27 and shall otherwise be sold and issued in accordance with
28 chapter 475, and shall pledge the full faith, credit, and
29 resources of the county for the prompt payment of the
30 principal and interest thereof, except that no election
31 shall be required and the debt limitations of chapter 475
32 shall not apply to such bonds. Prior to the issuance of

1434

1 such bonds the board shall secure a commitment for the grant
2 or loan in anticipation of which the bonds are to be issued,
3 and if any of the bonds are to be issued in anticipation of
4 a loan, the board shall also determine that all conditions
5 exist precedent to the authorization of definitive bonds in
6 an amount equal at least to the principal sum of the loan.
7 In the event such temporary bonds are issued, the proceeds
8 of the grant or loan when received shall be irrevocably
9 appropriated to the sinking fund for the temporary bonds,
10 and the estimated amount thereof may be deducted from the
11 tax which would otherwise be required by section 475.61,
12 subdivision 1, to be levied. The provisions of section
13 116A.20, subdivision 3 shall apply to such bonds. Any
14 amount of the temporary bonds which cannot be paid at
15 maturity from the proceeds of the grant or loan or from any
16 other funds appropriated by the board for the purpose, shall
17 be paid from the proceeds of definitive obligations to be
18 issued and sold before the maturity date in accordance with
19 section 116A.20, subdivisions 2, 3 and 4, except that no
20 election shall be required; or, if sufficient funds are not
21 available for payment in full of the temporary obligations
22 at maturity, the holders thereof shall have the right to
23 require the issuance in exchange therefor of such definitive
24 obligations bearing interest at the maximum rate permitted
25 by law.

26 Sec. 10. Minnesota Statutes 1974, Section 116A.24,
27 subdivision 1, is amended to read:
28 116A.24 [APPOINTMENT AND POWERS OF WATER AND SEWER
29 COMMISSION.] Subdivision 1. In all proceedings wherein a
30 board or court orders the establishment of a water or sewer
31 or combined water or sewer system, the board or court may
32 after the issuance of the order provide for the appointment

1434

1 of a water or sewer or water and sewer commission, such
2 commission shall be appointed before the final award of a
3 contract for the construction of any system ordered by the
4 district court. The commission shall have not less than
5 five members and not more than 11. Members shall be
6 appointed at large by the county board or boards from within
7 the areas in their respective counties which are served by
8 the improvement system or from within a district formed
9 under section 4 of this act, which district includes the
10 served areas. Commission members shall serve for terms of
11 four years and until their successors are appointed and
12 qualify. The commencement date of the term of each member
13 and his successors shall be fixed by order of the board or
14 court so that as nearly as possible an equal number of
15 members will be replaced or reappointed each year. When
16 multicounty systems are established, commission membership
17 shall be apportioned by the court among the counties on the
18 basis of their population served by the system or, if a
19 district has been formed, on the basis of population located
20 within that portion of each county situated within the
21 district. When the area served by any system is enlarged
22 pursuant to section 116A.12, subdivision 9, and the
23 commission members are not appointed from within a district
24 formed under section 4 of this act, the board or court shall
25 reapportion or increase the membership and reestablish the
26 terms so as to conform to the foregoing provisions, but each
27 member shall continue to serve for the term for which he was
28 appointed. Vacancies due to death, incapacity to serve,
29 removal, or resignation shall be filled by the appointing
30 boards for the unexpired terms.

31 Sec. 11. Minnesota Statutes 1974, Section 116A.24,
32 Subdivision 2, is amended to read:

1434

1 Subd. 2. Subject to the approval of the board or
2 boards except to the extent that approval is waived by the
3 board or boards in an order issued pursuant to subdivision 4
4 , the water or sewer or water and sewer commission or county
5 board may do all things necessary to construct, operate and
6 maintain a system including but not limited to the
7 following:

8 (a) Employ on such terms as it deems advisable, persons
9 or firms performing engineering, legal or other services of
10 a professional nature; require any employee to obtain and
11 file with it an individual bond or fidelity insurance
12 policy; and procure insurance in such amounts as it deems
13 necessary against liability of the board or its officers and
14 employees or both, for personal injury or death and property
15 damage or destruction, with the force and effect stated in
16 chapter 466, and against risks of damage to or destruction
17 of any of its facilities, equipment, or other property as it
18 deems necessary.

19 (b) Construct or maintain its systems or facilities in,
20 along, on, under, over, or through public streets, bridges,
21 viaducts, and other public rights of way without first
22 obtaining a franchise from any local government unit having
23 jurisdiction over them; but such facilities shall be
24 constructed and maintained in accordance with the ordinances
25 and resolutions of any such government unit relating to
26 construction, installation, and maintenance of similar
27 facilities in such public properties and shall not obstruct
28 the public use of such rights of way.

29 (c) Enter into any contract necessary or proper for the
30 exercise of its powers or the accomplishment of its
31 purposes.

32 (d) Have the power to adopt rules and regulations

1434

1 relating to the establishment of water or sewer rentals or
2 user fees as may be deemed advisable and the operation of
3 any system operated by it, and may provide penalties for the
4 violation thereof not exceeding the maximum which may be
5 specified for a misdemeanor. Any rule or regulation
6 prescribing a penalty for violation shall be published at
7 least once in a newspaper having general circulation in the
8 area.

9 (e) Act under the provisions of section 471.59, or any
10 other appropriate law providing for joint or cooperative
11 action between government units.

12 (f) Acquire by purchase, lease, condemnation, gift, or
13 grant, any real or personal property including positive and
14 negative easements and water and air rights, and it may
15 construct, enlarge, improve, replace, repair, maintain, and
16 operate any system determined to be necessary or convenient
17 for the collection and disposal of sewage or collection,
18 treatment, and distribution of water in its jurisdiction.
19 Any local government unit and the commissioners of highways
20 and natural resources are authorized to convey to or permit
21 the use of any such facilities owned or controlled by it by
22 the board or commission, subject to the rights of the
23 holders of any bonds issued with respect thereto, with or
24 without compensation, without an election or approval by any
25 other government agency. The board or commission may hold
26 such property for its purposes, and may lease any such
27 property so far as not needed for its purposes, upon such
28 terms and in such manner as it shall deem advisable. Unless
29 otherwise provided, the right to acquire lands and property
30 rights by condemnation shall be exercised in accordance with
31 sections 117.011 to 117.232, and shall apply to any property
32 or interest therein owned by any local government unit;

1434

1 provided, that no such property devoted to an actual public
2 use at the time, or held to be devoted to such use within a
3 reasonable time, shall be so acquired unless a court of
4 competent jurisdiction shall determine that the use proposed
5 by the commission is paramount to such use. Except in case
6 of property in actual public use, the board or commission
7 may take possession of any property for which condemnation
8 proceedings have been commenced at any time after the
9 issuance of a court order appointing commissioners for its
10 condemnation.

11 (g) Contract with the United States or any agency
12 thereof, any state or agency thereof, or any local
13 government unit or governmental agency or subdivision, for
14 the joint use of any facility owned by the board or such
15 entity, for the operation by such entity of any system or
16 facility of the board, or for the performance on the board's
17 behalf of any service, on such terms as may be agreed upon
18 by the contracting parties.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1434

A bill for an act relating to counties; providing for formation of water and sewer districts; amending Minnesota Statutes 1974, Sections 116A.01, Subdivisions 1a and 4, and by adding a subdivision; 116A.02, Subdivision 3, and by adding a subdivision; 116A.12, Subdivision 8; 116A.19, by adding a subdivision; 116A.20, Subdivisions 1, 2 and 5, and by adding a subdivision; and 116A.24, Subdivisions 1, 2 and 4.

B. D. No. **B2663**

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 **FITZSIMONS**
Moe **Olson, A.G.**

★ Read FIRST TIME **APR 10 1975** and Referred to the
Committee on **NATURAL RESOURCES AND AGRICULTURE**

Committee Recommendation and Adoption of Report

To pass as amended **APR 19 1975**

★ Read SECOND TIME **APR 19 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.

1434

Printed Page No.

S. F. No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

1434

Introduced by Fitzsimons, Moe and Olson, A. G.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Natural Resources and Agriculture.
Committee Recommendation. To Pass as Amended.
Committee Report Adopted Apr. 19, 1975.
Read Second Time Apr. 19, 1975.

