

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1973

TWENTY-NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 29, 1973

The House convened at 2:00 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.	Dahl	Jaros	McFarlin	St. Onge
Adams, S.	DeGroat	Johnson, C.	Menke	Samuelson
Andersen, R.	Dieterich	Johnson, D.	Miller, D.	Sarna
Anderson, D.	Dirlam	Johnson, J.	Miller, M.	Savelkoul
Anderson, G.	Eckstein	Johnson, R.	Moe	Schreiber
Anderson, I.	Eken	Jopp	Mueller	Schulz
Becklin	Enebo	Jude	Munger	Searle
Belisle	Erdahl	Kahn	Myrah	Sherwood
Bell	Erickson	Kelly	Nelson	Sieben, H.
Bennett	Esau	Kempe	Newcome	Sieben, M.
Berg	Faricy	Klaus	Niehaus	Skaar
Berglin	Ferderer	Knickerbocker	Norton	Smith
Biersdorf	Fjoslien	Kvam	Ohnstad	Spanish
Boland	Flakne	Laidig	Ojala	Stanton
Braun	Forsythe	Larson	Parish	Swanson
Brinkman	Fudro	LaVoy	Patton	Tomlinson
Carlson, A.	Fugina	Lemke	Pavlak, R.	Ulland
Carlson, B.	Graba	Lindstrom, E.	Pavlak, R. L.	Vanasek
Carlson, D.	Graw	Lindstrom, J.	Pehler	Vento
Carlson, L.	Growe	Lombardi	Peterson	Voss
Casserly	Hagedorn	Long	Pieper	Weaver
Cleary	Hanson	Mann	Pleasant	Wenzel
Clifford	Haugerud	McArthur	Prahl	Wigley
Connors	Heinitz	McCarron	Resner	Wohlwend
Culhane	Hook	McCauley	Rice	Wolcott
Cummiskey	Jacobs	McEachern	Ryan	Mr. Speaker

A quorum was present.

McMillan, Quirin, Salchert, and Stangeland were excused.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Enebo, 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. 1126, 1312, 1219, 1084, 1268, 864, 102, 188, 346, 611, 629, 941,

1196, 1275, 794, and 295 and S. F. Nos. 6 and 655 have been placed in the members' files.

S. F. No. 349 and H. F. No. 634, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 349, page 4, line 39, contains the word "*Councilmen*" at the beginning of the line, whereas H. F. No. 634, does not have this word.

H. F. No. 634, page 5, lines 11 through 21, read as follows: "*412.022, there shall be a municipal election on November 7, 1974, at which there shall be elected the officers who would be elected at that election under the election schedule previously in effect, but they shall be elected for the terms specified in section 2 of Article II of this act. In former villages holding these elections in even-numbered years under section 2 of Article II of this act, there shall be elected at the 1974 election persons to fill all offices for which the terms of incumbents would expire in January 1975, and such offices shall be filled for terms expiring in accordance with section 2 of Article II of this act. If, at*", whereas, S. F. No. 349, page 5, lines 12 through 16 read: "*412.022, there shall be a municipal election on November 5, 1974, at which there shall be elected the officers who would be elected at that election under the election schedule previously in effect, but they shall be elected for the terms specified in section 2 of Article II of this act. If,*".

S. F. No. 349, page 8, line 17, reads: "[205.041] [APPLICATION.] Sections 205.05 to 205.09", whereas, H. F. No. 634, page 8, line 22, reads: "[205.041] [APPLICATION.] Sections 205.05 and 205.06".

S. F. No. 349, page 25, lines 10 and 11, read in part: "*Subdivision 1. Except as provided in subdivision 2 of this section,*", whereas, H. F. No. 634 does not contain this language.

S. F. No. 349, page 25, lines 16 through 18 read:

"*Subd. 2. The provisions of Minnesota Statutes, Section 415.11 shall apply to any statutory city which was a village on December 31, 1973.*", whereas, H. F. No. 634 does not contain this subdivision.

H. F. No. 634, page 26, line 9, contains the language: "*Jordan, Special Laws 1891, Chapter 4;*" whereas, S. F. No. 349 does not contain this language.

S. F. No. 349, page 26, line 11, contains the language "*Shakopee, Special Laws 1875, Chapter 6;*" whereas, H. F. No. 634 does not contain this language.

