

CHAPTER No. 962—S.F.No.2734

[Coded in Part]

*An act relating to claims against the state; appropriating moneys for the payment thereof; permitting the settlement of certain claims against the state; and repealing Minnesota Statutes 1969, Section 3.731.*

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

**Section 1. Claims against state; appropriation.** Subdivision 1. There is appropriated from any moneys in the state treasury credited to the trunk highway fund, or funds accredited thereto from highway patrol fines or other sources, the sums of money set forth in this section to the persons named therein in full payment of claims against the state.

- Subd. 2. City of Albert Lea, Minnesota, to compensate for costs incurred to restore access lost because of highway construction . . . \$ 6,000.00
- Subd. 3. Peter Austin, Territorial Hall, 417 Walnut Street S.E., Minneapolis, Minnesota, for damages to his automobile caused by a repair crew working on Interstate Highway 35W . . . . . 80.00
- Subd. 4. Bob Burns, R.F.D. #1, Worthington, Minnesota, for field tile damaged by the construction of highway 90. This claim shall be paid when claimant has installed a new drainage system removing his effluent from the adjacent highway ditch. The state highway district engineer shall inspect such system and inform the state auditor as to claimant's compliance with the above stipulation, thereby authorizing payment . . . . . 600.00
- Subd. 5. Eric Christofferson, 510 Division Street, Deer River, Minnesota, for damage to his house from diversion of water by the highway department onto his property . . . . . 250.00

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

Subd. 6.	Saxoni Erickson, West Star Route, Two Harbors, Minnesota, for the destruction of a well destroyed during the construction of a state highway .....	\$ 500.00
Subd. 7.	Gauger and Associates, Inc., 400 Commerce Building, St. Paul, Minnesota, for services rendered to the state highway department for a rest area building at Goose Creek, Minnesota .....	1,500.00
Subd. 8.	Graybow Daniels Company, 9700 Thirteenth Avenue N., Minneapolis, Minnesota, for damage to a vehicle from state highway department equipment left on highway #10 .....	52.00
Subd. 9.	Mahlon Grubish, Rural Route 2, Waterville, Minnesota, for damages to a field tile during reconstruction of a state highway .....	88.41
Subd. 10.	Roy D. Guerin, 2870 Vanderbies Road, Little Canada, Minnesota, because of theft of furnishings to his house because of the negligence of the state highway department .....	2,000.00
Subd. 11.	Albert Hinnenkamp, Melrose, Minnesota, to compensate for property taken by a state highway and related expenses .....	1,000.00
Subd. 12.	Alvin Hoverud, Benson, Minnesota, for poisoning of water by the state highway department .....	900.00
Subd. 13.	Norman R. Jareski, 3100 Glenview Drive, Burnsville, Minnesota, for damage to his windshield by rocks flying from a state truck .....	114.00
Subd. 14.	Ronald and Patricia Kiefer, care of Roger W. Poole, attorney, Lewiston, Minnesota, to compensate for damages to cropland and farm equipment from blasting by the state highway department .....	1,000.00

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

- Subd. 15. George Leitch, 817 Fourth Avenue S., Fargo, North Dakota, for damage to property by the reconstruction of highway #34 \$ 407.50
- Subd. 16. Phillip J. Nelson, Clark's Grove, Minnesota, for the compensation for alteration of drainage by highway construction providing that the highway department repair the six inch tile line damaged in said construction ..... 4,764.00

Sec. 2. Subdivision 1. There is appropriated from any moneys in the state treasury credited to the highway user tax distribution funds the sum of money hereinafter set forth in this section to the person named therein in full payment of a claim against the state.

- Subd. 2. Como Oil Company, 749 East Superior Street, Duluth, Minnesota, for taxes paid on gasoline lost through a faulty storage tank. Payment to be made jointly to Como Oil Company and Lakehead Service Company .....\$ 1,105.88

Sec. 3. Subdivision 1. There is appropriated from any moneys in the state treasury credited to the game and fish fund the sum of money set forth in this section to the person named therein in full payment of a claim against the state.