1 A bill for an act
2 relating to counties; providing for formation of
3 water and sewer districts; amending Minnesota
4 Statutes 1974, Sections 116A.01, Subdivisions 1a
5 and 4, and by adding a subdivision; 116A.02,
6 Subdivision 3, and by adding a subdivision;
7 116A.12, Subdivision 8; 116A.19, by adding a
8 subdivision; 116A.20, Subdivisions 1, 2 and 5, and
9 by adding a subdivision; and 116A.24, Subdivisions
10 1, 2 and 4.
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
12 Section 1. Minnesota Statutes 1974, Section 116A.01,
13 Subdivision 1a, is amended to read:
14 Subd. 1a. Any county board that has established a
15 water or sewer system or combined water and sewer system
16 under the provisions of this chapter, or that has formed a
17 district under the provisions of section 4 of this act, may
18 ~~acquire the right to~~ operate the system under and exercise
19 all the rights and authority and perform all the duties of
20 ~~section 444.075~~ a municipality under chapters 117, 412, 429
21 and 475 and sections 115.46, 444.075 and 471.59, instead of
22 this chapter, upon the filing by the county board, in the
23 office of the clerk of district court of the county, a
24 petition to the court asking that the county board be
25 granted such authority. The clerk of district court, as

1434

1 directed by the judge, shall thereupon fix a time and place
2 for hearing upon the petition. Notice of the hearing shall
3 be given by publication for two successive weeks in a
4 newspaper published in the county. The clerk of district
5 court shall give written notice of the hearing to the
6 Minnesota pollution control agency. If at the hearing the
7 court finds that it is for the best interests of the county
8 board to be granted such authority, it may by order grant
9 such petition. Thereafter the county board may acquire,
10 construct, finance, operate and maintain the water or sewer
11 system or combined water and sewer system ~~as provided in~~
12 ~~section 444.075~~ in the same manner and to the same extent
13 accorded a municipality under chapters 117, 412, 429 and 475
14 and sections 115.46, 444.075 and 471.59 .

15 Sec. 2. Minnesota Statutes 1974, Section 116A.01,
16 Subdivision 4, is amended to read:

17 Subd. 4. [AREA TO BE SERVED.] The area to be served by
18 any public water or sewer or combined system may include any
19 part or all of the area of any city which by resolution of
20 its governing body requests that its facilities be connected
21 to the system , or that all or any part of the area within
22 its corporate limits be included in the area to be served by
23 the system . For the purpose of any petition filed or
24 special assessment levied with respect to any system, the
25 entire area to be served within any city shall be treated as
26 if it were owned by a single person, provided that in any
27 event mailed notice of all hearings required under this
28 chapter shall also be sent to the actual owners of such
29 property to the same extent and in the same manner provided
30 for owners of property located in an area to be served by
31 the system outside of any city, and the governing body shall
32 exercise all the rights and be subject to all the duties of

1434

1 an owner of the area, and shall have power to provide for
2 the payment of all special assessments and other charges
3 imposed upon the area with respect to the system by the
4 appropriation of money, the collection of service charges,
5 or the levy of taxes, which shall be deemed special levies
6 and shall be subject to no limitation of rate or amount ;
7 provided that in the alternative the board or boards and the
8 court with jurisdiction over the system, or a water and
9 sewer commission to the extent authorized by the board or
10 boards and the court under section 116A.24, may, to the
11 extent authorized by resolution of the governing body of the
12 city, exercise within the area of the city served by the
13 system, or any extensions of the system, the same powers
14 granted to the county board or boards and the court for
15 areas located outside any city by this chapter .

16 Sec. 3, Minnesota Statutes 1974, Section 116A.01, is
17 amended by adding a subdivision to read:

18 Subd. 5. [EXCLUSION OF LAND FROM AREA TO BE SERVED,]
19 After any land has been included in the area to be served by
20 any public water or sewer or combined system or in a
21 district formed under section 5 of this act, the county
22 board, or if two or more county boards are involved, the
23 court, upon petition of the county boards or the commission
24 formed under section 116A.24, may at any time order the
25 exclusion from such area or district of any land that has
26 not been specially assessed under section 116A.17, upon
27 determining that the land is contiguous to land located
28 outside the area or district and will not be served by such
29 system, provided that either the owner or owners of the land
30 first consent to the exclusion, or the proposed exclusion
31 first be considered at one of the public hearings required
32 under this chapter and be made a part of the order

1434

1 thereafter required of the board or court or at a separate
2 public hearing on the proposed exclusion after notice of the
3 hearing has been given in the manner and to the extent
4 required in section 116A.08, subdivision 1.

5 Sec. 4. Minnesota Statutes 1974, Section 116A.02,
6 Subdivision 3, is amended to read:

7 Subd. 3. [PROCEEDING INITIATED BY COUNTY BOARD.] Any
8 county board, by duly adopted resolution, and without a
9 petition filed therefor, may initiate the proceedings for
10 the formation establishment of a water or sewer-district
11 system or combined water and sewer-district system as
12 provided in sections 116A.01 to 116A.26. The proceedings
13 thereafter shall be the same as for proceedings initiated by
14 petition except that no bond need be filed. If any
15 proceeding initiated by resolution of a county board is
16 dismissed, the county shall pay all expenses connected with
17 such proceeding.

18 Sec. 5. Minnesota Statutes 1974, Section 116A.02, is
19 amended by adding a subdivision to read:

20 Subd. 4. [INITIAL FORMATION OF DISTRICT.] A county
21 board, or boards if more than one county is involved, by
22 duly adopted resolution, may, without a petition filed
23 therefor and after making such investigations as the board
24 or boards consider necessary, form a water or sewer district
25 or combined water or sewer district within the county or
26 counties and may expend available funds for this purpose
27 without the board or, if more than one county is involved,
28 the court first ordering the establishment of a water or
29 sewer system or combined water and sewer system as provided
30 in sections 116A.01 to 116A.26. Thereafter the county board
31 or court may establish for all or a part of the district one
32 or more water systems or sewer systems or combined water and

1434

1 sewer systems either by petition or on the initiative of the
2 board of any county located in whole or part within the
3 district, as provided in sections 116A.01 to 116A.26, except
4 that no bond need be filed whenever the county board elects
5 to proceed on its own initiative. If a proceeding is
6 initiated by resolution of a county board and is dismissed,
7 the county shall pay the expenses connected with the
8 proceeding.

9 Sec. 6. Minnesota Statutes 1974, Section 116A.12,
10 Subdivision 8, is amended to read:

11 Subd. 8. [ORDERS; SPECIAL ASSESSMENTS.] No order shall
12 be entered confirming special assessments for any system
13 under the provisions of this section or section 116A.17
14 unless it is determined that the amount of the special
15 assessments confirmed in the order, and to be extended upon
16 the tax rolls in each year of the term of any bonds issued
17 to finance the system, together with interest payable on
18 such assessments, the taxes, if any, and the net revenues
19 to be received in excess of the cost of operation of the
20 system during the same period, will be sufficient to pay all
21 of such bonds and interest thereon when due. The board or
22 court may make this determination in the order establishing
23 the system or by subsequent order, based upon the engineer's
24 report and such other investigation as it may deem
25 necessary, whether or not special assessments are finally
26 confirmed at the time of the entry of such order.

27 Sec. 7. Minnesota Statutes 1974, Section 116A.19, is
28 amended by adding a subdivision to read:

29 Subd. 5. [ADDITIONAL SURETY BONDS.] Whenever any
30 appeal from an order of the board or court is taken under
31 section 116A.19, any involved county or, if two or more
32 counties are involved and a commission is formed under

1434

1 section 116A.24, the commission, may move the court having
2 jurisdiction over the appeal for an order requiring the
3 appellant, or appellants, to file a surety bond as
4 hereinafter set forth. Three days written notice of the
5 motion shall be given. If the court determines that loss or
6 damage to the public or taxpayers may result from the
7 pendency of the appeal, the court may require the appellant,
8 or appellants, to file a surety bond, which shall be
9 approved by the court, in such amount as the court may
10 determine. The bond shall be conditioned for payment to the
11 county, or commission, of any loss or damage which may be
12 caused to the county, the commission or the taxpayers by the
13 pendency of the appeal, to the extent of the penal sum of
14 such bond, if the appellant, or appellants, shall not prevail
15 therein. If the surety bond is not filed within a
16 reasonable time allowed therefor by the court, the appeal
17 shall be dismissed with prejudice. If such appellant, or
18 appellants, file a bond as herein required and prevail in
19 the appeal, any premium paid on the bond shall be repaid by
20 or taxed against the county or commission.