S. F. No. 349, page 27, lines 9 through 16, read:

"Sec. 5. [REPEALS.] Subdivision 1. [SPECIFIC REPEALS.] General Statutes 1894, Sections 1045 to 1195; Laws of 1895, Chapter 8; Special Laws of 1868, Chapter 36; Special Laws 1891, Chapter 2; Special Laws 1891, Chapter 3; Special Laws 1891, Chapter 5; Special Laws 1891, Chapter 45; Special Laws 1891, Chapter 46; Special Laws 1875, Chapter 6: Special

Laws 1879, Chapter 57; Special Laws 1875, Chapter 6; and Minnesota Statutes 1971, Chapter 411, are repealed.", whereas, H. F. No. 634, page 27, lines 9 through 16 read:

"Sec. 5. [REPEALS.] *Subdivision 1. [SPECIFIC REPEALS.] General Statutes 1894, Sections 1045 to 1195; Laws of 1895, Chapter 8; Special Laws of 1868, Chapter 36; Special Laws 1891, Chapter 2; Special Laws 1891, Chapter 3; Special Laws 1891, Chapter 4; Special Laws 1891, Chapter 5; Special Laws 1891, Chapter 45; Special Laws 1891, Chapter 46; Special Laws 1875, Chapter 6; Special Laws 1879, Chapter 57; and Minnesota Statutes 1971, Chapter 411, are repealed.*"

In the title of H. F. No. 634, page 1, lines 21 through 23, read: "Laws 1891, Chapters 2, 3, 4, 5, 45 and 46; Special Laws 1879, Chapter 57; and Minnesota Statutes 1971, Chapter 411.", whereas, in the title of S. F. No. 349, page 1, lines 21 through 24 read: "Laws 1875, Chapter 6; Special Laws 1891, Chapters 2, 3, 5, 45 and 46; Special Laws 1879, Chapter 57; and Minnesota Statutes 1971, Chapter 411."

SUSPENSION OF RULES

Eckstein moved that the rules be so far suspended that S. F. No. 349 be substituted for H. F. No. 634 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 6 and H. F. No. 711, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 711, Section 2, reads as follows:

"Sec. 2. Minnesota Statutes 1971, Chapter 514, is amended by adding a section to read:

[514.011] [NOTICE.] *Subdivision 1. [CONTRACTORS.] Every person who enters into a contract with the owner for the improvement of real property and who has contracted or will contract with any subcontractors or materialmen to provide labor, skill or materials for the improvement shall give the owner the notice required in this subdivision. The notice shall be delivered personally or by certified mail to the owner or his authorized agent within ten days after the contract for the work of improvement is agreed upon. The notice shall be in at least 10-point bold type, if printed, or in capital letters, if typewritten and shall state as follows:*

(a) *Persons or companies furnishing labor or materials for the improvement of real property may enforce a lien upon the improved land if they are not paid for their contributions, even if such parties have no direct contractual relationship with the owner;*

(b) *Minnesota law permits the owner to withhold from his contractor so much of the contract price as may be necessary to meet the demands of all other lien claimants, pay directly such liens and deduct the cost thereof from the contract price, or withhold amounts from his contractor until the expiration of 90 days*

from the completion of such improvement unless the contractor furnishes to the owner waivers of claims for mechanics' liens signed by persons who furnished any labor or material for the improvement and who provided the owner with timely notice.

A person who fails to provide the notice shall not have the lien and remedy provided by this chapter.

The notice required by this subdivision is not required of any person who is himself an owner of the improved real estate, to any corporate contractor of which the owner of the improved real estate is an officer or controlling shareholder, to any contractor who is an officer or controlling shareholder of a corporation which is the owner of the improved real estate, or to any corporate contractor managed or controlled by substantially the same persons who manage or control a corporation which is the owner of the improved real estate.

