

higher education coordinating commission whose primary duties consist of instructing and counseling students, directing academic programs of schools, divisions or departments of colleges and community colleges or conducting research on academic subjects. Individual salaries for positions enumerated in ~~clause~~ clauses (4) and (5) shall be determined by the attorney general, the state college board, the state community college board, and the higher education coordinating commission, respectively, within the limits of a salary ~~plan~~ plans which shall have been approved by the commissioner of personnel before becoming effective.

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it is expressly provided in such subsequent act that the provisions of this section shall not be applicable or shall be superseded, amended, or repealed.

Approved May 16, 1975.

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**CHAPTER 157—S.F.No.1169**

*An act relating to school districts; providing for specifications for school bids; amending Minnesota Statutes 1974, Section 471.35.*

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

Section 1. Minnesota Statutes 1974, Section 471.35, is amended to read:

**471.35 EDUCATION; SCHOOL DISTRICTS; SPECIFICATIONS OF SUPPLIES OR EQUIPMENT.** When any county, city ~~or~~, town, or school district calls for bids for the purchase of supplies or equipment, specifications shall not be so prepared as to exclude all but one type or kind but shall include competitive supplies and equipment.

Approved May 16, 1975.

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**CHAPTER 158—S.F.No.1697**

[Not Coded]

*An act relating to claims against the state; appropriating moneys for the payment thereof.*

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

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

**Section 1. CLAIMS AGAINST STATE; APPROPRIATION.** 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 and final payment of claims against the state.

Subd. 2. Mrs. Libby Swanson, 1192 Grand Avenue, St. Paul, Minnesota, for medical expenses incurred and permanent disability of the left foot and ankle resulting from a fall on accumulated snow and ice in the parking lot of the highway building.....\$8,000.00.

Subd. 3. Richard L. Occhino, 509 North 2nd Avenue East, Duluth, Minnesota, for lost wages during a period of improper confinement at St. Peter state hospital.....\$5,000.00.

Subd. 4. Norman and Evelyn Misfeldt, 5611 James Avenue North, Minneapolis, Minnesota, for losses sustained as a result of a fire started by a ward of the state who was in the Misfeldt home under the foster parent program.....\$2,000.00.

Subd. 5. Joseph E. Vink, Rural Route #1, Markville, Minnesota, for costs incurred for board of a horse owned by the department of corrections allowed to remain on his property since May 1968.....\$2,382.36.

Subd. 6. Melvin G. Phelps, 337 East 18th Street, Minneapolis, Minnesota, for lost wages for an eleven month false imprisonment.....\$6,048.00.

Subd. 7. Clarence Hollencamp, 1106 16th Avenue South, St. Cloud, Minnesota, for permanent disability sustained from injuries inflicted by prison inmates not covered by workman's compensation.....\$6,500.00.

Subd. 8. Door of Hope, Inc., c/o Reverend A. Hartwark, President, 341 Dayton Avenue, St. Paul, Minnesota, for damages to property leased to the department of corrections.....\$2,330.00.

Subd. 9. Gerald A. Anderson, Route 3, Winona, Minnesota, for lost wages during the period of an improper lay off action by the Winona State College.....\$3,553.00.

Subd. 10. Fred A. Hall, Star Route, Box 77, Brimson, Minnesota, for the value of pulpwood that was destroyed as a result of an uncontrolled supervised burn carried on by personnel of the department of natural resources.....\$920.95.

Subd. 11. Knife Lake Sportsman's Club, c/o Bud Olson, President, Mora, Minnesota, for reimbursement of expenses incurred in rebuilding a temporary dam owned by the department of natural resources at Knife Lake, Kanabec County, in December of 1972.....\$9,685.13.

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Subd. 12. Ruth J. Peterson, 1393 Schletti Street, St. Paul, Minnesota, for vacation hours accrued but not used at the request of her supervisor while employed by the senate.....\$914.43.

Sec. 2. 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 and final payment of claims against the state.

Subd. 2. Earl R. Colstrup, Box 278, Route 2, Albert Lea, Minnesota, for crop loss in 1974 resulting from highway construction on interstate 90.....\$1,000.00.

Subd. 3. Orman Suker, Lutsen, Minnesota, for expenses incurred to clean and repair his road and adjoining property due to flooding which occurred due to an inadequate culvert through highway 61.....\$1,459.28.

Subd. 4. Ad Craft Outdoor Advertising Company, 2331 Roosevelt Street Northeast, Minneapolis, Minnesota, for damages resulting from the destruction of their outdoor advertising structure without authority by the department of highways.....\$750.00.

Subd. 5. Louis C. Miller, Route 7, Brainerd, Minnesota, for damages sustained as a result of the construction of highway 371 changing the natural drainage of the area causing considerable flooding.....\$2,500.00.

Sec. 3. 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.** Oscar V. Holmquist, Route 2, Box 135A, Belle Plaine, Minnesota.....\$50.00.

Subd. 3. **WORLD WAR II SERVICES.** Wallace M. Holt, 707 North Union Avenue, Fergus Falls, Minnesota.....\$335.00.

Walter D. Swenson, 2217 East Maple Lane, Saint Paul, Minnesota.....\$50.00.

Mrs. Robert B. Erskine, 1067 Shell Boulevard, Apartment 11, Foster City, California.....\$400.00.

Subd. 4. **KOREAN CONFLICT.** Sherman D. Begg, Ulen, Minnesota.....\$200.00.

Donald L. Berg, 12580 San Fernando Road, Slymar,  
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California.....\$67.50.