21 Sec. 8. Minnesota Statutes 1974, Section 116A.20,
22 subdivision 1, is amended to read:

23 116A.20 [BOND ISSUES.] Subdivision 1. The county board
24 of each county is authorized, at any time after the
25 establishment of any system, or the formation of any
26 district under section 4 of this act, to issue the bonds of
27 the county in such amount as may be necessary to defray, in
28 whole or in part, the cost of establishing and constructing
29 the a system. The board may in like manner issue bonds to
30 pay the cost of improvement or extension of any system, when
31 ordered in accordance with section 116A.12. It may also
32 issue bonds to refund outstanding bonds issued pursuant to

1434

1 this section, in accordance with chapter 475.

2 Sec. 9. Minnesota Statutes 1974, Section 116A.20,

3 Subdivision 2, is amended to read:

4 Subd. 2. Such bonds shall be sold and issued in
5 accordance with chapter 475, as amended, and shall pledge
6 the full faith, credit, and resources of the county for the
7 prompt payment of the principal and interest thereof, but at
8 least 60 percent of the interest and principal shall be
9 primarily payable from the special assessments and revenues
10 to be credited to the fund of the system systems financed
11 by the bonds. An election shall be required to authorize
12 bonds to be issued under this section, unless the board or
13 court having jurisdiction of the system has determined ~~the~~
14 ~~sufficiency of the~~ that special assessments, taxes, if
15 any, and revenues are sufficient for their payment, by order
16 entered pursuant to section 116A.12, subdivision 8. The
17 bonds shall be further secured by ~~a~~ pledge of ~~any and all~~
18 the net revenues from the system systems financed ~~thereby~~
19 by the bonds to the debt redemption fund, and a covenant
20 that rates and charges shall be established for the service
21 of such system, sufficient to pay all costs of operation and
22 maintenance thereof and to produce net revenues adequate,
23 with special assessments and taxes, if any, received in the
24 fund, to pay all of the bonds and interest thereon when due.

25 Sec. 10. Minnesota Statutes 1974, Section 116A.20,

26 Subdivision 5, is amended to read:

27 Subd. 5. The board shall pay the principal of and
28 interest on bonds issued under the provisions of this
29 section out of any available funds in the county treasury
30 when the moneys on hand in the fund from which they are
31 primarily payable are insufficient therefor; but the funds
32 from which said moneys have been taken shall be replenished

1434

1 with interest for the time actually needed at the rate of
2 eight percent per annum from the assessments levied for the
3 water or sewer or combined system or from the net revenues
4 of the system or from the taxes, if any, levied for the
5 payment of principal and interest on the bonds .

6 Sec. 11. Minnesota Statutes 1974, Section 116A.20, is
7 amended by adding a subdivision to read:

8 Subd. 6. Notwithstanding anything in Minnesota
9 Statutes, Sections 116A.01 to 116A.26 to the contrary, the
10 county board of each county is authorized, at any time after
11 the conditions in section 116A.20, subdivision 1 exist, to
12 issue for any of the purposes set forth in section 116A.20,
13 subdivision 1, general obligation temporary bonds in
14 anticipation of and in an amount not to exceed any grant or
15 loan of state or federal funds. Such bonds shall mature
16 within not more than three years from the date of issuance
17 and shall otherwise be sold and issued in accordance with
18 chapter 475, and shall pledge the full faith, credit, and
19 resources of the county for the prompt payment of the
20 principal and interest thereof, except that no election
21 shall be required and the debt limitations of chapter 475
22 shall not apply to such bonds. Prior to the issuance of
23 such bonds the board shall secure a commitment for the grant
24 or loan in anticipation of which the bonds are to be issued,
25 and if any of the bonds are to be issued in anticipation of
26 a loan, the board shall also determine that all conditions
27 exist precedent to the authorization of definitive bonds in
28 an amount equal at least to the principal sum of the loan.
29 In the event such temporary bonds are issued, the proceeds
30 of the grant or loan when received shall be irrevocably
31 appropriated to the sinking fund for the temporary bonds,
32 and the estimated amount thereof may be deducted from the

1434

1 tax which would otherwise be required by section 475.61,
2 subdivision 1, to be levied. The provisions of section
3 116A.20, subdivision 3 shall apply to such bonds. Any
4 amount of the temporary bonds which cannot be paid at
5 maturity from the proceeds of the grant or loan or from any
6 other funds appropriated by the board for the purpose, shall
7 be paid from the proceeds of definitive obligations to be
8 issued and sold before the maturity date in accordance with
9 section 116A.20, subdivisions 2, 3 and 4, except that no
10 election shall be required; or, if sufficient funds are not
11 available for payment in full of the temporary obligations
12 at maturity, the holders thereof shall have the right to
13 require the issuance in exchange therefor of such definitive
14 obligations bearing interest at the maximum rate permitted
15 by law.

16 Sec. 12. Minnesota Statutes 1974, Section 116A.24,
17 subdivision 1, is amended to read:

18 116A.24 [APPOINTMENT AND POWERS OF WATER AND SEWER
19 COMMISSION.] Subdivision 1. In all proceedings wherein a
20 board or court orders the establishment of a water or sewer
21 or combined water or sewer system, the board or court may
22 after the issuance of the order provide for the appointment
23 of a water or sewer or water and sewer commission. Such a
24 commission shall be appointed before the final award of a
25 contract for the construction of any system ordered by the
26 district court. The commission shall have not less than
27 five members and not more than 11. Members shall be
28 appointed at large by the county board or boards from within
29 the areas in their respective counties which are served by
30 the-improvement system or from within a district formed
31 under section 4 of this act, which district includes the
32 served areas . Commission members shall serve for terms of

1434

1 four years and until their successors are appointed and
2 qualify. The commencement date of the term of each member
3 and his successors shall be fixed by order of the board or
4 court so that as nearly as possible an equal number of
5 members will be replaced or reappointed each year. When
6 multicounty systems are established, commission membership
7 shall be apportioned by the court among the counties on the
8 basis of their population served by the system or, if a
9 district has been formed, on the basis of population located
10 within that portion of each county situated within the
11 district . When the area served by any system is enlarged
12 pursuant to section 116A.12, subdivision 9, and the
13 commission members are not appointed from within a district
14 formed under section 4 of this act, the board or court shall
15 reapportion or increase the membership and reestablish the
16 terms so as to conform to the foregoing provisions, but each
17 member shall continue to serve for the term for which he was
18 appointed. Vacancies due to death, incapacity to serve,
19 removal, or resignation shall be filled by the appointing
20 boards for the unexpired terms.

21 Sec. 13. Minnesota Statutes 1974, Section 116A.24,
22 Subdivision 2, is amended to read:

23 Subd. 2. Subject to the approval of the board or
24 boards except to the extent that approval is waived by the
25 board or boards in an order issued pursuant to subdivision 4
26 , the water or sewer or water and sewer commission or county
27 board may do all things necessary to construct, operate and
28 maintain a system including but not limited to the
29 following:

30 (a) Employ on such terms as it deems advisable, persons
31 or firms performing engineering, legal or other services of
32 a professional nature; require any employee to obtain and

1434

1 file with it an individual bond or fidelity insurance
2 policy; and procure insurance in such amounts as it deems
3 necessary against liability of the board or its officers and
4 employees or both, for personal injury or death and property
5 damage or destruction, with the force and effect stated in
6 chapter 466, and against risks of damage to or destruction
7 of any of its facilities, equipment, or other property as it
8 deems necessary.

9 (b) Construct or maintain its systems or facilities in,
10 along, on, under, over, or through public streets, bridges,
11 viaducts, and other public rights of way without first
12 obtaining a franchise from any local government unit having
13 jurisdiction over them; but such facilities shall be
14 constructed and maintained in accordance with the ordinances
15 and resolutions of any such government unit relating to
16 construction, installation, and maintenance of similar
17 facilities in such public properties and shall not obstruct
18 the public use of such rights of way.

