

Subd. 2. The opportunity to obtain employment, housing, and other real estate, *and full and equal utilization of public accommodations, public services, and educational institutions* without discrimination because of race, color, creed, religion, or national origin is hereby recognized as and declared to be a civil right.

Subd. 3. *The department of human rights under the control of the commissioner of human rights is the successor of the state commission against discrimination as it existed immediately prior to the effective date of this act.*

Subd. 4. *If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity does not affect the other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Sec. 27. [363.121] **Department attorney.** *The attorney general shall be the attorney for the department.*

Sec. 28. [363.122] **Transcript of hearing, availability.** *The commissioner shall provide upon request and without cost to the respondent a transcript of any hearing in which the respondent is a party in interest.*

Sec. 29. **Repealer.** *Minnesota Statutes 1965, Sections 363.01, Subdivision 11; 363.07; 363.08 and 363.09, are repealed.*

Sec. 30. **Effective date.** *This act is in effect on and after July 1, 1967.*

Approved May 25, 1967.

CHAPTER 898—H. F. No. 2421

[Coded in Part]

An act relating to statewide planning and the state planning agency; amending Minnesota Statutes 1965, Sections 4.11, Subdivision 2, and by adding a subdivision; 4.12, by adding subdivisions; 4.13; and 4.16, by adding subdivisions.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1965, Section 4.11, is amended by adding a subdivision to read:

Subd. 7. **Statewide planning; statewide planning agency.** *Within the organization of the state planning agency an office of*

Changes or additions indicated by italics, deletions by strikeout.

local and urban affairs is hereby created under the supervision of a local affairs coordinator, who is in the classified service of the state civil service, and who shall be appointed by the state planning officer.

Sec. 2. Minnesota Statutes 1965, Section 4.12, is amended by adding a subdivision to read:

Subd. 3. The state planning officer: (1) shall appear before the municipal commission when requested by the commission to present studies and data regarding any annexation, incorporation, or detachment proceedings pending before the commission;

(2) may contract with a county or regional planning agency or a planning consultant for the making of studies and the compiling of data relating to any annexation, incorporation, or detachment proceedings before the commission;

(3) at his discretion or upon the written request of any governmental unit, group of governmental units, or a regional planning agency, may conduct studies relating to the feasibility of annexation, incorporation, or consolidation of a town or governmental units. Such studies shall be undertaken only in areas where there is reasonable grounds to believe that problems of urban growth may require the incorporation, or consolidation of governmental units, or the annexation of unincorporated areas in order to provide essential urban services.

Sec. 3. Minnesota Statutes 1965, Section 4.12, is amended by adding a subdivision to read:

Subd. 4. The office of local and urban affairs shall: (1) undertake studies to obtain information and data on urban and rural needs, assistance programs, and activities. It shall provide technical assistance and advice in the solution of such problems. The duties of the office shall include, but are not limited to, the assembly, the correlation, and dissemination of physical, social, and economic development data to inform local governmental units and interested persons and organizations of the availability and status of federal, state, and local programs and other resources for the solution of urban and rural problems;

(2) make available to the governor and the legislature pertinent information relating to federal grants in aid to local governmental units and an analysis thereof;

(3) inform local governmental units about federal programs of social or economic aid or assistance for which they are eligible,

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together with the criteria, standards, and conditions upon which such aid is based.

Sec. 4. Minnesota Statutes 1965, Section 4.12, is amended by adding a subdivision to read:

Subd. 5. The office of local and urban affairs: (1) shall not undertake on behalf of any local governmental unit the responsibility of filling out application forms for federal grants in aid unless required by federal law or regulation promulgated thereunder, but instead will limit its activities in relation to federal aid applications to the publication and distribution of manuals and the furnishing of advice and otherwise guide the officers of local governmental units in properly making out required application forms;

(2) shall not be responsible in any way to promote any federal grant in aid or planning program;

(3) shall coordinate information which shall be submitted to it by a special district or region recognized by the federal government with responsibility of reviewing federal grants in aid applications for community and nonprofit corporations within the district or region. Such special districts or regions shall submit copies of approved applications for such purpose. Unless the requirements of this clause are complied with no state department or agency may provide assistance or funds for any project submitted to the federal government through a special district or region. Where there is a metropolitan planning agency or regional council created by law, the state planning officer may delegate to such council or agency the responsibilities of this clause;

(4) shall have only advisory responsibility or jurisdiction in any area of the state within the jurisdiction of a metropolitan planning agency or regional council created by law.