- Subd. 2. Harold A. Larson, 3639 Hubbard Avenue N., Minneapolis, Minnesota, for accidental injuries inflicted while game warden, payable at \$290.00 per month, commencing July 1, 1971 .....\$ 6,960.00

Sec. 4. Subdivision 1. There is appropriated from any moneys in the state treasury, not otherwise appropriated, the sums of money set forth in this section to the persons named herein in full payment of claims against the state.

- Subd. 2. Frank E. Adams, former member of the state senate, 2555 Ulysses Avenue N.E., Minneapolis, Minnesota, in reimbursement of moneys advanced by him as the state's

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

	share of contributions to the public employees retirement association . . . . .	\$ 559.66
Subd. 3.	James M. Allen, 6400 Twenty-first Avenue S., Richfield, Minnesota, for damage to his automobile at Fort Snelling state park . . .	100.00
Subd. 4.	Mrs. W. C. Allison, Box 265, Princeton, Minnesota, for injury suffered while riding on a state controlled bus serving the Anoka state hospital where she was a patient . . . . .	148.35
Subd. 5.	City of Anoka, Minnesota, for the cost of improvements installed by the city benefiting state property . . . . .	3,931.20
Subd. 6.	Ernest Chouinard, Side Lake, Minnesota, for personal injuries arising from gunshot wounds inflicted by a person under the supervision of a state parole officer. Such moneys represent full and complete payment for his permanent disability . . . . .	3,000.00
Subd. 7.	Burton W. Clark, Route #1, Annandale, Minnesota, for damage to his truck by the attempted suicide of a patient at the Fergus Falls state hospital . . . . .	71.18
Subd. 8.	Mrs. Merritt Cody, Route 3, St. Peter, Minnesota, for damage to her automobile by a person residing at a state institution . . . . .	306.62
Subd. 9.	Richard A. Garner, 208 Fourth Avenue N., Faribault, Minnesota, for damages to his automobile by a patient at Faribault state hospital . . . . .	203.65
Subd. 10.	Fred Garofalo, 516 Whittall, St. Paul, Minnesota, for damage to his automobile by a state vehicle . . . . .	72.18
Subd. 11.	George A. Gustafson, Box 55, Stillwater, Minnesota, for personal injury suffered while working at the state prison . . . . .	266.63
Subd. 12.	Gerald A. Hanggi, Sr., 1248 Farrington Street, St. Paul, Minnesota, for personal	

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

	injuries arising from gunshot wounds inflicted by a person under the supervision of a state parole officer . . . . .	\$10,000.00
Subd. 13.	Jeffrey G. Hanson, 245 North Merriam Avenue, Thief River Falls, Minnesota, for damage to his clothing while a patient at the Minnesota security hospital . . . . .	217.29
Subd. 14.	Mrs. Marion E. Hartman, 328 Southwest Sixth Avenue, Faribault, Minnesota, for damage to her automobile by persons from the Owatonna state school . . . . .	98.39
Subd. 15.	Independent School District No. 114, Backus, Minnesota, to compensate for instruction provided to school children from the unorganized territory of Cass county for which no aid was paid . . . . .	7,232.40
Subd. 16.	Dell Jorgenson, Rural Route, Erhard, Minnesota, for damage to fields . . . . .	50.00
Subd. 17.	Clifton Kruckow, Backus, Minnesota, for a truck destroyed in an accident while driven by a foster child who is a ward of the state . . . . .	425.00
Subd. 18.	Michael A. Lake, care of Kenneth E. Lake, Route #1, Wright, Minnesota, for a permanent injury to his thumb by a ward of the state . . . . .	700.00
Subd. 19.	Oscar M. Lee, Route 3, Box 145, Cambridge, Minnesota, for pension benefits from the Minnesota state retirement system lost because of service credits earned for the public employees retirement association that will never be used . . . . .	401.44
Subd. 20.	Town of LeRoy, Minnesota, for vacation of a town road in Lake Louise state park	2,000.00
Subd. 21.	Village of Lino Lakes, Minnesota, for compensation for the expenses of apprehending escapees and related services for the Minnesota reception and diagnostic center	782.82

