

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1973

EIGHTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 26, 1973

The House convened at 3:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called, and the following members were present:

Adams, J.	Dieterich	Johnson, J.	Miller, M.	Savelkoul
Adams, S.	Dirlam	Johnson, R.	Moe	Schreiber
Andersen, R.	Eckstein	Jopp	Munger	Schulz
Anderson, D.	Eken	Jude	Myrah	Searle
Anderson, G.	Enebo	Kahn	Nelson	Sherwood
Anderson, I.	Erdahl	Kelly	Newcome	Sieben, H.
Becklin	Erickson	Kempe	Niehaus	Sieben, M.
Belisle	Esau	Klaus	Norton	Skaar
Bell	Faricy	Knickerbocker	Ohnstad	Smith
Bennett	Ferderer	Kvam	Ojala	Spanish
Berg	Fjoslien	Laidig	Parish	Stangeland
Berglin	Flakne	Larson	Patton	Stanton
Biersdorf	Forsythe	LaVoy	Pavlak, R.	Swanson
Boland	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Braun	Fugina	Lindstrom, E.	Pehler	Ulland
Brinkman	Graba	Lindstrom, J.	Peterson	Vanasek
Carlson, A.	Graw	Lombardi	Pieper	Vento
Carlson, D.	Grove	Long	Pleasant	Voss
Carlson, L.	Hagedorn	Mann	Prahl	Weaver
Casserly	Hanson	McArthur	Quirin	Wenzel
Cleary	Haugerud	McCarron	Resner	Wigley
Clifford	Heinitz	McCauley	Rice	Wohlwend
Connors	Hook	McEachern	Ryan	Wolcott
Culhane	Jacobs	McFarlin	St. Onge	Mr. Speaker
Cummiskey	Jaros	McMillan	Salchert	
Dahl	Johnson, C.	Menke	Samuelson	
DeGroat	Johnson, D.	Miller, D.	Sarna	

A quorum was present.

Carlson, B., and Mueller were excused.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Johnson, C., the further reading was dispensed with and the Journal was approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 345, 442, 506, 508, 572, 646, 9, 133, 211, 248, 335, 354, 378, 399, 461,

510, and 576 and S. F. Nos. 112, 117, 135, 145, 147, 150, 192, 178, 183, 3, 173, 175, 62, 65, 136, 274, 327, and 5 have been placed in the members' files.

S. F. No. 5 and H. F. No. 344, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 5, in line 13, has stricken the language "teachers of" whereas, in H. F. No. 344, this same language is not stricken.

Also, in S. F. No. 5, line 14, after "(ONE)" and before "fire" there is the new language "*at least nine*" whereas, in H. F. No. 344, line 14, after "(ONE)" and before "fire" there is the new language "*a minimum of nine*".

SUSPENSION OF RULES

Graba moved that the rules be so far suspended that S. F. No. 5 be substituted for H. F. No. 344 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 178 and H. F. No. 387, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Voss moved that S. F. No. 178 be substituted for H. F. No. 387 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received, filed in the Chief Clerk's Office, and distributed to each member: Report of the Minnesota Higher Education Coordinating Commission to 1973 Legislature, Responding to Change.

REPORTS OF STANDING COMMITTEE

Mr. Parish from the Committee on Judiciary to which was referred:

H. F. No. 622, A bill for an act relating to courts; grand juries; causes of challenge to a grand juror; amending Minnesota Statutes 1971, Section 628.54.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Parish from the Committee on Judiciary to which was referred:

H. F. No. 626, A bill for an act relating to courts; increasing the limitation on salaries of court reporters in certain districts; providing for court reporters cost-of-living salary increases; increasing the allowable charge for transcripts; amending Minnesota Statutes 1971, Sections 486.05; and 486.06.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

H. F. No. 227, A bill for an act relating to towns; authorizing certain towns to have and possess certain powers; amending Minnesota Statutes 1971, Section 368.01.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

H. F. No. 296, A bill for an act relating to Blue Earth county; authorizing county to enter into rental purchase agreements or conditional sales agreements for acquisition of road equipment subject to limitations.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

H. F. No. 314, A bill for an act relating to the village of Grand Marais; authorizing the issuance of on-sale liquor licenses.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

H. F. No. 315, A bill for an act relating to Blue Earth county; authorizing use of county funds for county extension committee.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Peterson from the Committee on Local Government to which was referred:

H. F. No. 492, A bill for an act relating to the village of Prior Lake; authorizing the village to conduct public or private sales of its surplus park lands, proceeds to be dedicated to park capital fund.

Reported the same back with the following amendments:

Page 1, lines 14 and 15, strike "subject only to the reservation of mineral rights to the state of Minnesota".

With the recommendation that when so amended the bill do pass.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 369, A bill for an act relating to intoxicating liquor; authorizing the possession and consumption thereof in connection with certain festivities to be held in the city of St. Cloud.

Reported the same back with the recommendation that the bill do pass.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 485, A bill for an act relating to the state junior college board; appropriating money for a special assessment.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 545, A bill for an act relating to the Willmar state junior college; appropriating money to the city of Willmar for costs incurred on behalf of the college.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Appropriations.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 622, 626, 227, 296, 314, 315, 492, and 369 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 5 and 178 were read for the second time.

INTRODUCTION OF BILLS

Connors and Skaar introduced:

H. F. No. 779, A bill for an act relating to the claim of Leonard Mostrom; arising from loss of crops due to geese; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Hagedorn introduced:

H. F. No. 780, A bill for an act relating to the claim of Francis Klinkner; arising from damage caused by wild animals; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Hanson, Haugerud, Quirin, Samuelson, and Wolcott introduced:

H. F. No. 781, A bill for an act relating to the attorney general; payment of attorneys' fees for special counsel with respect to The Bush Foundation; appropriating money therefor.

The bill was read for the first time and referred to the Committee on Appropriations.

Esau introduced:

H. F. No. 782, A bill for an act relating to the claim of Mrs. Elizabeth Jenniges; arising from negligence of a state ward; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Berg, Searle, Norton, Knickerbocker, and Munger introduced:

H. F. No. 783, A bill for an act relating to the library board of the city of Minneapolis; appropriating money for the operation of the center for environmental information; amending Laws 1971, Chapter 864, Section 3.

The bill was read for the first time and referred to the Committee on Appropriations.

Jude introduced:

H. F. No. 784, A bill for an act relating to the claim of Mrs. Gerald Weinzierl; arising from negligence of department of highway; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Samuelson, by request, introduced:

H. F. No. 785, A bill for an act relating to the claim of Marvin Falk; arising from damage to sheep by wild animals; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Bennett; Pavlak, R. L.; Ryan; Hanson; and Norton introduced:

H. F. No. 786, A bill for an act relating to the city of St. Paul; prohibiting the city council from either increasing elected officers' salaries during the last 12 weeks of the council's term or providing an increase in such officers' salaries which would take effect during the term in which the increase is approved; amending Laws 1971, Chapter 473, Section 1.

The bill was read for the first time and referred to the Committee on City Government.

Schulz, Lemke, Quirin, and Sieben, H., introduced:

H. F. No. 787, A bill for an act authorizing the city of Red Wing to create development districts within the corporate boundaries of the city; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; to authorize the city to issue bonds to carry out such development programs; to authorize the city and the county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

The bill was read for the first time and referred to the Committee on City Government.