Robert A. Brown, 10149 Harriet Avenue South, Minneapolis, Minnesota.....\$400.00.

Francis D. Eldler, Route 1, Hancock, Minnesota.....\$60.00.

Jerome W. Elledge, 1225 North 12th Street, Fargo, North Dakota.....\$187.50.

Harold C. Etienne, Riverside Trailer Court #58, International Falls, Minnesota.....\$200.00.

Emil R. Forsblad, 1142 Forest Street, St. Paul, Minnesota.....\$200.00.

Jack M. Gornik, Route 1, Box 65, Gilbert, Minnesota.....\$15.00.

William C. Gronlund, 4418 Xerxes Avenue South, Minneapolis, Minnesota.....\$180.00.

Robert D. Hanson, 194 North Thrushwood, Logan, Utah.....\$400.00.

Arlene D. Haynes, 1404 16th Street, Columbus, Georgia.....\$75.00.

Eileen M. Hortenbach, 333 Parry Street, Mankato, Minnesota.....\$7.50.

James E. Jensen, 2837 11th Avenue South, Minneapolis, Minnesota.....\$187.50.

Raymond W. Kinzel, 8692 Hale Avenue South, Cottage Grove, Minnesota.....\$200.00.

Raymond R. Kirkvold, 2714 Meridan Drive, Robbinsdale, Minnesota.....\$397.50.

Lawrence T. Loehrer, 1211 June Avenue, St. Paul, Minnesota.....\$400.00.

Donald M. Nordine, 822 Bloomington Prairie, Minnesota.....\$180.00.

Raymond E. Pry, Star Route, Virginia, Minnesota.....\$172.50.

Richard D. Smith, Route 2, Sauk Centre, Minnesota.....\$120.00.

Manuel J. Solis, 6928 North 16th Street, Lot 171, Omaha, Nebraska.....\$172.50.

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Roy E. Swanson, Minnehaha Avenue and 51st Street, Minneapolis, Minnesota.....\$200.00.

Francis J. Tolendoski, 1161 Westminster, Apartment 8, St. Paul, Minnesota.....\$127.50.

Al J. Toney, 1816 Heather Avenue, Tampa, Florida.....\$150.00.

Louis D. Warner, Route 1, Fort Ripley, Minnesota.....\$60.00.

Thomas A. Wiecher, 523 Sandpiper Drive, Satellite Beach, Florida.....\$360.00.

Subd. 5. **KOREAN CONFLICT; BENEFICIARIES.** Howard P. Kindseth (beneficiary of Donald Aloys Kindseth), Route 1, Box 28, Gary, Minnesota.....\$66.67.

Lloyd A. Kindseth (beneficiary of Donald Aloys Kindseth), Post Office Box 578, Litchfield, Minnesota.....\$66.67.

Orin B. Kindseth (beneficiary of Donald Aloys Kindseth), 1615 South Ferry Street, Anoka, Minnesota.....\$66.67.

Marlys C. (Kindseth) Stephenson (beneficiary of Donald Aloys Kindseth), 203 2nd Street Northwest, Twin Valley, Minnesota.....\$66.67.

Adeline O. (Kindseth) Waller (beneficiary of Donald Aloys Kindseth), Barnesville, Minnesota.....\$66.67.

Sec. 4. Subdivision 1. The state of Minnesota hereby waives immunity and consents to commencement of a suit in the case set forth in this section. Any suit shall be commenced within six months from the date of final enactment. The state and the department of public welfare may be named as defendants in any suit commenced under this section and shall be served by the service of a summons and complaint upon the attorney general. The sums necessary to pay any resulting judgment are hereby appropriated from the fund designated. In no case shall the judgment exceed the monetary ceiling set forth in this section; provided further that the parties are not authorized to settle this case prior to trial but are directed to litigate fully the following issues: Was the state of Minnesota negligent in allowing a patient to escape from the Anoka state hospital? If so, was this negligence the proximate cause of the fire at the Rum River Lumber Company? If so, what are the monetary damages for loss of income and property loss? The state and the department are further instructed to take all applicable appeals available to them. This waiver of immunity is not an admission of liability on the part of the state or its departments. Further, the ceilings set forth below should not be construed in any way as a determination by the legislature as to the amount of loss suffered by the claimant. In any such action, the state or its departments may interpose any legal or equitable defense except the defenses of sovereign

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immunity and the statute of limitations.

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

Sec. 5. 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. 6. This act takes effect upon final enactment.

Approved May 16, 1975.

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#### CHAPTER 158—S.F.No.102

*An act relating to aeronautics; technical services to municipalities; authorizing a reasonable charge by the department for such services; amending Minnesota Statutes 1974, Section 360.015, Subdivision 7.*

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

Section 1. Minnesota Statutes 1974, Section 360.015, Subdivision 7, is amended to read:

Subd. 7. **AERONAUTICS; TECHNICAL SERVICES TO MUNICIPALITIES.** He may, in so far as is reasonably possible, offer the engineering or other technical services of the department, without charge, to any municipality desiring them in connection with the planning, acquisition, construction, maintenance, zoning or operation or proposed planning, acquisition, construction, maintenance, zoning or operation of an airport or restricted landing area ; provided, however, that the commissioner may charge for such administrative, engineering or other technical services when payment for such services or reimbursement therefor is made by the United States government, or any agency or department thereof, and the payment or reimbursement therefor will not result in a decrease in the amount of money or funds otherwise payable by the United States government, or any agency or department thereof, to the municipality requesting such services .

Approved May 17, 1975.

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