19 (c) Enter into any contract necessary or proper for the
20 exercise of its powers or the accomplishment of its
21 purposes.

22 (d) Have the power to adopt rules and regulations
23 relating to the establishment of water or sewer rentals or
24 user fees as may be deemed advisable and the operation of
25 any system operated by it, and may provide penalties for the
26 violation thereof not exceeding the maximum which may be
27 specified for a misdemeanor. Any rule or regulation
28 prescribing a penalty for violation shall be published at
29 least once in a newspaper having general circulation in the
30 area.

31 (e) Act under the provisions of section 471.59, or any
32 other appropriate law providing for joint or cooperative

1434

1 action between government units.

2 (f) Acquire by purchase, lease, condemnation, gift, or
3 grant, any real or personal property including positive and
4 negative easements and water and air rights, and it may
5 construct, enlarge, improve, replace, repair, maintain, and
6 operate any system determined to be necessary or convenient
7 for the collection and disposal of sewage or collection,
8 treatment, and distribution of water in its jurisdiction.
9 Any local government unit and the commissioners of highways
10 and natural resources are authorized to convey to or permit
11 the use of any such facilities owned or controlled by it by
12 the board or commission, subject to the rights of the
13 holders of any bonds issued with respect thereto, with or
14 without compensation, without an election or approval by any
15 other government agency. The board or commission may hold
16 such property for its purposes, and may lease any such
17 property so far as not needed for its purposes, upon such
18 terms and in such manner as it shall deem advisable. Unless
19 otherwise provided, the right to acquire lands and property
20 rights by condemnation shall be exercised in accordance with
21 sections 117.011 to 117.232, and shall apply to any property
22 or interest therein owned by any local government unit;
23 provided, that no such property devoted to an actual public
24 use at the time, or held to be devoted to such use within a
25 reasonable time, shall be so acquired unless a court of
26 competent jurisdiction shall determine that the use proposed
27 by the commission is paramount to such use. Except in case
28 of property in actual public use, the board or commission
29 may take possession of any property for which condemnation
30 proceedings have been commenced at any time after the
31 issuance of a court order appointing commissioners for its
32 condemnation.

1 (g) Contract with the United States or any agency 1434
2 thereof, any state or agency thereof, or any local
3 government unit or governmental agency or subdivision, for
4 the joint use of any facility owned by the board or such
5 entity, for the operation by such entity of any system or
6 facility of the board, or for the performance on the board's
7 behalf of any service, on such terms as may be agreed upon
8 by the contracting parties.

9 Sec. 14. Minnesota Statutes 1974, Section 116A.24,
10 Subdivision 4, is amended to read:

11 Subd. 4. A commission appointed to construct, operate,
12 and maintain any system pursuant to this section, when
13 authorized by order of the county board or, in the case of a
14 multi-county system, by orders of the county boards of all
15 counties containing areas served by the system, filed with
16 and confirmed by order of the district court, may exercise
17 to the extent provided in the orders, within the area served
18 by the system and any extensions thereof, or, if a district
19 has been formed under section 5 of this act, within the
20 district, all powers granted in this chapter to county
21 boards and the court for the financing of the construction,
22 improvement, extension, operation, and maintenance of the
23 system, including the power to levy taxes upon all taxable
24 property within such area, to assess benefits and damages,
25 and to issue general obligation bonds and certificates of
26 indebtedness of the commission, supported by an irrevocable
27 pledge of its power to tax such property, without limitation
28 of rate or amount and without affecting the amount of debt
29 to be incurred or taxes levied by any county or other
30 political subdivision. Such authorization shall be
31 irrevocable so long as any indebtedness of the commission is
32 outstanding.

1434

- 1 Sec. 15. This act shall become effective on the day
2 following its final enactment.

X

House
Companion
No.

DUPLICATE

S. F. NO. 1435

A bill for an act relating to cities; providing that cities may create departments of health and appoint directors and health officers; amending Minnesota Statutes 1974, Section 145.01.

B. D. No. B2223

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 McIntosh North
Chenoweth
★ Read FIRST TIME APR 10 1975 and Referred to the
Committee on HEALTH, WELFARE AND CORRECTIONS
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.

1435

Printed Page No.

S. F.

No.

1435

Messrs. McCutcheon, Chenoweth and North introduced--

S. F. No. 1435: Referred to the Committee on HEALTH, WELFARE AND CORRECTIONS

1 A bill for an act
2 relating to cities; providing that cities may
3 create departments of health and appoint directors
4 and health officers; amending Minnesota Statutes
5 1974, Section 145.01.
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
7 Section 1. Minnesota Statutes 1974, Section 145.01, is
8 amended to read:
9 145.01 [LOCAL HEALTH BOARDS; HEALTH OFFICERS.] Every
10 town board shall be a board of health within and for the
11 town and have jurisdiction over every statutory city within
12 its boundaries wherein no organized board of health exists.
13 Every statutory city ~~may--and every city shall~~ provide by
14 ordinance for the establishment of a board of health
15 therefor.
16 Every city may also provide by ordinance for the
17 establishment of a local department of health. The mayor of
18 each city establishing a local department of health shall
19 appoint a director, who need not be a physician. The local
20 department of health shall employ a health officer, who
21 shall be a licensed physician and who may serve on a full
22 time or part time basis.
23 ~~in the absence of such provision in any city.~~ Any city

1435

1 not desiring to create and maintain a local department of
2 health shall notify the state board of health of that
3 decision within one year after the effective date of this
4 act. The state board of health, hereinafter called the
5 state board, may then appoint three or more persons to act
6 as such until a local board is established and organized and
7 may fix their compensation, which the city shall pay. Two
8 members of each county board, chosen by it yearly at its
9 annual meeting, and one resident physician elected at the
10 same time, shall constitute the county board of health, with
11 jurisdiction over all unorganized towns therein, and with
12 such other powers and duties in reference to the public
13 health as the state board shall, by its published
14 regulations, prescribe. All local health boards of each
15 county shall cooperate so far as practicable and the state
16 board by written order may require any two or more local
17 boards to act together for the prevention or suppression of
18 epidemic diseases. At least one member of every local board
19 shall be a physician, who shall be the local health officer
20 and executive of the board. If no member of a town board is
21 a physician, it shall appoint a health officer for the town.
22 The compensation of all local health officers shall be
23 prescribed by the body appointing him or to which he belongs
24 and the same, together with his necessary expenses, shall be
25 paid by the county or municipality in which he serves.

House
Companion
No.

DUPLICATE

S. F. NO. 1436

A bill for an act relating to education; state colleges; authorizing the state college board to enter into reciprocity agreements with foreign institutions; amending Minnesota Statutes 1974, Section 136.111, Subdivisions 1 and 2.

B. D. No. B2672

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 Senator *Hughes*

Sellen

Moel

★ 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.

1436

Printed Page No.

S. F.

No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

362

S. F. NO. 1436

Introduced by Hughes, Sillers and Moe.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Education.
Committee Recommendation. To Pass.
Committee Report Adopted Apr. 23, 1975.
Read Second Time Apr. 23, 1975.

1436

1 A bill for an act

2 relating to education; state colleges; authorizing

3 the state college board to enter into reciprocity

4 agreements with foreign institutions; amending

5 Minnesota Statutes 1974, Section 136.111,

6 Subdivisions 1 and 2.

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

8 Section 1, Minnesota Statutes 1974, Section 136.111,

9 Subdivision 1, is amended to read:

10 136.111 [STUDENTS; RECIPROCITY WITH OTHER

11 INSTITUTIONS.] Subdivision 1. In order to make the most

12 provident utilization of state colleges, and private

13 colleges in Minnesota, and public and private colleges and

14 universities in contiguous states and in foreign countries

15 and to avoid duplication of facilities, it is desirable to

16 provide means which will enable a student resident within

17 the areas served by such institutions of higher education to

18 obtain his desired courses in the most expedient manner and

19 at the least possible cost.