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

Subd. 22.	Ralph Magler, 3014 Harvester Avenue, St. Paul, Minnesota, for the loss of vacation pay for vacation time taken because of an injury while employed at the Stillwater state prison . . . . .	\$ 350.80
Subd. 23.	Darrell J. Max, 277 E. Winifred Street, St. Paul, Minnesota, in care of Donald L. Lais, attorney, 800 Degree of Honor Building, St. Paul, Minnesota, for compensation for lost wages during wrongful imprisonment . . . . .	9,810.42
Subd. 24.	Mrs. Norman Misfeldt, 5611 James Avenue N., Minneapolis, Minnesota, for clothing destroyed by a foster child . . . . .	187.00
Subd. 25.	Christine Moulder, 6941 Claude Avenue E., Inver Grove Heights, Minnesota, for dental expenses incurred while a patient at Anoka state hospital . . . . .	76.00
Subd. 26.	City of New Ulm, Minnesota, for value of special improvements benefiting the national guard armory owned by the state in New Ulm . . . . .	1,520.82
Subd. 27.	Robert Pratt, 5241 Richwood Drive, Edina, Minnesota, for property destroyed while in the care of the Anoka state hospital . . . . .	28.00
Subd. 28.	Dale S. Rowen, care of Larry B. Leventhal, attorney, Suite 954, Midland Bank Building, Minneapolis, Minnesota, for injuries suffered while committed to Brainerd and Faribault state hospitals . . . . .	1,495.70
Subd. 29.	City of St. Cloud, Minnesota, for special improvements benefiting the St. Cloud state college . . . . .	1,424.00
Subd. 30.	Sherburne County, Minnesota, for costs incurred for handling escaped and disorderly prisoners at the St. Cloud reformatory . . . . .	12,040.00
Subd. 31.	Charles S. Stone, 2520 Highway 100 S., St. Louis Park, Minnesota, for damages to his automobile while on national guard duty . . . . .	113.91

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

Subd. 32.	Harry W. String, 10100 Clinton Avenue S., Bloomington, Minnesota, for cash stolen by a foster child who was a ward of the state .....	\$ 132.00
Subd. 33.	Julius R. Thorson, 917 Riverside, Fergus Falls, Minnesota, for damage to his automobile while transporting patients of the Fergus Falls state hospital .....	81.37
Subd. 34.	LaVerne and Shirley Turnvall, Route #1, Stacy, Minnesota, for funeral expenses incurred in the death of their child while committed to the home school at Sauk Centre, Minnesota .....	1,318.00
Subd. 35.	Clarence Ulrich, 1001 S. Fourth Avenue, Stillwater, Minnesota, for unpaid overtime earned while a guard at the Stillwater state prison .....	900.00
Subd. 36.	Peter Van Maasdan, Jr., Westbrook, Minnesota, for the loss and destruction of property .....	1,588.00
Subd. 37.	Eleanor H. Van Steen, 903 Fifth Avenue N., Wheaton, Minnesota, for medical expenses incurred because of a fall on property of the university of Minnesota .....	65.70
Subd. 38.	Waldor Pump and Equipment Company, 9700 Humboldt Avenue, S., Minneapolis, Minnesota, for the value of work done at Thistledeew forestry camp .....	1,822.00
Subd. 39.	Fred J. Yunker, 7931 Scott Boulevard, Cottage Grove, Minnesota, for personal injury suffered while working in the state prison .....	1,710.72
Subd. 40.	Firestone, Fink, Krawetz, Miley and Maas, attorneys at law, St. Paul, Minnesota, for legal services rendered to Jack G. Young, warden of Stillwater state prison, Stanley Alexander and Gordon Kamps, employees of Stillwater state prison. No moneys	

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

shall be paid until Firestone, Fink, Kra-  
wetz, Miley and Maas releases Jack G.  
Young, Stanley Alexander and Gordon  
Kamps from all claims for legal fees,  
costs and disbursements incurred or ex-  
pended .....\$15,000.00

Sec. 5. Subdivision 1. There is appropriated from any moneys in the state treasury not otherwise appropriated the sums of money set forth in this section to the persons named therein in full payment of claims against the state arising from damages and loss of property due to brucellosis testing, and other related services.