Dahl; Miller, D.; Sherwood; Braun; and Menke introduced:

H. F. No. 788, A bill for an act relating to redevelopment; including rural areas in redevelopment programs; amending Minnesota Statutes 1971, Sections 472.02; 472.03, by adding a subdivision; and 472.04, Subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Sieben, M.; Vanasek; Connors; Resner; and Spanish introduced:

H. F. No. 789, A bill for an act relating to deceptive trade practices; making the law relating thereto uniform with that of certain other states.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Tomlinson; Moe; Adams, J.; Sieben, M.; and Cleary introduced:

H. F. No. 790, A bill for an act relating to commerce; prohibiting certain exclusions, modifications or limitations of warranties and remedies under the Uniform Commercial Code; amending Minnesota Statutes 1971, Section 336.2-316.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Berg, Faricy, Bell, Flakne, and Dieterich introduced:

H. F. No. 791, A bill for an act relating to crimes and criminals; regulating the transfer, possession, and use of pistols; requiring licenses to sell pistols; requiring registration of pistols; requiring permits to acquire and carry pistols; prohibiting the sale or transfer to or carrying by certain persons of pistols; prescribing penalties; amending Minnesota Statutes 1971, Section 609.66.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Boland, Casserly, Ferderer, Norton, and Nelson introduced:

H. F. No. 792, A bill for an act relating to corrections; establishing an office of ombudsman for the department of corrections; creating an ombudsman commission; definitions; granting the ombudsman certain enforcement powers of investigation, action on complaints, publication of opinions and recommendations; appropriating money; amending Minnesota Statutes 1971, Chapter 241, by adding sections.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Pehler, Samuelson, Ulland, Schulz, and Menke introduced:

H. F. No. 793, A bill for an act relating to corrections; voluntary uncompensated services to the department of corrections; amending Minnesota Statutes 1971, Section 241.01, Subdivision 6.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson, Moe, Spanish, Sherwood, and Belisle introduced:

H. F. No. 794, A bill for an act relating to corrections; regulating the compensation paid to inmates of state correctional institutions; amending Minnesota Statutes 1971, Section 243.23.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Smith; Eken; Anderson, G.; Skaar; and Jude introduced:

H. F. No. 795, A bill for an act relating to crimes and criminals; providing penalties for the receipt, purchase or concealment of stolen goods; amending Minnesota Statutes 1971, Section 609.53.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

McCarron, Ferderer, Pehler, Kempe, and Pavlak, R. L., introduced:

H. F. No. 796, A bill for an act relating to peace officers; establishing a training reimbursement account; levy of additional penalty assessments upon certain criminal fines; appropriating money; amending Minnesota Statutes 1971, Chapter 626, by adding sections.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

McCarron, Ferderer, Pehler, Kempe, and Pavlak, R. L., introduced:

H. F. No. 797, A bill for an act relating to peace officer training; removal of peace training exemption for communities of less than a population of 1,000; amending Minnesota Statutes 1971, Sections 626.846; 626.847; and 626.852; repealing Minnesota Statutes 1971, Section 626.853.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Nelson, Moe, Belisle, Casserly, and Flakne introduced:

H. F. No. 798, A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Section 260.185, Subdivision 1.

The bill was read for the first time and referred to the Committee on Crime Prevention and Corrections.

Growe; Heinitz; Johnson, C.; Smith; and Anderson, I., introduced:

H. F. No. 799, A bill for an act relating to the legislature; establishing a commission to study education of handicapped children; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

Mann; Lindstrom, J.; Peterson; Carlson, D.; and Kelly introduced:

H. F. No. 800, A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; providing penalties; repealing Minnesota Statutes 1971, Sections 500.22, Subdivisions 3, 4 and 5; and 500.23.

The bill was read for the first time and referred to the Committee on Agriculture.

Menke; Patton; Anderson, I.; Brinkman; and Braun introduced:

H. F. No. 801, A bill for an act relating to agriculture; contents of agricultural corporation reports; amending Minnesota Statutes 1971, Section 500.23, Subdivision 2.

The bill was read for the first time and referred to the Committee on Agriculture.

Dahl; Graba; Pehler; Carlson, D.; and McEachern introduced:

H. F. No. 802, A bill for an act to regulate the vertical integration in agriculture; providing penalties; and appropriating moneys.

The bill was read for the first time and referred to the Committee on Agriculture.

Wenzel; Stanton; Lemke; Anderson, I.; and Esau introduced:

H. F. No. 803, A resolution memorializing Congress to further restrict deductions for "tax loss farming."

The bill was read for the first time and referred to the Committee on Agriculture.

Stanton; Wenzel; Miller, M.; Schulz; and Vanasek introduced:

H. F. No. 804, A bill for an act relating to agriculture; restrictions upon corporate agricultural enterprises; providing penalties.

The bill was read for the first time and referred to the Committee on Agriculture.

Eken; Sherwood; DeGroat; Anderson, G.; and Vanasek introduced:

H. F. No. 805, A bill for an act relating to taxation; limiting the deductions attributable to farming allowed against Minnesota gross income; amending Minnesota Statutes 1971, Sections 290.09, Subdivision 1; and 290.972, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Johnson, C.; Culhane; Wigley; Miller, M.; and McEachern introduced:

H. F. No. 806, A bill for an act relating to taxation; qualification of homesteads under the agricultural property tax law; amending Minnesota Statutes 1971, Section 273.111, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Bell introduced:

H. F. No. 807, A bill for an act relating to the claim of Home Insurance Company; arising from negligence of department of corrections; appropriating money for the payment thereof.

The bill was read for the first time and referred to the Committee on Appropriations.

Adams, J.; Johnson, J.; Enebo; Wolcott; and Berg introduced:

H. F. No. 808, A bill for an act relating to Minneapolis board of estimate and taxation; membership.

The bill was read for the first time and referred to the Committee on City Government.

McEachern; Johnson, D.; Dahl; Jaros; and Pehler introduced:

H. F. No. 809, A bill for an act relating to education; prohibiting interest in school supplies; amending Minnesota Statutes 1971, Section 127.15; repealing Minnesota Statutes 1971, Section 127.24.

The bill was read for the first time and referred to the Committee on Education.

LaVoy; Andersen, R.; Boland; Graba; and Johnson, D., introduced:

H. F. No. 810, A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

LaVoy; Johnson, D.; Andersen, R.; Graba; and Boland introduced:

H. F. No. 811, A bill for an act relating to game and fish; authorizing a sportsman's small game, fish, deer and bear license; amending Minnesota Statutes 1971, Section 97.46, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Munger; Anderson, I.; and Culhane introduced:

H. F. No. 812, A bill for an act relating to water pollution; pollution control agency; providing financial assistance to municipalities for the construction of waste disposal systems; amending Minnesota Statutes 1971, Sections 116.16, Subdivisions 2, 3, 4, 6, 7 and 9; 116.17, Subdivision 5; 116.18, Subdivision 1; repealing Minnesota Statutes 1971, Sections 116.15; 116.18, Subdivisions 2 and 3, and cancelling an appropriation.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Munger, Jaros, Sherwood, Graba, and Johnson, J., introduced:

H. F. No. 813, A bill for an act relating to state parks; providing free admission to such parks for certain senior and handicapped persons.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Cummiskey, Searle, Casserly, Wenzel, and Sieben, H., introduced:

H. F. No. 814, A bill for an act relating to wild animals; authorizing the commissioner of natural resources to fix the duration of otter and beaver trapping seasons, and the limit on beaver; amending Minnesota Statutes 1971, Sections 100.27, Subdivision 4; and 100.28, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Sieben, H., introduced:

H. F. No. 815, A bill for an act relating to the city of Hastings; authorizing it to contract with the United States for the control of flood, to acquire property for such purposes, to issue bonds to pay the city's share of the costs, and to assess all or a portion of the city's share of the cost to benefited property.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