20 Sec. 2, Minnesota Statutes 1974, Section 136.111,

21 Subdivision 2, is amended to read:

22 Subd. 2. The state college board may therefore enter

23 into contracts with private colleges or public colleges or

1436

1 universities, or the governing boards thereof, in contiguous
2 states and in foreign countries and private colleges within
3 this state on a reciprocal basis in order to accomplish the
4 following:

5 (a) To enable a student at any institution party to
6 such a contract to take a specialized course or courses at a
7 different institution from that in which he is enrolled,
8 with or without the payment of tuition charges at the other
9 institution;

10 (b) To enable a student enrolled in any of the
11 institutions party to the contract to attend another
12 institution party to such contract without being required to
13 pay nonresident tuition fees and in accordance with the
14 terms of such contract;

15 (c) A contract entered into pursuant to this
16 subdivision shall provide for approximately equal advantages
17 between the contracting institutions.

X

House
Companion
No.

DUPLICATE

S. F. NO. 1437

A bill for an act creating a legislative commission to
study the Minnesota usury law; appropriating money therefor.

B. D. No. B3205

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

Hansen, Rudy
Olson J. L.
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 HouseSecretary 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 SenateChief 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.

1437

Printed Page No.

S. F.

No.

1437

Messrs. Hansen, Baldy; Olson, J. L. and Laufenburger introduced--

S. F. No. 1437: Referred to the Committee on LABOR AND COMMERCE

1 A bill for an act

2 creating a legislative commission to study the
3 Minnesota usury law; appropriating money therefor.

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

5 Section 1. A legislative commission is created to
6 study and consider the Minnesota usury law and its effect on
7 Minnesota commerce and consumers. The commission shall
8 suggest appropriate policies on usury for the state.

9 Sec. 2. The commission shall consist of two members of
10 the house of representatives appointed by the speaker and
11 two members of the senate appointed by the senate committee
12 on committees. Any vacancy shall be filled by the
13 appointing power. The commission shall appoint an advisory
14 committee of representatives of the construction industry,
15 the banking and savings and loan businesses, agriculture and
16 consumers.

17 Sec. 3. The commission may act from the time its
18 members are appointed until the commencement of the next
19 regular session of the legislature. It shall report its
20 findings and recommendations to the legislature not later
21 than November 15, 1975, but may supplement them until
22 January 15, 1976.

1437

1 Sec. 4. The commission may hold meetings and hearings
2 at the times and places it designates to accomplish the
3 purposes set forth in this act, and may subpoena witnesses
4 and records. It shall select a chairman and other officers
5 from its membership as necessary.

6 Sec. 5. Members of the commission shall be reimbursed
7 in the same manner and amount as for attendance at
8 legislative meetings. The commission may purchase supplies,
9 hire employees, and do all things reasonably necessary and
10 convenient to carry out the purposes of this act. It shall
11 use the available facilities and personnel of the
12 legislature unless it by resolution determines a special
13 need or reason exists for the use of other facilities or
14 personnel.

15 Sec. 6. The sum of \$ is appropriated from
16 the general fund to the commission to pay its expenses.
17 Expenses of the commission shall be approved by the chairman
18 or another member as the rules of the commission provide and
19 paid in the same manner as other state expenses.
20 Notwithstanding Minnesota Statutes, Section 16A.28 or 16.171
21 or other law, this appropriation shall lapse January 31,
22 1976.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1437

A bill for an act creating a legislative commission to
study the Minnesota usury law; appropriating money therefor.

B. D. No. B3205

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 Hansen, Baldy
Olson J.L. Laufenburger

★ 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 and
Re-referred to the Committee on FINANCE APR 19 1975

★ 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.

1437

S. F. No. 1437

Printed Page No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

554

S. F. NO. 1437

Introduced by Hansen, Baldy; Olson, J. L. and Laufenburger.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Labor and Commerce.
Committee Recommendation. To Pass as Amended and Re-referred
to the Committee on Finance.
Committee Report Adopted Apr. 19, 1975.
Committee Recommendation. To Pass.
Committee Report Adopted May 15, 1975.
Read Second Time May 15, 1975.

1437

1 A bill for an act
2 creating a legislative commission to study the
3 Minnesota usury law; appropriating money therefor.
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
5 Section 1. A legislative commission is created to
6 study and consider the Minnesota usury law and its effect on
7 Minnesota commerce and consumers. The commission shall
8 suggest appropriate policies on usury for the state,
9 Sec. 2. The commission shall consist of two members of
10 the house of representatives appointed by the speaker and
11 two members of the senate appointed by the senate committee
12 on committees. Any vacancy shall be filled by the
13 appointing power. The commission shall appoint an advisory
14 committee of representatives of the construction industry,
15 organized labor, the business community, the banking and
16 savings and loan businesses, agriculture and consumers. The
17 advisory committee shall not be larger than 16 members.
18 Sec. 3. The commission may act from the time its
19 members are appointed until the commencement of the next
20 regular session of the legislature. It shall report its
21 findings and recommendations to the legislature not later
22 than November 15, 1975, but may supplement them until

1437

1 January 15, 1976.

2 Sec. 4. The commission may hold meetings and hearings
3 at the times and places it designates to accomplish the
4 purposes set forth in this act, and may subpoena witnesses
5 and records. It shall select a chairman and other officers
6 from its membership as necessary.

7 Sec. 5. Members of the commission shall be reimbursed
8 in the same manner and amount as for attendance at
9 legislative meetings. Members of the advisory committee
10 appointed pursuant to section 2, shall serve without
11 compensation but shall be allowed and paid their actual
12 traveling and other expenses necessarily incurred in the
13 performance of their duties. The commission may purchase
14 supplies, hire employees, and do all things reasonably
15 necessary and convenient to carry out the purposes of this
16 act. It shall use the available facilities and personnel of
17 the legislature unless it by resolution determines a special
18 need or reason exists for the use of other facilities or
19 personnel.

20 Sec. 6. The sum of \$10,000 is appropriated from the
21 general fund to the commission to pay its expenses.
22 Expenses of the commission shall be approved by the chairman
23 or another member as the rules of the commission provide and
24 paid in the same manner as other state expenses.
25 Notwithstanding Minnesota Statutes, Section 16A.28 or 16.171
26 or other law, this appropriation shall lapse January 31,
27 1976.

House
Companion
No.

DUPLICATE

S. F. NO. 1438

A bill for an act relating to agriculture; potato grading;
application; repealing Minnesota Statutes 1974, Section
30.101.

B. D. No. B0310

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 Wyllen
★ 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.

1438

Printed Page No.

S. F.

No.

1438

Mr. Wegener introduced--

S. F. No. 1438: Referred to the Committee on NATURAL RESOURCES AND AGRICULTURE

1 A bill for an act
2 relating to agriculture; potato grading;
3 application; repealing Minnesota Statutes 1974,
4 Section 30.101.
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
6 Section 1. [REPEALER.] Minnesota Statutes 1974,
7 Section 30.101, is repealed.
8 Sec. 2. [EFFECTIVE DATE.] This act takes effect the
9 day following its final enactment.

X

House
Companion
No.DUPLICATE
S. F. NO. 1439

A bill for an act relating to agriculture; dividing the state into two regions for purposes of the potato industry promotion act; reducing the number of regions; amending Minnesota Statutes 1974, Section 30.464, Subdivision 1.

B. D. No. 83167

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 Wigener
Fitzsimons (4-10-75) Moe (4-10-75)
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.

Printed Page No.

S. F. No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

384

S. F. NO. 1439

1439

Introduced by Wegener, Fitzsimons and Moe.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Natural Resources and Agriculture.
Committee Recommendation. To Pass.
Committee Report Adopted Apr. 23, 1975.
Read Second Time Apr. 23, 1975.