Sec. 5. Minnesota Statutes 1965, Section 4.13, is amended to read:

4.13 Cooperative contracts. The state planning officer may apply for, receive and expend funds from municipal, county, regional and other planning agencies; apply for, accept, and disburse grants and other aids for planning purposes from the federal government and from other public or private sources, and may enter into contracts with agencies of the federal government, local governmental units, the university of Minnesota, and other educational institutions, and private persons as may be necessary in the performance of his duties. Contracts made pursuant to this section shall not be subject to the provisions of Minnesota Statutes, Chapter 16, as they relate to competitive bidding.

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The state planning officer may apply for, receive, and expend funds made available from federal sources or other sources for the purposes of carrying out the duties and responsibilities of the office of local and urban affairs.

All moneys received by the state planning officer pursuant to this section shall be deposited in the state treasury and are hereby appropriated annually therefrom to the state planning officer for the purposes for which such moneys have been received. None of such money shall cancel and shall be available until expended.

Sec. 6. Minnesota Statutes 1965, Section 4.16, is amended by adding a subdivision to read:

Subd. 4. All the powers and duties imposed upon the department of business development relating to housing and redevelopment pursuant to the provisions of Minnesota Statutes 1965, Sections 462.415 to 462.711, are hereby transferred to and imposed upon the state planning officer. The powers and duties of the department of business development relating thereto as heretofore constituted, are hereby abolished.

Sec. 7. Minnesota Statutes 1965, Section 4.11, Subdivision 2, is amended to read:

Subd. 2. The state planning officer shall appoint a director of planning who is in the classified service of the state civil service unclassified service of the state. He shall be appointed in conformance with the requirements of Minnesota Statutes, Chapter 43, and shall be selected on the basis of a nationwide examination. Any applicant for the position who is invited to Minnesota in connection with his application may be reimbursed for his expenses at the direction of the state planning officer. He shall be professionally competent in the fields of public administration and planning and shall possess demonstrated ability, based upon experience and past performance, to perform the duties of state planning director. He need not be a resident of the state of Minnesota at the time of his appointment.

Sec. 8. Minnesota Statutes 1965, Section 4.16, is amended by adding a subdivision to read:

Subd. 5. All the powers and duties imposed upon the department of business development relating to community planning, pursuant to the provisions of Minnesota Statutes 1965, Sections 362.12, Subdivision 1, (14) and 362.13, (7) and (8), are hereby transferred to and imposed upon the state planning officer. All urban planning assistance program funds and all contracts under the 701 program of the federal department of housing and urban de-

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velopment and all personnel engaged in connection therewith are likewise transferred to the state planning officer. All powers and duties of the department of business development in relation thereto as heretofore constituted, are hereby abolished.

Sec. 9. *Except for the provisions of this act creating an office of local and urban affairs within the state planning agency the provisions of the act are in effect on July 1, 1967. The provisions relating to the creation of the office of local and urban affairs is in effect from and after the act's final enactment.*

Approved May 25, 1967.

CHAPTER 899—H. F. No. 2605

An act relating to taxation; permitting the deduction of certain disaster losses from income for income tax purposes; amending Minnesota Statutes 1965, Section 290.09, Subdivision 5.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1965, Section 290.09, Subdivision 5, is amended to read:

Subd. 5. **Income tax; deduction of disaster losses.** (a) **General Rule.** There shall be allowed as a deduction any loss sustained during the taxable year and not compensated for by insurance or otherwise.

(b) **Amount of deduction.** For purposes of paragraph (a), the basis for determining the amount of the deduction for any loss shall be the adjusted basis provided in sections 290.14 and 290.15 for determining the loss from the sale or other disposition of property.

(c) **Limitation on losses of individuals.** In the case of an individual, the deduction under paragraph (a) shall be limited to

- (1) Losses incurred in a trade or business;
- (2) Losses incurred in any transaction entered into for profit, though not connected with a trade or business; and
- (3) Losses of property not connected with a trade or business, if such losses arise from fire, storm, shipwreck, or other casualty, or from theft. No loss described in this paragraph shall be

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