Dahl; Stanton; Miller, M.; Jopp; and McEachern introduced:

H. F. No. 816, A bill for an act relating to commerce; licensing and regulation of debt prorating agencies; providing for forfeitures; amending Minnesota Statutes 1971, Sections 332.20, Subdivision 2; 332.22, Subdivision 1; and 332.23, Subdivision 8; and Chapter 332, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

DeGroat, Patton, Culhane, Biersdorf, and Sherwood introduced:

H. F. No. 817, A bill for an act relating to elections; requiring questionnaires completed by candidates to be filed in the office of the secretary of state; and prescribing penalties.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Sarna, Tomlinson, Flakne, Nelson, and McEachern introduced:

H. F. No. 818, A bill for an act relating to elections; removing limitations on the transportation of voters to the polls; repealing Minnesota Statutes 1971, Section 211.14, Subdivision 4.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

LaVoy; Sarna; Miller, D.; Bennett; and Carlson, A., introduced:

H. F. No. 819, A bill for an act relating to manpower services; unemployment compensation; employment defined; amending Minnesota Statutes 1971, Section 268.04, Subdivision 12.

The bill was read for the first time and referred to the Committee on Governmental Operations.

McCauley, Hanson, Lombardi, McCarron, and Sieben, H., introduced:

H. F. No. 820, A bill for an act relating to unemployment compensation; eligibility; repealing Minnesota Statutes 1971, Section 268.08, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton; Moe; Parish; Johnson, R.; and Larson introduced:

H. F. No. 821, A bill for an act relating to retirement; the highway patrolmen's retirement fund; providing for the membership in the highway patrolmen's retirement association; the funding of the retirement fund and the benefits therefrom to retirees; amending Minnesota Statutes 1971, Sections 352.01, Subdivision 2B; 352B.01; 352B.02; 352B.03; 352B.04; 352B.05; 352B.06; 352B.08; 352B.10; 352B.105; 352B.11; 352B.13; 352B.14; 352B.25; 352B.26; and Chapter 352B, by adding sections; repealing Minnesota Statutes 1971, Sections 352A.01 to 352A.29; 352B.09; 352B.12; and 352B.15 to 352B.24.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Samuelson; Wenzel; Kelly; Sieben, M.; and McCauley introduced:

H. F. No. 822, A bill for an act relating to retirement; establishing a supplemental retirement plan for public employees; amending Minnesota Statutes 1971, Section 356.24.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ojala, Prahl, Fugina, Berglin, and Jude introduced:

H. F. No. 823, A bill for an act relating to manpower services; unemployment compensation; experience record transfer; amending Minnesota Statutes 1971, Section 268.06, Subdivision 22.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Graba introduced:

H. F. No. 824, A bill for an act relating to the public employees retirement association; payment of retirement annuities or benefits under certain circumstances; amending Minnesota Statutes 1971, Chapter 353, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Cummiskey, Menke, McArthur, Casserly, and Knickerbocker introduced:

H. F. No. 825, A bill for an act relating to the department of public service; organization thereof; authorizing the head of the department to appoint a confidential secretary; amending Minnesota Statutes 1971, Chapter 216A, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Cummiskey, Braun, McArthur, Casserly, and Knickerbocker introduced:

H. F. No. 826, A bill for an act relating to the department of public service; defining the relationship between the legislative and administrative functions; amending Minnesota Statutes 1971, Section 216A.02.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Enebo; Adams, J.; Miller, M.; Quirin; and Resner introduced:

H. F. No. 827, A bill for an act relating to retirement; regulating the administration of private pension funds and directing a study thereof; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Quirin, Kempe, McCauley, DeGroat, and Lemke introduced:

H. F. No. 828, A bill for an act relating to minors; restricting furnishing and counseling of certain minors regarding contraceptive devices; amending Minnesota Statutes 1971, Section 144.341.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Wenzel; Miller, D.; Anderson, G.; Sieben, H.; and Samuelson introduced:

H. F. No. 829, A bill for an act relating to public welfare, Foster Grandparents Pilot program; appropriating funds; amending Minnesota Statutes 1971, Section 256.976, Subdivisions 1 and 3.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Quirin, McCauley, Lemke, Resner, and Miller, D., introduced:

H. F. No. 830, A bill for an act relating to education; authorizing establishment of a higher education consortium to serve Rochester, Minnesota, and its surrounding area; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Quirin and Boland introduced:

H. F. No. 831, A bill for an act proposing an amendment to the Minnesota Constitution repealing Article IV, Section 31, removing the ban on lotteries.

The bill was read for the first time and referred to the Committee on Judiciary.

McCarron, Jude, Newcome, Quirin, and Casserly introduced:

H. F. No. 832, A bill for an act relating to intoxicating liquor; providing for limit on actions for damages and requiring liability insurance; amending Minnesota Statutes 1971, Sections 340.95; and 340.11, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary.

Schreiber, Hook, Jude, Knickerbocker, and Berg introduced:

H. F. No. 833, A bill for an act relating to decedent's estates; requiring mailing of notice to a foreign consul in certain circumstances; amending Minnesota Statutes 1971, Section 525.83.

The bill was read for the first time and referred to the Committee on Judiciary.

Pavlak, R.; Weaver; Jopp; Sieben, H.; and Sieben, M., introduced:

H. F. No. 834, A bill for an act relating to courts; salaries and expenses of district court reporters of the first and tenth judicial districts; amending Laws 1971, Chapter 891, Section 1, and by adding a section.

The bill was read for the first time and referred to the Committee on Judiciary.

Kahn; Bell; Sieben, M.; McMillan; and Dieterich introduced:

H. F. No. 835, A bill for an act relating to divorce; abolishing the action and substituting proceedings for dissolution; amending Minnesota Statutes 1971, Sections 518.001; 518.01; 518.03; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.14; 518.15; 518.16; 518.17; 518.25; 518.27; 518.29; 518.54; 518.55; 518.57; 518.58; 518.59; 518.62; 518.63; 518.64 and 518.66; and Chapter 518, by adding a section; repealing Minnesota Statutes 1971, Sections 518.08; 518.26 and 518.28.

The bill was read for the first time and referred to the Committee on Judiciary.

Weaver, Berg, Haugerud, Bell, and Pavlak, R. L., introduced:

H. F. No. 836, A bill for an act relating to a uniform act for recognition of acknowledgements; repealing Minnesota Statutes 1971, Sections 358.12, 358.13, 358.22, 358.23, 358.24, 358.26, and 358.27.

The bill was read for the first time and referred to the Committee on Judiciary.

Salchert, Berglin, Bennett, Knickerbocker, and Nelson introduced:

H. F. No. 837, A bill for an act relating to highways; providing for a two year moratorium on freeway construction in the seven county metropolitan area with certain exceptions.

The bill was read for the first time and referred to the Committee on Metropolitan and Urban Affairs.

Menke, Norton, Growe, Dirlam, and Anderson, I., introduced:

H. F. No. 838, A bill for an act relating to income taxation; providing a credit for certain expenditures for home maintenance; appropriating money; amending Minnesota Statutes 1971, Sections 290.984; 290.986; 290.988, Subdivision 1; 290.989; and Chapter 290, by adding sections.

The bill was read for the first time and referred to the Committee on Taxes.

Tomlinson; Vanasek; Jacobs; Johnson, D.; and Adams, S., introduced:

H. F. No. 839, A bill for an act relating to taxes on and measured by net income; operating loss deduction; amending Minnesota Statutes 1971, Section 290.095, Subdivisions 1, 2, 3 and 4.