- Subd. 2. Palmer Aas, Underwood, Minnesota, for loss of an animal during brucellosis testing .....\$ 285.00
- Subd. 3. Kenneth D. Anderson, Rural Route #1, Box 75, Garvin, Minnesota, for two cows aborted because of brucellosis testing ... 200.00
- Subd. 4. D. H. Fenner, Bemidji, Minnesota, for the loss of a heifer during brucellosis testing 175.00
- Subd. 5. Virgil Frame, Backus, Minnesota, for cattle lost because of brucellosis testing .... 900.00
- Subd. 6. Harold Gross, Route #3, Aitkin, Minnesota, for a bull lost as a consequence of brucellosis testing ..... 150.00
- Subd. 7. Louis Hanson, Battle Lake, Minnesota, for a calf aborted as a result of brucellosis testing ..... 100.00
- Subd. 8. Delmer E. Hegman, Route #1, Box 132, Palisade, Minnesota, for a cow lost as a result of brucellosis testing ..... 225.00
- Subd. 9. Curtis D. Johnson, Skandia Stock Farm, Route #1, Box 27, Balaton, Minnesota, for the loss of a cow because of brucellosis testing ..... 300.00
- Subd. 10. Donald Johnson, Pequot Lakes, Minnesota, for the loss of a cow because of brucellosis testing ..... 175.00

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

Subd. 11.	Robert M. Johnson, Rural Route 2, Box 149, Lake City, Minnesota, for partial liability in the loss of a cow with calf during brucellosis testing .....	\$ 200.00
Subd. 12.	Edward McGillen, Kilkenny, Minnesota, for the loss of two calves because of brucellosis testing .....	250.00
Subd. 13.	John Nelson, Trail, Minnesota, for the loss of an aborted calf because of testing for brucellosis .....	50.00
Subd. 14.	D. J. Noble, Motley, Minnesota, for the value of an animal lost because of brucellosis testing .....	300.00
Subd. 15.	Alvin J. Ringeisen, Lazy S Ranch, Lengby, Minnesota, for a calf aborted because of brucellosis testing .....	100.00
Subd. 16.	William Rost, Lakefield, Minnesota, for partial liability in the loss of a cow during brucellosis testing .....	150.00
Subd. 17.	Earl Timm, Utica, Minnesota, for loss of an aborted calf because of brucellosis testing .....	125.00
Subd. 18.	John C. Wedel, R.F.D. #3, Aitkin, Minnesota, for loss of a cow because of brucellosis testing .....	125.00

Sec. 6. Subdivision 1. There is appropriated from any moneys in the state treasury not otherwise appropriated, the sums of money set forth in this section to the persons named therein in full payment of claims against the state for adjusted compensation arising from World War I, World War II and Korean Conflict services.

Subd. 2. [WORLD WAR I SERVICES.]

Hans S. Hansen, % Manager, St. Cloud Veterans Administration Hospital, St. Cloud, Minnesota .....	\$ 210.00
Napoleon J. Malknecht, 807 Harrison Street, Eveleth, Minnesota .....	50.00

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

## Subd. 3. [WORLD WAR II SERVICES.]

Arnold Begalke, Route 1, Box 1, Holcomb, Wisconsin	\$ 400.00
Clarence J. Borst, 1302 S. Second Street, Norfolk, Nebraska	400.00
Charles H. Burgess, 618 First Avenue, Two Harbors, Minnesota	400.00
Lloyd Chesley (Dec.), White Earth, Minnesota	400.00
Corinne J. Di Battista, Route #2, Elk River, Minnesota	70.00
Eugene Gordon Helms, 172 Emerald Street, Broomfield, Colorado	335.00
Harold J. Skaar, 3305 E. Calhoun Boulevard, Minneapolis, Minnesota	400.00