1 A bill for an act
2 relating to agriculture; dividing the state into
3 two regions for purposes of the potato industry
4 promotion act; reducing the number of regions;
5 amending Minnesota Statutes 1974, Section 30.464,
6 Subdivision 1.
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
8 Section 1. Minnesota Statutes 1974, Section 30.464,
9 Subdivision 1, is amended to read:
10 30.464 [AREAS; DESIGNATION, LAW GOVERNING.] Subdivision
11 1. For the purpose of administration of sections 30.461 to
12 30.477 the state is divided into ~~four~~ two areas. Area
13 number one includes the counties of Kittson, Marshall, Polk,
14 Pennington, Red Lake, Norman, Mahnomon, Clay, Becker, Wilkin
15 ~~and , Otter Tail. Area number two includes the counties~~
16 ~~of , Roseau, Lake of the Woods, Beltrami, Clearwater,~~
17 ~~Itasca, Koochiching, St. Louis, Carlton, Lake and , Cook.~~
18 ~~Area number three includes the counties of , Traverse,~~
19 ~~Grant, Douglas, Big Stone, Stevens, Pope, Hubbard, Cass,~~
20 ~~Aitkin, Wadena, Crow Wing, Todd, Pine, Morrison, Mille Lacs,~~
21 ~~Kanabec, Stearns and Benton. Area number two includes the~~
22 ~~counties of Big Stone, Swift, Kandiyohi, Lac qui Parle,~~
23 ~~Chippewa, Yellow Medicine, Menville, Meeker, McLeod, Carver,~~

1439

- 1 Scott, Dakota, Isanti, Chisago, Sherburne, Anoka, Wright,
- 2 Washington, Hennepin, Ramsey, Lincoln, Lyon, Redwood,
- 3 Sibley, Le Sueur, Rice, Goodhue, Nicollet, Wabasha,
- 4 Pipestone, Murray, Brown, Wascata, Steele, Dodge, Olmsted,
- 5 Winona, Cottonwood, Watonwan, Blue Earth, Rock, Nobles,
- 6 Jackson, Martin, Faribault, Freeborn, Mower, Fillmore and
- 7 Houston. ~~Area number four includes the counties of Hubbard,~~
- 8 ~~Cass, Aitkin, Wadena, Crow Wing, Todd, Pine, Morrison, Miller~~
- 9 ~~and Kanabec, Stearns, Benton, Isanti, Chisago, Sherburne~~
- 10 ~~Anoka, Becker, Wright, Washington, Hennepin and Ramsey.~~

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1439

A bill for an act relating to agriculture; dividing the state into four regions for purposes of the potato industry promotion act; amending Minnesota Statutes 1974, Section 30.464, Subdivision 1.

B. D. No. B3167

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 Wegener
Fitzsimons (4-10-75) Moe (4-10-75)

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

Committee Recommendation and Adoption of Report

To pass APR 23 1975

★ Read SECOND TIME APR 23 1975
Committee of the Whole

Special Order MAY 9 1975
Special Order Amended MAY 9 1975

★ Read THIRD TIME as Amended MAY 9 1975
Passed by the Senate as Amended MAY 9 1975
Transmitted to the House MAY 9 1975

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.

Printed Page No.

S. F. No. 1439

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

493

S. F. NO. 1439

Introduced by Wegener, Fitzsimons and Moe.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Natural Resources and Agriculture. 1439
Committee Recommendation. To Pass.
Committee Report Adopted Apr. 23, 1975.
Read Second Time Apr. 23, 1975.
Special Order. May 9, 1975.
Special Order. Amended. May 9, 1975.
Read Third Time as Amended May 9, 1975.
Passed by the Senate as Amended May 9, 1975.
Transmitted to the House May 9, 1975.

1 A bill for an act

2 relating to agriculture; dividing the state into

3 four regions for purposes of the potato industry

4 promotion act; amending Minnesota Statutes 1974,

5 Section 30.464, Subdivision 1.

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

7 Section 1. Minnesota Statutes 1974, Section 30.464,

8 Subdivision 1, is amended to read:

9 30.464 [AREAS; DESIGNATION, LAW GOVERNING.] Subdivision

10 1. For the purpose of administration of sections 30.461 to

11 30.477 the state is divided into four areas. Area number

12 one includes the counties of Kittson, Marshall, Polk,

13 Pennington, Red Lake, Norman, Mahnomon, Clay, Becker, Wilkin

14 and , Otter Tail; ~~Area number two includes the counties~~

15 of , Roseau, Lake of the Woods, Beltrami, Clearwater,

16 Hubbard, Wadena, Todd, Douglas, Pope, and Kandiyohi. Area

17 number two includes the counties of Itasca, Koochiching, St.

18 Louis, Carlton, Lake and Cook. Area number three includes

19 the counties of Traverse, Grant, Douglas, Big Stone,

20 Stevens, ~~Pope~~ Swift, ~~Kandiyohi~~ Lac qui Parle, Chippewa,

21 Yellow Medicine, Renville, McLeod, Carver, Scott, Dakota,

22 Lincoln, Lyon, Redwood, Sibley, Le Sueur, Rice, Goodhue,

23 Nicollet, Wabasha, Pipestone, Murray, Brown, Waseca, Steele,

1439

- 1 Dodge, Olmsted, Winona, Cottonwood, Watonwan, Blue Earth,
- 2 Rock, Nobles, Jackson, Martin, Faribault, Freeborn, Mower,
- 3 Fillmore and Houston. Area number four includes the
- 4 counties of ~~Hubbard~~ Cass, Aitkin, ~~Wadena~~ Crow Wing, ~~Todd~~
- 5 Pine, Morrison, Mille Lacs, Kanabec, Stearns, Benton,
- 6 Isanti, Chisago, Sherburne, Anoka, Meeker, Wright,
- 7 Washington, Hennepin and Ramsey.

House
Companion
No.

DUPLICATE
SECOND ENGROSSMENT

S. F. NO. 1439

A bill for an act relating to agriculture; dividing the state into four regions for purposes of the potato industry promotion act; amending Minnesota Statutes 1974, Section 30.464, Subdivision 1.

B. D. No. B3167

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 FEB 19 1976
The Senate concurred in House amendments to
S. F. No. 1439 and repassed
the bill as amended.
Patrick E. Flahaver
Secretary of the Senate

SENATE ACTION

1439
Introduced by Senators Wegener
Fitzsimons (4-10-75) Moe (4-10-75)
★ Read FIRST TIME APR 10 1975 and Referred to the
Committee on NATURAL RESOURCES AND AGRICULTURE

Committee Recommendation and Adoption of Report
To pass APR 23 1975

★ Read SECOND TIME APR 23 1975
Committee of the Whole

Special Order MAY 9 1975
Special Order Amended MAY 9 1975

★ Read THIRD TIME as Amended MAY 9 1975
Passed by the Senate as Amended MAY 9 1975
Transmitted to the House MAY 9 1975

Patrick E. Flahaver
Secretary of the Senate
State of Minnesota

HOUSE ACTION

House Companion
is H. F. No. _____

★ Read FIRST TIME MAY 12 1975 and Referred to the
Committee on AGRICULTURE
Committee Recommendation and Adoption of Report and placed on CONSENT CAL FEB 12 1976
TO PASS as AMENDED

★ Read SECOND TIME FEB 12 1976
Committee of the Whole

★ Read THIRD TIME FEB 17 1976
Passed by the House FEB 17 1976
Returned to the Senate FEB 17 1976

Edward A. Sandick
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.

CONFERENCE COMMITTEE ACTION

SENATE

Date _____

The Senate refused to concur in House amendments to S. F. No. _____ and requested a Conference Committee of _____ members on the part of the Senate as a Conference Committee to confer with a like committee on the part of the House.

SENATE CONFEREES

Secretary of the Senate

HOUSE

Date _____

The House has assented to the request of the Senate for the appointment of a Conference Committee on S. F. No. _____ consisting of _____ members to confer with a like Committee of the Senate.

HOUSE CONFEREES

Chief Clerk, House of Representatives

Date _____

The Senate adopted the recommendation and report of the Conference Committee on S. F. No. _____ and repassed said bill in accordance with the report of the Committee so adopted.

Secretary of the Senate

Date _____

The House adopted the recommendation and report of the Conference Committee on S. F. No. _____ and repassed said bill in accordance with the report of the Committee so adopted.

Chief Clerk, House of Representatives

OTHER ACTION

OTHER ACTION

FEB 12 1976

Unofficially engrossed and printed for the House to include committee amendments of February 6, 1976.