The bill was read for the first time and referred to the Committee on Taxes.

Pavlak, R.; Prah; Graw; Adams, S.; and Pehler introduced:

H. F. No. 840, A bill for an act relating to the sales and use tax; defining use; imposing the use tax; amending Minnesota Statutes 1971, Sections 297A.01, Subdivision 6; and 297A.14.

The bill was read for the first time and referred to the Committee on Taxes.

Pavlak, R.; Graw; Johnson, D.; Jacobs; and Adams, S., introduced:

H. F. No. 841, A bill for an act relating to taxes on and measured by net income; references in withholding requirements; amending Minnesota Statutes 1971, Section 290.92, Subdivisions 6, 7, 8, 9, 11, 12, 13 and 15.

The bill was read for the first time and referred to the Committee on Taxes.

Johnson, D.; Jacobs; Vanasek; Graw; and Adams, S., introduced:

H. F. No. 842, A bill for an act relating to taxation; the sales and use tax; sales price; amending Minnesota Statutes 1971, Section 297A.01, Subdivision 8.

The bill was read for the first time and referred to the Committee on Taxes.

Jacobs; Vanasek; Johnson, D.; Adams, S.; and Johnson, R., introduced:

H. F. No. 843, A bill for an act relating to taxes on and measured by net income; declaration of estimated tax; amending Minnesota Statutes 1971, Section 290.93, Subdivisions 1 and 4.

The bill was read for the first time and referred to the Committee on Taxes.

Pavlak, R.; Jacobs; Graw; Adams, S.; and Johnson, D., introduced:

H. F. No. 844, A bill for an act relating to wild animals; providing an additional alternative for payments in lieu of taxes on certain wildlife lands; amending Minnesota Statutes 1971, Section 97.49, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Johnson, D.; Vanasek; Pahl; Casserly; and Johnson, R., introduced:

H. F. No. 845, A bill for an act relating to taxation of property; providing for the valuation of property for ad valorem tax purposes in certain cases and further providing for reimbursement of increased taxes paid by certain persons; appropriating money; amending Minnesota Statutes 1971, Chapters 273, by adding sections; and 290, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Pehler; Vanasek; Jacobs; Johnson, D.; and Adams, S., introduced:

H. F. No. 846, A bill for an act relating to the sales and use tax; exemptions; road building materials; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Pavlak, R.; Jacobs; Johnson, R.; Prah; and Johnson, D., introduced:

H. F. No. 847, A bill for an act relating to taxes on and measured by net income; net capital gain defined; amending Minnesota Statutes 1971, Section 290.16, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

LaVoy; Dirlam; Johnson, D.; Jacobs; and Tomlinson introduced:

H. F. No. 848, A bill for an act relating to taxation; excise tax on motor vehicles; defining purchase price; amending Minnesota Statutes 1971, Section 297B.01, Subdivision 8.

The bill was read for the first time and referred to the Committee on Taxes.

Dirlam, Newcome, Berg, Becklin, and Johnson, C., introduced:

H. F. No. 849, A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32[a]; providing that railroads may be taxed in the same manner as other enterprises.

The bill was read for the first time and referred to the Committee on Taxes.

Schreiber; Sieben, H.; Weaver; Jacobs; and Belisle introduced:

H. F. No. 850, A bill for an act relating to taxation; regulating the taking of the census for certain tax distributions; amending Minnesota Statutes 1971, Sections 297.13, Subdivision 7; 340.60, Subdivision 7; and 477A.01, Subdivision 17, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Berglin; Norton; Pavlak, R.; Flakne; and Weaver introduced:

H. F. No. 851, A bill for an act relating to taxation; providing for the regulation of valuation of improvements to homesteads and for an income tax credit for improvements to homesteads; appropriating money annually; providing penalties; amending Minnesota Statutes 1971, Chapter 290, by adding a section.

The bill was read for the first time and referred to the Committee on Taxes.

Esau, Dirlam, Erickson, Graba, and Culhane introduced:

H. F. No. 852, A bill for an act relating to taxation; deductions from gross income; limiting deductibility of farm losses to the extent of farm income, amending Minnesota Statutes 1971, Section 290.09, Subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Miller, D.; Schreiber; Lemke; Schulz; and Hagedorn introduced:

H. F. No. 853, A bill for an act relating to highway traffic regulations; size, weight and load limitations; amending Minnesota Statutes 1971, Section 169.80, Subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation.

Eken, St. Onge, Patton, Myrah, and Sieben, M., introduced:

H. F. No. 854, A bill for an act relating to the designation of a specific route for the great river road in Minnesota; amending Minnesota Statutes 1971, Chapter 161, by adding a section; repealing Minnesota Statutes 1971, Sections 161.143 to 161.147.

The bill was read for the first time and referred to the Committee on Transportation.

McCauley, Lemke, and Myrah introduced:

H. F. No. 855, A bill for an act authorizing the city of Winona to reduce speed limits on certain portions of highways located within the city during school hours.

The bill was read for the first time and referred to the Committee on Transportation.

Hanson; Jude; Carlson, B.; Pavlak, R. L.; and McCauley introduced:

H. F. No. 856, A bill for an act relating to highway traffic regulations; required equipment on certain vehicles; amending Minnesota Statutes 1971, Section 169.733.

The bill was read for the first time and referred to the Committee on Transportation.

Hook; Lombardi; Growe; Carlson, L.; and Knickerbocker introduced:

H. F. No. 857, A bill for an act relating to railroad crossings; requiring railroads to pay the costs of relocating or adjusting crossing signals.

The bill was read for the first time and referred to the Committee in Transportation.

Hanson, Newcome, Quirin, Menke, and Anderson, I., introduced:

H. F. No. 858, A bill for an act relating to the organization and operation of state government; creating a department of transportation; prescribing its duties and responsibilities; amending Minnesota Statutes 1971, Sections 123.18, Subdivision 1; 123.39, Subdivision 1; 299D.01, Subdivision 1; and 473A.06, Subdivision 3; repealing Minnesota Statutes 1971, Sections 4.20; 161.03; 168.325, Subdivisions 1 and 3; 171.015, Subdivision 1; and 360.014.

The bill was read for the first time and referred to the Committee on Transportation.

Kvam; Mueller; Carlson, B.; Eckstein; and Schreiber introduced:

H. F. No. 859, A bill for an act relating to highways; rest areas, tourist information centers and weigh stations along highways; amending Minnesota Statutes 1971, Section 160.28.

The bill was read for the first time and referred to the Committee on Transportation.

Patton; Connors; Anderson, D.; Searle; and Pehler introduced:

H. F. No. 860, A bill for an act relating to motor vehicles; special license number plates; authorizing special license plates for citizens band radio operators; amending Minnesota Statutes 1971, Section 168.12, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Pehler, McCarron, Ohnstad, Voss, and McEachern introduced:

H. F. No. 861, A bill for an act relating to highway traffic regulations; accidents; reporting of accidents; driver's license suspension under certain circumstance by reason of accident; amending Minnesota Statutes 1971, Sections 169.09, Subdivisions 3, 7, 8, and 13; and 170.25, Subdivision 1; repealing Minnesota Statutes 1971, Section 170.33, Subdivision 5.

The bill was read for the first time and referred to the Committee on Transportation.