## Subd. 4. [KOREAN CONFLICT SERVICES.]

Thomas Wesley Austin, 1315 Eleventh Avenue N. W., Rochester, Minnesota	\$ 67.50
Michael N. Barberich, Box 72, Side Lake, Minnesota	307.50
Jerry Thomas Bougetz, 421 Lowry Avenue N., Minneapolis, Minnesota	200.00
Robert Renard Carlson, 6992 San Pasqual Cr., Buena Park, California	45.00
John W. Daskam, Route #2, Palisade, Minnesota	90.00
Richard L. Erickson, 4604 Otter Lake Road, White Bear Lake, Minnesota	247.50
Walter Raymond Hanson, 574 Ballantyne Lane N. E., Minneapolis, Minnesota	232.50
William Earl Harris, 597 Thomas Avenue, St. Paul, Minnesota	200.00
Wayne Joseph Hinchcliff, 1288 Onondaga Street N. E., Minneapolis, Minnesota	275.00
LeRoy Curtis Knipe, 1222 Englewood Avenue, St. Paul, Minnesota	200.00
Arnold Edmund Nordeen, U. S. Soldiers Home, Washington, D. C.	200.00

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

Wayne Wilbur Norton, 10760 Key Circle, Coon Rapids, Minnesota .....	\$105.00
Donald Gustav Olson, P. O. Box #62, Route #1, Dover, Minnesota .....	52.50
Donald William Pnewski, 857 Juno Avenue, St. Paul, Minnesota .....	90.00
John James Rozman, 2605 Sherwood Road, Minneapolis, Minnesota .....	120.00
Lawrence Joseph Schaffer, 963 E. Como Boulevard, St. Paul, Minnesota .....	60.00
Alois Joseph Schmidt, 620 Madison, Shakopee, Minnesota .....	200.00
Arnold Joseph Selg, Route #1, Ogilvie, Minnesota ....	200.00
Harlan Melvin Voxland, Route #2, McIntosh, Minnesota .....	75.00

\* Sec. 7. Subdivision 1. There is appropriated from any moneys in the state treasury credited to the aviation fuel tax fund the sum of money hereinafter set forth in this section to the person named herein in full payment of a claim against the state.

Subd. 2. Braniff Airways, Inc., P. O. Box 35001,  
Mail Station A123A, Dallas, Texas, for  
an aviation fuel tax refund .....\$32,285.47

Sec. 8. Subdivision 1. There is appropriated from any moneys in the state treasury not otherwise appropriated the sums of money set forth in this section to the named counties in full payment of the following claims against the state.

Subd. 2. Kittson county for drainage assessments  
against state lands for repairs to state  
ditches #31, #49, #72, #84 and #85 ..\$ 2,242.61

Subd. 3. Mahnomen county for drainage assess-  
ments against state lands for repairs to  
state ditches #55, #91 and #91A ..... 1,820.14

Subd. 4. Marshall county for drainage assessments  
against state lands for repairs to county  
ditches #20, #27, #27 Lat. 2, #28, #30,  
#32 and #35; judicial ditches #11, #11  
Br. 55-60-95, #11 Br. 179-192-217, #12  
and #28; and state ditch #83 ..... 14,544.22

\* Sec. 7. Vetoed by Governor.

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

- Subd. 5. Roseau county for drainage assessments against state lands for repairs to state ditches #63 and #69 ..... \$12,532.60
- Subd. 6. Wilkin county for drainage assessments against state lands for repairs to state ditch #40 ..... 5,318.80

Sec. 9. Subdivision 1. There is appropriated from the general fund such sum as is necessary, but not to exceed \$800, to Audrey Johnson, Box 173, Pine Avenue N., Thief River Falls, Minnesota, for replacement of an artificial arm and necessary padding or "stumpsocks," because of loss of an arm and elbow while an inmate at the Red Wing state training school. Said purchase shall be supervised and paid for by the department of corrections.