1439

1 A bill for an act
2 relating to agriculture; dividing the state into
3 four regions for purposes of the potato industry
4 promotion act; amending Minnesota Statutes 1974,
5 Section 30.464, Subdivision 1.
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
7 Section 1. Minnesota Statutes 1974, Section 30.464,
8 Subdivision 1, is amended to read:
9 30.464 [AREAS; DESIGNATION, LAW GOVERNING.] Subdivision
10 1. For the purpose of administration of sections 30.461 to
11 30.477 the state is divided into four areas. Area number
12 one includes the counties of Kittson, Marshall, Polk,
13 Pennington, Red Lake, Norman, Mahnomen, Clay, Becker, Wilkin
14 and , Otter Tail ~~Area number two includes the counties~~
15 ~~of~~ , Roseau, Lake of the Woods, Beltrami, Clearwater,
16 Hubbard, Wadena, and Todd. Area number two includes the
17 counties of Itasca, Koochiching, St. Louis, Carlton, Lake
18 and Cook. Area number three includes the counties of
19 Traverse, Grant, Douglas, Big Stone, Stevens, Pope, Swift,
20 Kandiyohi, Lac qui Parle, Chippewa, Yellow Medicine,
21 Renville, McLeod, Carver, Scott, Dakota, Lincoln, Lyon,
22 Redwood, Sibley, Le Sueur, Rice, Goodhue, Nicollet, Wabasha,
23 Pipestone, Murray, Brown, Waseca, Steele, Dodge, Olmsted,

1439

- 1 Winona, Cottonwood, Watonwan, Blue Earth, Rock, Nobles,
- 2 Jackson, Martin, Faribault, Freeborn, Mower, Fillmore and
- 3 Houston. Area number four includes the counties of ~~Hubbard,~~
- 4 Cass, Aitkin, ~~Wadena~~ Crow Wing, ~~Leedy~~ Pine, Morrison, Mille
- 5 Lacs, Kanabec, Stearns, Benton, Isanti, Chisago, Sherburne,
- 6 Anoka, Meeker, Wright, Washington, Hennepin and Ramsey.

House
Companion
No.

DUPLICATE
S. F. NO. 1440

A bill for an act relating to municipalities; local improvements; removing requirement that deferred assessment be recorded with the register of deeds; amending Minnesota Statutes 1974, Section 435.194.

B. D. No. 82529

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 *Luft*

★ Read FIRST TIME APR 10 1975 and Referred to the
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

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.

1440

S. F. No. _____

Printed Page No.

1440

Mr. Laufenburger introduced--

S. F. No. 1440: Referred to the Committee on TAXES AND TAX LAWS

1 A bill for an act
2 relating to municipalities; local improvements;
3 removing requirement that deferred assessment be
4 recorded with the register of deeds; amending
5 Minnesota Statutes 1974, Section 435.194.
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
7 Section 1. Minnesota Statutes 1974, Section 435.194,
8 is amended to read:
9 435.194 [PROCEDURE TO OBTAIN DEFERRED ASSESSMENT.] The
10 homeowner shall make application for deferred payment of
11 special assessments on forms prescribed by the county
12 assessor of the county in which the homestead is located,
13 ~~where the deferred assessment is granted, the assessor shall~~
14 ~~record a notice thereof with the register of deeds of said~~
15 ~~county which shall set forth the amount of the assessment.~~
16 The taxing authority may determine by ordinance or
17 resolution the amount of interest, if any, on the deferred
18 assessment and this rate shall be recorded by the assessor
19 along with and in the same manner as the amount of the
20 assessment.

House
Companion
No.

DUPLICATE

S. F. NO. 1441

A bill for an act relating to real estate; changing recording functions of the register of deeds; amending Minnesota Statutes 1974, Section 386.19.

B. D. No. B2526

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 Leinfelder

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

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.

1441

S. F. No. _____

Printed Page No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

279

S. F. NO 1441

1441

~~279~~

Introduced by Laufenburger.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Judiciary.
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 real estate; changing recording
3 functions of the register of deeds; amending
4 Minnesota Statutes 1974, Section 386.19.
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
6 Section 1. Minnesota Statutes 1974, Section 386.19, is
7 amended to read:
8 386.19 [RECORD BOOKS, INDEXES.] The register of deeds
9 shall keep suitable ~~books and records at large~~ word for word
10 records of all instruments left with him for record ~~and~~
11 ~~keeping separate books of deeds, mortgages, and other~~
12 ~~instruments~~ . He shall keep ~~in separate books~~ an
13 alphabetical index where he shall record, under the proper
14 letter of the alphabet, the name of each grantor and grantee
15 ~~in~~ of any instrument left for record ~~or of a discharge of~~
16 ~~any mortgage made by an entry in the margin of the record~~
17 ~~thereof, which entry shall show the book and page of the~~
18 ~~record where the mortgage so discharged is recorded~~ .

House
Companion
No.

DUPLICATE

S. F. NO. 1442

A bill for an act relating to real estate; changing certain procedure involving mortgage discharges and release of attachment; amending Minnesota Statutes 1974, Sections 507.40 and 570.11.

B. D. No. B2622

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 *Laufenburger*

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

Printed Page No.

S. F. No. 1442

1442

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

280

S. F. NO. 1442

1442

Introduced by Laufenburger.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Judiciary.
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 real estate; changing certain
3 procedure involving mortgage discharges and
4 release of attachment; amending Minnesota Statutes
5 1974, Sections 507.40 and 570.11,
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
7 Section 1. Minnesota Statutes 1974, Section 507.40, is
8 amended to read:
9 507.40 [MORTGAGES, HOW DISCHARGED.] A mortgage may be
10 discharged by filing for record a certificate of its
11 satisfaction executed and acknowledged by the mortgagee, his
12 personal representative, or assignee, as in the case of a
13 conveyance. ~~The register of deeds shall enter the number of~~
14 ~~such certificate and the book and page of its record upon~~
15 ~~the record of the mortgage.~~ If a mortgage be recorded in
16 more than one county and discharged of record in one of
17 them, a certified copy of such discharge may be recorded in
18 another county with the same effect as the original. If the
19 discharge be by marginal entry, heretofore made, such copy
20 shall include the record of the mortgage. In all cases the
21 discharge shall be entered in the reception book and indexes
22 as conveyances are entered.
23 Sec. 2. Minnesota Statutes 1974, Section 570.11, is

1442

1 amended to read:

2 - 570.11 [SATISFACTION, DISCHARGE; REAL ESTATE.] An
3 attachment of real estate may be released by filing for
4 record with the register of deeds:

5 (1) A certified copy of an order of the court vacating
6 the attachment, or of a final judgment in defendant's favor,
7 or a satisfaction of judgment in plaintiff's favor, rendered
8 in such action;

9 (2) A certificate of satisfaction or discharge of the
10 attachment, executed and acknowledged by the plaintiff or
11 his attorney, as required for the satisfaction of a
12 mortgage;

13 (3) A deed of release of the attached premises, or of
14 any part or interest therein, in which case the parts or
15 interests not described in the deed shall remain subject to
16 the attachment lien.

17 ~~Such attachment may also be released by an entry in the~~
18 ~~margin of the record, signed by the plaintiff or his~~
19 ~~attorney, acknowledging such release.~~

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1442

1402

A bill for an act relating to real estate; changing certain procedure involving mortgage discharges and release of attachment; amending Minnesota Statutes 1974, Sections 507.40 and 570.11.

B. D. No. B2622

COMPARISON ACTION

Date APR 28 1975
Lindstrom moved that
S. F. No. 1442 and H. F. No. 1402
be referred for comparison.

Date APR 29 1975
Upon motion of Lindstrom
S. F. No. 1442 was substituted
for H. F. No. 1402 which
was indefinitely postponed.

(SENATE ACTION)

Received from House MAY 5 1975
Laid on Table MAY 5 1975
Taken from Table MAY 8 1975

CONCURRENCE

Date MAY 8 1975
The Senate concurred in House amendments to
S. F. No. 1442 and repassed
the bill as amended.
Patrick E. Flahaven
Secretary of the Senate

SENATE ACTION

Introduced by Senators Lindstrom
Read FIRST TIME APR 10 1975 and Referred to the
Committee on JUDICIARY
Committee Recommendation and Adoption of Report
To pass APR 19 1975

★ Read SECOND TIME APR 19 1975
Committee of the Whole
To pass 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. Flahaven
Secretary of the Senate
State of Minnesota

HOUSE ACTION

House Companion
is H. F. No. 1402

★ Read FIRST TIME APR 28 1975 and Referred to the
Committee on for Comparison with H. F. No. 1402
now on the Calendar APR 28 1975
Substituted for H. F. No. 1402 APR 29 1975

★ Read SECOND TIME APR 29 1975
Committee of the Whole

Amended and
★ Read THIRD TIME as amended MAY 2 1975
Passed by the House as amended MAY 2 1975
Returned to the Senate MAY 2 1975
Edward J. Durkin
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. 1442

1442

1 A bill for an act

2 relating to real estate; changing certain
3 procedure involving mortgage discharges and
4 release of attachment; amending Minnesota Statutes
5 1974, Sections 507.40 and 570.11.