Pehler, McCarron, McEachern, Voss, and Laidig introduced:

H. F. No. 862, A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80, Subdivision 3; 169.85; and Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

LaVoy, Munger, Culhane, Knickerbocker, and Johnson, D., introduced:

H. F. No. 863, A bill for an act relating to water pollution; pollution control agency; providing financial assistance to municipalities for the construction of waste disposal systems; amending Minnesota Statutes 1971, Sections 116.16, Subdivisions 2, 3, 4, 6, 7 and 9; 116.17, Subdivision 5; 116.18, Subdivision 1; repealing Minnesota Statutes 1971, Sections 116.15; 116.18, Subdivisions 2 and 3, and cancelling an appropriation.

The bill was read for the first time and referred to the Committee on Environmental Preservation and Natural Resources.

MOTIONS AND RESOLUTIONS

DeGroat moved that the name of Prahl be stricken and the name of Stangeland be added as an author on H. F. No. 82. The motion prevailed.

Adams, J.; Sabo; Anderson, I.; Newcome; and Flakne introduced:

House Resolution No. 10, A house resolution congratulating coach Bill Musselman of the University of Minnesota Gopher Basketball Team.

The resolution was referred to the Committee on Rules and Legislative Administration.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned.

H. F. No. 197, A bill for an act relating to highway traffic regulations; trailer and towing equipment; flags to be displayed; amending Minnesota Statutes 1971, Section 169.82.

PATRICK E. FLAHAVEN, Secretary of the Senate

CALENDAR

H. F. No. 190 was reported to the House.

Mr. Belisle moved that H. F. No. 190 be laid over until Thursday, March 1, 1973. The motion prevailed.

Lindstrom, E., was excused at 4:45 p.m. Schulz and Lemke were excused at 5:30 p.m.

GENERAL ORDERS

Pursuant to Rules of the House, the House resolved itself into the Committee of the Whole, with Mr. Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

Pursuant to Rule 12, a roll call was taken on the following amendment to H. F. No. 307 offered by Carlson, D.:

The printed bill, page 2, following line 6, insert

"Sec. 4. [CHARITABLE SOLICITORS.] It is unlawful for any person, either directly or indirectly, to deny access to any apartment house, dormitory, nursing home, mobile home park or other multiple unit facility used as a residence to any civic or charitable organization membership of fund solicitor, providing such person is in compliance with any state law or applicable municipal ordinance regulating civic or charitable solicitations."

Further amend the title in the first line thereof by deleting "relating to elections;" and in the second line after the word "campaigning" by inserting "or civic or charitable solicitation".

There were yeas 45, and nays 82.

Those who voted in the affirmative were:

Adams, S.	Dirlam	Johnson, J.	Lombardi	Schreiber
Anderson, D.	Erdahl	Jopp	Long	Searle
Becklin	Erickson	Jude	McCauley	Skaar
Belisle	Fjoslien	Knickerbocker	Myrah	Stangeland
Bennett	Graba	Kvam	Newcome	Swanson
Carlson, D.	Graw	Laidig	Ohnstad	Ulland
Cleary	Hagedorn	Larson	Pavlak, R. L.	Weaver
Clifford	Heinitz	Lindstrom, E.	Peterson	Wigley
DeGroat	Hook	Lindstrom, J.	Savelkoul	Wolcott

Those who voted in the negative were:

Adams, J.	Dieterich	Johnson, D.	Niehaus	Sarna
Andersen, R.	Eckstein	Johnson, R.	Norton	Schulz
Anderson, G.	Eken	Kahn	Ojala	Sherwood
Anderson, I.	Enebo	Kelly	Parish	Sieben, H.
Bell	Esau	Kempe	Patton	Sieben, M.
Berg	Faricy	Klaus	Pavlak, R.	Smith
Berglin	Ferderer	Lemke	Pehler	Spanish
Biersdorf	Flakne	Mann	Pieper	Stanton
Boland	Forsythe	McArthur	Pleasant	Tomlinson
Braun	Fudro	McFarlin	Prah	Vanasek
Carlson, A.	Fugina	McMillan	Quirin	Voss
Carlson, L.	Grove	Menke	Resner	Wenzel
Casserly	Hanson	Miller, D.	Rice	Wohlwend
Connors	Haugerud	Miller, M.	Ryan	Mr. Speaker
Culhane	Jacobs	Moe	St. Onge	
Cummiskey	Jaros	Munger	Salchert	
Dahl	Johnson, C.	Nelson	Samuelson	

The amendment was not adopted.

Pursuant to Rule 12, a roll call was taken on the motion of Kahn to recommend passage of H. F. No. 307 as amended.

There were yeas 59, and nays 71.

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kempe	Nelson	Sherwood
Andersen, R.	Eckstein	Klaus	Norton	Sieben, H.
Anderson, I.	Enebo	LaVoy	Ojala	Sieben, M.
Bell	Esau	Lemke	Parish	Stanton
Bennett	Fudro	Lindstrom, J.	Pavlak, R.	Swanson
Berglin	Fugina	McCarron	Pehler	Tomlinson
Boland	Graba	McEachern	Prahl	Vanasek
Braun	Grove	McFarlin	Quirin	Vento
Carlson, L.	Jacobs	McMillan	Resner	Voss
Casserly	Jaros	Miller, D.	Rice	Wenzel
Cummiskey	Kahn	Moe	Salchert	Mr. Speaker
Dahl	Kelly	Munger	Sarna	

Those who voted in the negative were:

Adams, S.	Eken	Johnson, D.	Menke	Schulz
Anderson, D.	Erdahl	Johnson, J.	Myrah	Searle
Anderson, G.	Erickson	Johnson, R.	Newcome	Skaar
Becklin	Faricy	Jopp	Niehaus	Smith
Belisle	Ferderer	Jude	Ohnstad	Spanish
Berg	Fjoslien	Knickerbocker	Patton	Stangeland
Biersdorf	Flakne	Kvam	Pavlak, R. L.	Ulland
Carlson, A.	Forsythe	Laidig	Peterson	Weaver
Carlson, D.	Graw	Larson	Pieper	Wigley
Cleary	Hagedorn	Lindstrom, E.	Pleasant	Wohlwend
Clifford	Hanson	Lombardi	Ryan	Wolcott
Connors	Haugerud	Long	St. Onge	
Culhane	Heinitz	Mann	Samuelson	
DeGroat	Hook	McArthur	Savelkoul	
Dirlam	Johnson, C.	McCauley	Schreiber	

The motion did not prevail.

Pursuant to Rule 12, a roll call was taken on the following amendment to H. F. No. 563 offered by Savelkoul:

The printed bill, page 1, lines 6 and 7, restore the stricken language "except the payment of principal and interest on bonded indebtedness".

Page 2, lines 9 and 10, restore the stricken language "except the payment of principal and interest on bonded indebtedness".

Page 2, lines 25 and 26, restore the stricken language "except the payment of principal and interest on bonded indebtedness".

There were yeas 28, and nays 97.