Sec. 10. Subdivision 1. There is hereby appropriated from any moneys in the state treasury credited to the trunk highway fund, or funds accredited thereto from highway patrol fines or other sources, a sum not to exceed \$43,300 of state funds to compensate Howard, Needles, Tammen and Bergendoff for such engineering services furnished and to be furnished to the state relating to trunk highway number 35 and trunk highway number 535 in Duluth, Minnesota, as may be due on account of a contract to be renegotiated in accordance with the following subdivisions.

Subd. 2. The commissioner of highways is hereby authorized to renegotiate its contract, agreement number 5-2517, with Howard, Needles, Tammen and Bergendoff for engineering services furnished after February 1, 1964, and to be furnished to the state under agreement number 5-2517.

Subd. 3. The commissioner of highways shall not authorize a payment under the renegotiated contract until such time as he has received satisfactory assurance that the federal highway administration will reimburse 90 percent of any additional liability which the state incurs as a result of the renegotiation.

Sec. 11. Subdivision 1. The state of Minnesota hereby waives immunity and hereby consents to commencement of a suit in the case set forth in this section. Any suit shall be commenced within six months after the passage of this act. The

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

state and the applicable departments may be named as defendants in any suit commenced under this section and shall be served by the service of a summons and complaint upon the attorney general and appropriate department officials. Such sums as are necessary to pay any resulting judgment are hereby appropriated from the fund designated. In no case shall the judgment exceed the monetary ceiling set forth in this section. This waiver of immunity is not an admission of liability on the part of the state or its departments.

Subd. 2. Ray M. Tharp, 3727 Hilltop Road, Hopkins, Minnesota, for alleged damage to his property located at 5125 West 49th Street, Edina, Minnesota, as a result of the department of highways construction and improvement of U. S. Highway 169. Any judgment rendered against the state in this matter shall not exceed \$7,500. This waiver of immunity shall apply only to those damages which the courts determine resulted directly from the state's construction and improvement of U. S. Highway 169. The court shall not award damages against the state of Minnesota for damage to the claimant resulting from acts of the village of Edina or other third parties. Any such judgment shall be satisfied from moneys in the state treasury credited to the trunk highway fund.

**Sec. 12. [3.7311] Subdivision 1. CLAIMS WHICH MAY BE CONSIDERED; PAYMENT.** *In accordance with sections 3.66 to 3.84, the commission shall consider claims which, but for some statutory restriction, inhibitions, or limitations, could be maintained in the courts of the state. No liability is imposed upon the state or any of its agencies by a determination of the commission approving a claim and recommending an award. If the commission recommends an award of \$250 or less to be paid from any account or fund in the state treasury, the department or agency against whom the award is made shall pay the claim from any appropriation made to it if funds are available therein for such purpose. The moneys in such appropriation are hereby reappropriated therefor. A department or agency making such payment shall biennially report to the legislature concerning the same on or before January 15 of each odd numbered year.*

Except as provided in section 3.78, a claim shall be instituted by the filing of a written notice with the clerk. Each claim shall

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

be considered by not less than four members of the commission. After consideration, if the commission finds that the claim is just and proper, it shall so determine and shall file with the clerk a brief statement of its reasons. A brief statement shall be similarly filed with the clerk as to any claim rejected by the commission. If the determination of the commission is not unanimous, the reasons of each dissenting member of the commission shall be stated. As to an approved claim, the commission shall determine the amount that should be paid to the claimant, and shall itemize this amount as an award, with the reasons therefor, in its statement filed with the clerk. In determining the amount of a claim, interest shall not be allowed unless the claim is based upon a contract which specifically provides for the payment of interest.

Subd. 2. Subdivision 1 takes the place of Minnesota Statutes 1969, Section 3.731.

Subd. 3. Minnesota Statutes 1969, Section 3.731 is repealed.

**Sec. 13. [3.732] [SETTLEMENT OF CLAIMS.]** Subdivision 1. As used in this section the terms defined in this section have the meanings given them.