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

7 Section 1. Minnesota Statutes 1974, Section 507.40, is
8 amended to read:

9 507.40 [MORTGAGES, HOW DISCHARGED.] A mortgage may be
10 discharged by filing for record a certificate of its
11 satisfaction executed and acknowledged by the mortgagee, his
12 personal representative, or assignee, as in the case of a
13 conveyance. The register of deeds shall enter the number of
14 such certificate and the book and page of its record upon
15 the record of the mortgage or on a micro film card whenever
16 possible . If a mortgage be recorded in more than one
17 county and discharged of record in one of them, a certified
18 copy of such discharge may be recorded in another county
19 with the same effect as the original. If the discharge be
20 by marginal entry, heretofore made, such copy shall include
21 the record of the mortgage. In all cases the discharge
22 shall be entered in the reception book and indexes as
23 conveyances are entered.

1442

1 Sec. 2. Minnesota Statutes 1974, Section 570.11, is
2 amended to read:

3 570.11 [SATISFACTION, DISCHARGE; REAL ESTATE.] An
4 attachment of real estate may be released by filing for
5 record with the register of deeds:

6 (1) A certified copy of an order of the court vacating
7 the attachment, or of a final judgment in defendant's favor,
8 or a satisfaction of judgment in plaintiff's favor, rendered
9 in such action;

10 (2) A certificate of satisfaction or discharge of the
11 attachment, executed and acknowledged by the plaintiff or
12 his attorney, as required for the satisfaction of a
13 mortgage;

14 (3) A deed of release of the attached premises, or of
15 any part or interest therein, in which case the parts or
16 interests not described in the deed shall remain subject to
17 the attachment lien.

18 ~~Such attachment may also be released by an entry in the~~
19 ~~margin of the record, signed by the plaintiff or his~~
20 ~~attorney, acknowledging such release.~~

X
House
Companion
No.

DUPLICATE

S. F. NO. 1443

A bill for an act relating to real estate; liens; eliminating the required margin notation by register of deeds; amending Minnesota Statutes 1974, Section 514.12, Subdivision 3.

B. D. No. B2621

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. _____

SENATE ACTION

Introduced by Senators Langerburger

★ Read FIRST TIME

Committee on JUDICIARY

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 _____ 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.

1443

S. F.

No.

1443

Printed Page No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

281

S. F. NO 1443

1443

Introduced by Laufenburger.
Read First Time Apr. 10, 1975, and Referred to
the Committee on Judiciary.
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 real estate; liens; eliminating the
3 required margin notation by register of deeds;
4 amending Minnesota Statutes 1974, Section 514.12,
5 Subdivision 3.
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
7 Section 1. Minnesota Statutes 1974, Section 514.12,
8 Subdivision 3, is amended to read:
9 Subd. 3. [ONE-YEAR LIMITATION.] No lien shall be
10 enforced in any case unless the holder thereof shall assert
11 the same, either by complaint or answer, within one year
12 after the date of the last item of his claim as set forth in
13 the recorded lien statement; and, as to a bona fide
14 purchaser, mortgagee, or encumbrancer without notice, the
15 absence from the record of a notice of lis pendens of an
16 action after the expiration of the year in which the lien
17 could be so asserted shall be conclusive evidence that the
18 lien may no longer be enforced and, in the case of
19 registered land, the registrar of titles shall refrain from
20 carrying forward to new certificates of title the memorials
21 of lien statements when no such notice of lis pendens has
22 been registered within the period; nor shall any person be
23 bound by the judgment in such action unless he is made a

1443

1 party thereto within the year, ~~Whenever a lien statement~~
2 ~~for worky labor or materials furnished upon unregistered~~
3 ~~real estate has been recorded for one year and no notice of~~
4 ~~its pendency has been filed as required by subdivision 1, the~~
5 ~~register of deeds of the county in which the lien statement~~
6 ~~is recorded, shall, upon the application in writing of the~~
7 ~~record owner, his executor, administrator, personal~~
8 ~~representative or assigns, certify on the margin of said~~
9 ~~recorded lien statement that said lien is void, canceled and~~
10 ~~released. Said register of deeds shall receive for said~~
11 ~~certification on the records the same fee as for a~~
12 ~~satisfaction of a lien.~~

House
Companion
No.

DUPLICATE
S. F. NO. 1444

A bill for an act relating to metropolitan government;
prohibiting membership in more than one commission.

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. B3415

SENATE ACTION

Introduced by Senators

~~Strom~~ Schaaf (4-17-75)

★ 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.

1444

Printed Page No.

S. F. No.

1444

Mr. Chenoweth introduced--

S. F. No. 1444: Referred to the Committee on METROPOLITAN AND URBAN AFFAIRS

1 A bill for an act
2 relating to metropolitan government; prohibiting
3 membership in more than one commission.
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
5 Section 1. Laws 1975, Chapter 13, Section 7,
6 Subdivision 4, is amended to read:
7 Subd. 4. [QUALIFICATIONS.] Each member shall be a
8 resident of the precinct for which he is appointed and shall
9 not during his term of office hold the office of
10 metropolitan council member, or be a member of another
11 ~~metropolitan~~ commission contained in this chapter or hold
12 any judicial office. Each member shall qualify by taking
13 and subscribing the oath of office prescribed by the
14 Minnesota Constitution, Article V, Section 6. Such oath,
15 duly certified by the official administering the same, shall
16 be filed with the executive director of the metropolitan
17 council.
18 Sec. 2. This act is effective on the day following its
19 final enactment.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1444

A bill for an act relating to metropolitan government;
prohibiting membership in more than one commission; amending
Laws 1975, Chapter 13, Section 7, Subdivision 4.

B. D. No. B3415

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 Cheneweth Schaaf (4/17/75)

★ 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.

1444

S. F. No. 1444

Printed Page No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

S. F. NO. 1444

1444

Introduced by Schaaf.
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 metropolitan government; prohibiting
3 membership in more than one commission; amending
4 Laws 1975, Chapter 13, Section 7, Subdivision 4.
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
6 Section 1. Laws 1975, Chapter 13, Section 7,
7 Subdivision 4, is amended to read:
8 Subd. 4. [QUALIFICATIONS.] Each member shall be a
9 resident of the precinct for which he is appointed and shall
10 not during his term of office hold the office of
11 metropolitan council member, or be a member of another
12 ~~metropolitan~~ commission contained in Laws 1975, Chapter 13
13 or hold any judicial office. Each member shall qualify by
14 taking and subscribing the oath of office prescribed by the
15 Minnesota Constitution, Article V, Section 6. Such oath,
16 duly certified by the official administering the same, shall
17 be filed with the executive director of the metropolitan
18 council.
19 Sec. 2. This act is effective on the day following its
20 final enactment.

House
Companion
No.

DUPLICATE
S. F. NO. 1445

A bill for an act relating to the city of Buhl; police retirement and survivor benefits.

B. D. No. **B3312**

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 George Kupel
★ 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.

Printed Page No.

S. F. No.

1445

1445

Mr. Perpich, G. introduced--

S. F. No. 1445: Referred to the Committee on GOVERNMENTAL OPERATIONS

1 A bill for an act
2 relating to the city of Buhl; police retirement
3 and survivor benefits.
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
5 Section 1. Notwithstanding the provisions of Minnesota
6 Statutes, Sections 69.77 or 423.41 to 423.62, the Buhl
7 police relief association may provide in its bylaws or
8 articles of incorporation for the payment of survivor
9 benefits to the widow of a deceased member in an amount not
10 to exceed \$200 per month and to the surviving dependent
11 child or children of a deceased member in an amount not to
12 exceed \$50 per month, subject to a maximum total amount of
13 not to exceed \$250 per month in any instance. The bylaws or
14 articles may also provide for the payment of an additional
15 annuity to retired members for service beyond 20 years in
16 the amount of \$10 per month for each year of service to a
17 maximum of 25 years of service.
18 Sec. 2. This act is effective upon approval by the
19 Buhl city council and upon compliance with Minnesota
20 Statutes, Section 645.021.