Those who voted in the affirmative were:

Adams, S.	Erickson	Jopp	Myrah	Stangeland
Belisle	Esau	Klaus	Niehaus	Ulland
Cleary	Fjoslien	Kvam	Pleasant	Wigley
Clifford	Graw	Long	Savelkoul	Wohlwend
Dirlam	Heinitz	McArthur	Schreiber	
Erdahl	Johnson, R.	McFarlin	Searle	

Those who voted in the negative were:

Adams, J.	Becklin	Biersdorf	Carlson, L.	Dahl
Andersen, R.	Bell	Boland	Casserly	Dieterich
Anderson, D.	Bennett	Braun	Connors	Eckstein
Anderson, G.	Berg	Brinkman	Culhane	Eken
Anderson, I.	Berglin	Carlson, A.	Cummiskey	Enebo

Faricy	Johnson, J.	McMillan	Peterson	Smith
Ferderer	Jude	Menke	Pieper	Spanish
Flakne	Kahn	Miller, D.	Prahl	Stanton
Forsythe	Kelly	Miller, M.	Quirin	Swanson
Fudro	Kempe	Moe	Resner	Tomlinson
Fugina	Knickerbocker	Munger	Rice	Vanasek
Graba	Laidig	Nelson	Ryan	Vento
Grove	Larson	Norton	St. Onge	Voss
Hanson	LaVoy	Ohnstad	Salchert	Weaver
Haugerud	Lindstrom, J.	Ojala	Samuelson	Wenzel
Hook	Lombardi	Parish	Sarna	Wolcott
Jacobs	Mann	Patton	Sherwood	Mr. Speaker
Jaros	McCarron	Pavlak, R.	Sieben, H.	
Johnson, C.	McCauley	Pavlak, R. L.	Sieben, M.	
Johnson, D.	McEachern	Pehler	Skaar	

The amendment was not adopted.

Pursuant to Rule 12, a roll call was taken on the following amendment to H. F. No. 563 offered by Adams, S.:

The printed bill, page 2, after line 30, insert the following:

"Sec. 3. Minnesota Statutes 1971, Section 273.13, Subdivision 15(a) is amended by adding a new paragraph (6) reading as follows:

(6) Notwithstanding any provision of this act to the contrary, the aggregate payments made from the general fund pursuant to Subd. 15(a) of the Minnesota Statutes, Section 273.13, shall not exceed in any fiscal year the sum of \$174,000,000."

Renumber the remaining section.

Further amend the title by inserting "15(a)" before the period.

There were yeas 32, and nays 90.

Those who voted in the affirmative were:

Adams, S.	Erdahl	Hook	McFarlin	Stangeland
Anderson, D.	Erickson	Johnson, R.	Myrah	Ulland
Becklin	Esau	Klaus	Niehaus	Weaver
Carlson, D.	Fjoslien	Kvam	Ohnstad	Wigley
Cleary	Forsythe	Larson	Pleasant	
Clifford	Graw	Lombardi	Savelkoul	
Dirlam	Heinitz	Long	Searle	

Those who voted in the negative were:

Adams, J.	Casserly	Hanson	McArthur	Pavlak, R.
Andersen, R.	Connors	Haugerud	McCarron	Pavlak, R. L.
Anderson, G.	Culhane	Jacobs	McCauley	Pehler
Anderson, I.	Cummiskey	Jaros	McEachern	Peterson
Belisle	Dahl	Johnson, C.	McMillan	Pieper
Bell	Dieterich	Johnson, D.	Menke	Quirin
Bennett	Eckstein	Johnson, J.	Miller, D.	Resner
Berg	Eken	Jude	Miller, M.	Rice
Berglin	Enebo	Kahn	Moe	Ryan
Biersdorf	Faricy	Kelly	Munger	St. Onge
Boland	Ferderer	Kempe	Nelson	Salchert
Braun	Fudro	Knickerbocker	Norton	Samuelson
Brinkman	Fugina	LaVoy	Ojala	Sarna
Carlson, A.	Graba	Lindstrom, J.	Parish	Schreiber
Carlson, L.	Grove	Mann	Patton	Sherwood

Sieben, H.	Smith	Swanson	Vento	Wohlwend
Sieben, M.	Spanish	Tomlinson	Voss	Wolcott
Skaar	Stanton	Vanasek	Wenzel	Mr. Speaker

The amendment was not adopted.

Pursuant to Rule 12, a roll call was taken on the following amendment to H. F. No. 563 offered by Newcome:

The printed bill, on page 1, line 7, strike the words "45 percent" and insert "50 percent"; line 8, after the word "exceed", strike "\$350" and insert "\$500".

On page 2, line 10, after the word "by" strike the words "45 percent" and insert "50 percent".

On page 2, line 11, after the word "exceed" strike "\$350" and insert "\$500".

On page 2, line 26, after the word "by" strike the words "45 percent" and insert "50 percent".

On page 2, line 27, after the word "exceed" strike "\$350" and insert "\$500".

There were yeas 40, and nays 80.

Those who voted in the affirmative were:

Andersen, R.	Clifford	Heinitz	Larson	Pieper
Belisle	Connors	Hook	Lombardi	Pleasant
Bell	Dirlam	Johnson, J.	Long	Savelkoul
Bennett	Esau	Johnson, R.	McArthur	Schreiber
Biersdorf	Ferderer	Jopp	McCauley	Ulland
Carlson, A.	Fjoslien	Knickerbocker	Newcome	Weaver
Carlson, D.	Flakne	Kvam	Ohnstad	Wohlwend
Cleary	Forsythe	Laidig	Pavlak, R. L.	Wolcott

Those who voted in the negative were:

Adams, J.	Eckstein	Jude	Nelson	Samuelson
Adams, S.	Eken	Kahn	Niehaus	Sarna
Anderson, D.	Enebo	Kelly	Norton	Sieben, H.
Anderson, G.	Erdahl	Klaus	Ojala	Sieben, M.
Anderson, I.	Erickson	LaVoy	Parish	Skaar
Berg	Faricy	Lindstrom, J.	Patton	Smith
Berglin	Fudro	Mann	Pavlak, R.	Spanish
Boland	Fugina	McCarron	Pehler	Stangeland
Braun	Graba	McEachern	Peterson	Swanson
Brinkman	Graw	McFarlin	Prahl	Tomlinson
Carlson, L.	Grove	McMillan	Quirin	Vanasek
Casserly	Hanson	Menke	Resner	Vento
Culhane	Haugerud	Miller, D.	Rice	Voss
Cummiskey	Jaros	Miller, M.	Ryan	Wenzel
Dahl	Johnson, C.	Munger	St. Onge	Wigley
Dieterich	Johnson, D.	Myrah	Salchert	Mr. Speaker

The amendment was not adopted.

Pursuant to Rule 12, a roll call was taken on the motion of Pavlak, R., to recommend passage of H. F. No. 563.

There were yeas 119, and nays 7.

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, R.	Miller, M.	Samuelson
Andersen, R.	Dirlam	Jopp	Moe	Sarna
Anderson, G.	Enebo	Jude	Munger	Savelkoul
Anderson, I.	Erdahl	Kahn	Nelson	Schreiber
Becklin	Esau	Kelly	Newcome	Sherwood
Belisle	Faricy	Kempe	Niehaus	Sieben, H.
Bell	Ferderer	Klaus	Norton	Sieben, M.
Bennett	Fjoslien	Knickerbocker	Ohnstad	Skaar
Berg	Flakne	Kvam	Ojala	Smith
Berglin	Forsythe	Laidig	Parish	Spanish
Bjersdorf	Fudro	Larson	Patton	Stanton
Boland	Fugina	LaVoy	Pavlak, R.	Swanson
Braun	Graba	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Brinkman	Graw	Lombardi	Pehler	Ulland
Carlson, A.	Growe	Long	Peterson	Vanasek
Carlson, D.	Hanson	Mann	Pieper	Vento
Carlson, L.	Haugerud	McArthur	Pleasant	Voss
Casserly	Heinitz	McCarron	Prahl	Weaver
Cleary	Hook	McCauley	Quirin	Wenzel
Clifford	Jacobs	McEachern	Resner	Wigley
Connors	Jaros	McFarlin	Rice	Wohlwend
Culhane	Johnson, C.	McMillan	Ryan	Wolcott
Cummiskey	Johnson, D.	Menke	St. Onge	Mr. Speaker
Dahl	Johnson, J.	Miller, D.	Salchert	

Those who voted in the negative were:

Adams, S.	Eckstein	Erickson	Searle	Stangeland
Anderson, D.	Eken			

The motion prevailed.