(1) "State" means each of its departments, boards, commissions, officers in the executive branch financed in whole or in part with moneys appropriated by the legislature and includes but is not limited to the university of Minnesota, state colleges, state junior colleges, state hospitals, state penal institutions, and other state agencies. It does not include a city, village, borough, town, county, school district, or other body corporate and politic.

(2) "Employee of the state" means all officers or employees of the state or of any of the aforesaid enumerated agencies thereof, members of the national guard, or persons acting on behalf of such enumerated agencies in an official capacity, temporarily or permanently, with or without compensation.

Subd. 2. The head of each department or agency of the state, or his designee, acting on behalf of the state, may determine, adjust and settle any claim for money damages of \$250 or less against the state for injury to or loss of property or personal injury or death caused by an act or omission of any employee of

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

the state while acting within the scope of his office or employment, under circumstances where the state, if a private person, would be liable to the claimant. Any such settlement shall be final and conclusive on all officers of the state, except where procured by fraud. The acceptance by the claimant of any such settlement shall be final and conclusive on the claimant and shall constitute a complete release of any claim against the state and against the employee of the state whose act of omission gave rise to the claim, by reason of the same subject matter.

Subd. 3. No settlement made under the provisions of this section shall be valid unless it is supported by a claim in writing, and is approved in writing by the attorney general as to its form and legality. The claim shall be in such form as the attorney general may prescribe.

Subd. 4. Claims settled under this section shall be paid by the affected state department or agency only from within the limits of its appropriation for the purposes specified in this section. Each department or agency shall report all settlements made under the terms of this section to the state claims commission annually.

Subd. 5. Nothing in this section is to be construed as to deny a claimant who is not paid pursuant to the provisions hereof from presenting a claim to the state claims commission.

Sec. 14. Subdivision 1. Each claim hereinafter set forth is hereby referred to the state claims commission, which unless the claim is barred by some other provision of this act, shall have jurisdiction over it.

Subd. 2. Anoka Turkey Farms, Route #4,  
Anoka, Minnesota

Subd. 3. Carver County and Scott County

Subd. 4. Robert J. Dingle, Quarter No. 1,  
Fort Snelling, St. Paul, Minnesota

Subd. 5. Tom Dunn, 1086 Blair Avenue,  
St. Paul, Minnesota

Subd. 6. Robert Dwyer, 2816 Girard Avenue S.,  
Minneapolis, Minnesota

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

- Subd. 7. Mrs. Ruth A. Gibson, White Bear Lake, Minnesota
- Subd. 8. Frank J. Gleeson, 6005 Eden Prairie Road, Edina, Minnesota
- Subd. 9. Duane G. Johnson, 921 W. Becker Avenue, Willmar, Minnesota
- Subd. 10. Kerkvliet Brothers, Marshall, Minnesota
- Subd. 11. Leo Lonergan, Donnelly, Minnesota
- Subd. 12. David E. Lund, 4101 Yosemite, St. Louis Park, Minnesota
- Subd. 13. City of Mankato
- Subd. 14. City of Montevideo
- Subd. 15. Steve A. Meyer, 39 S. Avon, St. Paul, Minnesota
- Subd. 16. William Miller, Route 1, LaCrescent, Minnesota
- Subd. 17. Janice Olker, % Martin A. Riesch, attorney, 500 Lonsdale Building, Duluth, Minnesota
- Subd. 18. Marshall A. Peterson, 6704 West River Road, Brooklyn Center, Minnesota
- Subd. 19. Village of St. Anthony and City of Minneapolis
- Subd. 20. Burney A. Voelker, 1300—96th Street East, Bloomington, Minnesota
- Subd. 21. Washington County
- Subd. 22. William J. Young, 100 Bedford Street S. E., Minneapolis, Minnesota

Sec. 15. Unless otherwise specified, payment pursuant to this act shall constitute full and final release of any and all claims against the state of Minnesota.

Sec. 16. This act takes effect upon final enactment.

Approved June 7, 1971.

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