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. Nos. 224, 228, 270, 271, and 563 which it recommended to pass.

S. F. Nos. 115 and 169 which it recommended to pass.

H. F. No. 31 upon which it recommended progress retaining its place on General Orders.

H. F. No. 268 upon which it recommended progress.

H. F. No. 9 upon which it recommended progress with the following amendment offered by Quirin:

The printed bill, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [CITATION.] This act may be cited as the Minnesota fair labor standards act.

Sec. 2. [STATEMENT OF POLICY.] It is declared to be the policy of the Minnesota fair labor standards act (1) to establish minimum wage and overtime compensation standards for workers at levels consistent with their health, efficiency, and general well-being; (2) to safeguard existing minimum wage and overtime compensation standards which are adequate to maintain the health, efficiency, and general well-being of work-

ers against the unfair competition of wage and hour standards which do not provide such adequate standards of living; and (3) to sustain purchasing power and increase employment opportunities.

Sec. 3. [DEFINITIONS.] Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following terms, for the purposes of this act, shall have the meanings given to them in this section.

Subd. 2. "Department" means the Minnesota department of labor and industry.

Subd. 3. "Commissioner" means the commissioner of labor and industry of Minnesota.

Subd. 4. "Wage" means compensation due to an employee by reason of his employment, payable in legal tender of the United States or check on banks convertible into cash on demand at full face value, subject to such allowances as may be permitted by regulations of the department under section 8.

Subd. 5. "Employ" includes to suffer or permit to work.

Subd. 6. "Employer" includes any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

Subd. 7. "Employee" includes any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) any individual employed as a counselor to work with programs and campers in an organized resident or day camp;

(3) any individual employed in a bona fide executive, administrative, or professional capacity, or in the capacity of outside salesman, as such terms are defined and delimited by regulations of the department;

(4) any individual who renders service gratuitously for a nonprofit organization as such terms are defined by regulations of the department;

(5) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(6) any individual employed by a political subdivision to provide fire protection services or who is employed by an entity whose principal purpose is to provide fire protection services to a political subdivision;

(7) any individual under the age of 18 employed part time by a municipality as part of a recreational program.

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of Minnesota Statutes, Section 353.01, Subdivision 2, Paragraph (2), Clauses (a), (b), (d), and (h);

(9) any driver employed by an employer engaged in the business of operating taxicabs.

Subd. 8. "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

Subd. 9. "Gratuities" means voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered.

Sec. 4. [PAYMENT OF MINIMUM WAGES.] Except as may otherwise be provided in this act, or by regulation issued pursuant thereto, every employer shall pay to each of his employees wages at a rate of not less than \$1.80 an hour.

Sec. 5. [OVERTIME.] Subdivision 1. No employer shall employ any of his employees for a workweek longer than 48 hours, unless such employee receives compensation for his employment in excess of 48 hours in a workweek at a rate of not less than one and one-half times the regular rate at which he is employed; provided, however, that an employer if it is a political subdivision may grant time off at the rate of one and one half hours for each hour worked in excess of 48 hours in any week in lieu of monetary compensation; and, provided, however, that no employer shall be deemed to have violated the overtime pay provisions of this section by employing any employees for a work week in excess of that specified in this section without paying the compensation for overtime employment prescribed herein if such employee is so employed under an agreement meeting the requirement of section 7 (b) (2) of the Fair Labor Standards Act of 1938, as amended.

Subd. 2. No employer engaged in the operation of a hospital shall be deemed to have violated subdivision 1 if pursuant to an agreement or understanding arrived at between the employer and employee before performance of the work, a work period of 14 consecutive days is accepted in lieu of the work week of 7 consecutive days for the purpose of overtime compensation and if for his employment in excess of 8 hours in any work day and in excess of 80 hours in such 14 day period the employee receives compensation at a rate not less than one and one half times the regular rate at which he is employed.

Sec. 6. [DIVISION OF LABOR STANDARDS IS CREATED.] Subdivision 1. A division of labor standards is hereby created in the department of labor and industry under the supervision and control of the commissioner of labor and industry.

Subd. 2. [POWERS AND DUTIES.] The powers, duties, and functions vested in, or imposed upon, the division of women and children of the department of labor and industry by Minnesota Statutes, Chapter 177, and other applicable laws relating to wages, hours, and working conditions, are transferred, vested in, and imposed upon the division of labor standards. In addition, the division of labor standards shall administer the provisions of this act and chapter 184.

Subd. 3. [EMPLOYEES; TRANSFER FROM DIVISION OF WOMEN AND CHILDREN.] All persons employed by the department of labor and industry in the division of women and children shall be transferred to the division of labor standards without loss to the person of any rights acquired by reason of his employment at the time of transfer.

Sec. 7. [POWERS AND DUTIES OF THE COMMISSION.] Subdivision 1. The commissioner or his authorized representative may enter during reasonable office hours or upon request and inspect the place of business or employment of any employer of employees in any occupation in the state, for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such employees; transcribe any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; and question such employees for the purpose of ascertaining whether the provisions of this act and the regulations issued pursuant thereto have been and are being complied with.

Subd. 2. The commissioner or his authorized representative may require from any employer of employees in any occupation in the state full and correct statements in writing, including sworn statements, with respect to wages, hours, name, addresses, and such other information pertaining to his employees and their employment as the commissioner or his authorized representative may deem necessary or appropriate.

Subd. 3. The commissioner or his authorized representative may issue any order requiring any employer to comply with the provisions of this act or with any regulation promulgated under the provisions of section 8. Any order shall be served by the department upon the employer or his authorized representative in person or by certified mail at the employer's place of business. If an employer wishes to contest the order for any reason, he shall file written notice of his objection to the order with the commissioner within 10 days after service of said order upon said employer. Thereafter, a public hearing shall be held in accordance with the provisions of Minnesota Statutes, Sections 15.0418 to 15.0426, and such regulations consistent therewith as the commissioner may make.

Subd. 4. The commissioner may investigate, mediate, and settle wage claims by an employee against an employer if the

failure to pay any such wage may violate Minnesota laws or any order or regulation of the department thereunder.

Subd. 5. The commissioner may commence a civil action in any court of competent jurisdiction for the benefit of any employee for a declaratory judgment with respect to any wage claim which the commissioner deems to be valid, upon a written request being filed with the commissioner by such employee, provided: (1) the failure to pay such wage would constitute a violation of Minnesota laws or any order or regulation of the department thereunder, and (2) the wage claim does not exceed \$300. The employer shall pay all costs and disbursements as may be allowed by the court, and shall further pay an assessment of ten percent of the amount of any awarded wage claim to the treasurer of the state of Minnesota. In any action herein no security for payment of costs shall be required. Nothing herein shall be construed to prevent an employee from prosecuting his own claim for wages.

Subd. 6. Upon the written request of the commissioner, the attorney general of the state of Minnesota shall commence a civil action for declaratory judgment against the employer as provided in subdivision 5.

Sec. 8. [POWER TO MAKE REGULATIONS.] Subdivision 1. The commissioner shall make and revise such regulations, including definitions of terms, as he shall deem appropriate to carry out the purposes of this act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage and overtime rates established by sections 4 and 5.

Subd. 2. The commissioner shall appoint an advisory committee composed of an equal number of not more than three representatives each of employers and employees and of not more than three disinterested persons representing the public, which he shall consult concerning the making and revising of administrative regulations.

Subd. 3. Regulations issued by the department pursuant to this section may include, but are not limited to, regulations defining and governing outside salesmen; bonuses; part time rates; special pay for special or extra work; procedures in contested cases; allowances as part of the wage rates applicable under sections 4 and 5 for board, lodging, and gratuities; other facilities or services furnished by employers and used by employees; and other special items usual in a particular employer-employee relationship.

Subd. 4. In order to prevent curtailment of opportunities for employment, avoid undue hardship, and safeguard the minimum wage rates under sections 4 and 5, the department shall also issue regulations providing for the employment of handicapped workers at wages lower than the wage rates applicable under sections 4 and 5, under permits and for such periods of time as specified therein; and providing for the employment of learners and apprentices at wages lower than the wage rates applicable

under sections 4 and 5, under permits and subject to such limitations on number, proportion, length of learning period, occupations, and other conditions as the department may prescribe.

Subd. 5. Regulations shall be adopted by the department only after a public hearing held upon due publication of notice, at which any interested person may be heard and of which a record shall be made. Regulations shall be published by the department and shall take effect upon publication and filing with the secretary of state and the department of administration. Such regulations shall have the force and effect of law upon filing as provided herein.

Sec. 9. [JUDICIAL REVIEW.] Subdivision 1. Any person who may be aggrieved by any administrative regulation issued pursuant to section 8 may obtain a review thereof in the district court for Ramsey county, by filing in such court a written petition for declaratory judgment praying that the regulation be modified or set aside. A copy of such petition shall be served upon the department. The department's findings of fact, if any, shall be conclusive upon the court if supported by substantial evidence. The court shall determine whether the regulation is in accordance with law.

If the court determines that such regulation is not in accordance with law, it shall remand the case to the department with directions to modify or revoke such regulation. If application is made to the court by any aggrieved party for leave to adduce additional evidence, such party shall show to the satisfaction of the court that such additional evidence is material, and that there were reasonable grounds for the failure to adduce such evidence before the department. If the court finds that such evidence is material and that reasonable grounds exist for the failure of the aggrieved party to adduce such evidence in prior proceedings, the court may remand the case to the department with directions that such additional evidence be taken by the department. The department may modify its findings and conclusions, in whole or in part, by reason of such additional evidence.

Subd. 2. Hearings in the district court on all appeals taken under subdivision 1 shall be privileged and take precedence over all matters, except matters of the same character. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review on appeal to the supreme court.

Subd. 3. The commencement of proceedings under subdivision 1 shall not, unless specifically ordered by the court, operate as a stay of an administrative regulation issued pursuant to section 8. The court shall not grant any stay of an administrative regulation unless the person complaining of such regulation shall file in the court an undertaking with a surety or sureties satisfactory to the court for the payment to the employees affected by the regulation, in the event such regulation is affirmed, of the amount by which the compensation such employees are

entitled to receive under the regulation exceeds the compensation they actually receive while such stay is in effect.

Sec. 10. [KEEPING RECORDS.] Every employer subject to any provision of this act or of any regulation issued pursuant thereto shall make and keep, for a period of not less than three years in or about the premises wherein any employee is employed, a record of the name, address and occupation of each of his employees, the rate of pay, and the amount paid each pay period to each such employee, the hours worked each day and each workweek by such employee, and such other information as the department shall prescribe by regulation as necessary or appropriate for the enforcement of the provisions of this act or of the regulations issued pursuant thereto.

Sec. 11. [POSTING OF LAW AND REGULATIONS.] Every employer subject to any provision of this act shall keep a summary thereof, approved by the department, and copies of any applicable regulations issued pursuant thereto, or a summary of such regulations, posted in a conspicuous and accessible place in or about the premises wherein any person subject thereto is employed. The department shall furnish copies of such summaries and regulations to employers without charge.

Sec. 12. [PENALTIES.] Subdivision 1. Any employer who hinders or delays the department or its authorized representative in the performance of its duties under this act or refuses to admit the commissioner or his authorized representative to any place of employment as required by section 7, subdivision 1; or fails to make, keep, and preserve records as required by section 10; or falsifies any such record; or refuses to make any such record accessible, or to furnish a sworn statement of such record or any other information as required by section 7; or fails to post a summary of this act or a copy of any applicable regulation as required by section 11; or pays or agrees to pay wages at a rate less than the rate applicable under or pursuant to this act; or otherwise violates any provision of this act or of any regulation issued pursuant thereto; is guilty of a misdemeanor.

Subd. 2. Any employer who discharges or in any other manner discriminates against any employee because such employee has complained to his employer, to the department, or to an authorized representative of the department that he has not been paid wages in accordance with this act or regulations issued pursuant thereto or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this act, or because such employee has testified or is about to testify in any such proceeding shall, upon conviction therefor, be fined not less than \$500 nor more than \$1000.

Sec. 13. [EMPLOYEES' REMEDIES.] Any employer who pays any employee less than the wages and overtime compensation to which such employee is entitled under this act and regulations issued pursuant thereto shall be liable to such employee for the full amount of such wages and overtime compensation, less any amount actually paid to such employee by the employer, for

an additional equal amount as liquidated damages, and for costs and such reasonable attorney's fees as may be allowed by the court. Any agreement between such employee and the employer to work for less than the applicable wage rate shall be no defense to such action. Such action may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves.

Sec. 14. [RELATION TO OTHER LAWS.] Any standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions in effect under any other law of this state on the effective date of this act which are more favorable to employees than those applicable hereunder shall not be deemed to be amended, rescinded, or otherwise affected by this act but shall continue in full force and effect until they are specifically superseded by standards more favorable to such employees by operation of or in accordance with this act or regulations issued pursuant thereto.

Sec. 15. [RIGHT OF COLLECTIVE BARGAINING.] Nothing in this act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work more favorable to the employees than those required by this act and regulations issued pursuant thereto.

Sec. 16. Minnesota Statutes 1971, Sections 175.38, 175.39, 177.01, 177.02, 177.03, 177.04, 177.05, 177.06, 177.07, 177.075, 177.08, 177.09, 177.10, 177.11, 177.12, 177.121, 177.122, 177.13, 177.14, 177.15, 177.16, 177.17, 177.19, and 177.20, are repealed.

Sec. 17. [EFFECTIVE DATE.] This act shall become effective January 1, 1974."

Further, amend the title by striking it in its entirety and inserting:

"A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20."

H. F. No. 307 upon which it recommended progress with the following amendment offered by Kahn:

The printed bill, as follows:

Page 1, line 3, after the word "park" insert ", any areas in which two or more single family dwellings are located on private roadways".

Page 1, line 4, strike the word "for" and insert in lieu thereof, "who has filed for election to".

Page 1, line 5, after the word "candidate" insert the words "and workers".

Page 1, line 5, after the word "facility" strike the word "does" and insert in lieu thereof the word "do".

Page 1, line 8, after the word "room" insert ", mobile home".

Page 1, line 9, after the word "room" insert ", mobile home".

Page 1, line 14, strike "In the case of nursing homes,".

Page 1, line 15, after the word "to" insert "reasonable number of persons,".

Page 2, line 3, before the words "of section" strike the words "or threatened violation".

Page 2, line 3, after the words "restrain violations" strike the words "or threatened violations".

Page 2, after line 6, add a new section to read as follows:

"Sec. 4. A violation of the provisions of this act is not a crime."

On the motion of Mr. Anderson, I., the report of the Committee of the Whole was adopted.

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, March 1, 1973. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, March 1, 1973.

EDWARD A. BURDICK, Chief Clerk, House of Representatives