Subd. 2. [SUBCONTRACTOR TO GIVE NOTICE.] Every person who contributes to the improvement of real property so as to be entitled to a lien pursuant to section 514.01 except a party under direct contract with the owner must, as a necessary prerequisite to the validity of any claim or lien, cause to be given to the owner or his authorized agent, either by personal delivery or by certified mail, not later than 20 days after the lien claimant has first furnished labor, skill or materials for the improvement, a written notice in at least 10-point bold type, if printed, or in capital letters, if typewritten, which shall state:

"NOTICE OF OWNER

TO: (name and address of owner)

We are authorized by law to provide you with this NOTICE. Your failure to read it carefully could result in unnecessary expense to you or in the loss of your _____ at
(type of property)

(address of property)

We, _____, have been hired by
(name and address)
(of subcontractor)

your CONTRACTOR, _____ to provide
(name of contractor)

(type of service) (or material) *for use in improving your*
property. We estimate our charges will be _____.
(value of service)
(or material)

If we are not paid by your CONTRACTOR, we can file a claim against your property for the price of our services unless you have ALREADY paid your CONTRACTOR in full. ENFORCEMENT OF OUR CLAIM COULD MEAN THE LOSS OF YOUR PROPERTY IF YOU ARE UNABLE TO PAY US FOR OUR SERVICES.

To protect yourself, Minnesota law allows you to either:

1. Withhold payment to your CONTRACTOR for up to 90 days from the completion of the improvement or until he provides you with a waiver of claim from us which states that we will not file a claim against your property; or

2. Pay us directly and deduct the amount paid from the amount you owe your CONTRACTOR."

Subd. 3. [MATERIALMEN: MAY REQUEST INFORMATION; OWNER DEFINED.] A contractor who contracts with any subcontractors or materialmen to provide labor, skill or materials for the improvement shall upon request provide the subcontractor or materialman with the name and address of the owner. For purposes of this section "owner" means the owner of any legal or equitable interest in real property who enters into a contract for the improvement of such real property.

Subd. 4. [EXCEPTIONS TO NOTICE REQUIREMENT.] The notice required under this section shall not be required to be given where the contractor is managed or controlled by substantially the same persons who manage or control the owner of the improved real estate or in connection with an improvement to real property consisting of or providing (i) more than four family units and the improvement is wholly residential in character, or (ii) more than 10,000 total usable square feet of floor space and the improvement is partly or wholly nonresidential in character.", whereas, S. F. No. 6, Section 2, reads:

"Sec. 2. Minnesota Statutes 1971, Chapter 514, is amended by adding a section to read:

[514.011] [NOTICE.] Subdivision 1. [SUBCONTRACTORS AND MATERIALMEN.] Every person who contributes to the improvement of real property so as to be entitled to a lien pursuant to section 514.01 except a party under direct contract with the owner must, as a necessary prerequisite to the validity of any claim or lien, cause to be given to the owner or his authorized agent, either by personal delivery or by certified mail, not later than 20 days after the lien claimant has first furnished labor, skill or materials for the improvement, a written notice in at least 10-point bold type, if printed, or in capital letters, if typewritten, which shall state:

"NOTICE OF OWNER

TO: (name and address of owner)

We are authorized by law to provide you with this NOTICE. Your failure to read it carefully could result in unnecessary expense to you or in the loss of your _____ at
(type of property)

(address of property)

We, _____, have been hired by
(name and address)
(of subcontractor)

your CONTRACTOR, _____ to provide
(name of contractor)
_____ for use in improving your
(type of service) (or material)
property. We estimate our charges will be _____.
(value of service)
(or material)

If we are not paid by your CONTRACTOR, we can file a claim against your property for the price of our services unless you have ALREADY paid your CONTRACTOR in full. ENFORCEMENT OF OUR CLAIM COULD MEAN THE LOSS OF YOUR PROPERTY IF YOU ARE UNABLE TO PAY US FOR OUR SERVICES.

To protect yourself, Minnesota law allows you to either:

1. Withhold payment to your CONTRACTOR for up to 90 days from the completion of the improvement or until he provides you with a waiver of claim from us which states that we will not file a claim against your property; or
2. Pay us directly and deduct the amount paid from the amount you owe your CONTRACTOR."

Subd. 2. [MATERIALMEN: MAY REQUEST INFORMATION; OWNER DEFINED.] A contractor who contracts with any subcontractors or materialmen to provide labor, skill or materials for the improvement shall upon request provide the subcontractor or materialman with the name and address of the owner. For purposes of this section "owner" means the owner of any legal or equitable interest in real property who enters into a contract for the improvement of such real property.

Subd. 3. [EXCEPTIONS TO NOTICE REQUIREMENT.] The notice required under this section shall not be required to be given where the contractor is managed or controlled by substantially the same persons who manage or control the owner of the improved real estate or in connection with an improvement to real property consisting of or providing (i) more than four family units and the improvement is wholly residential in character, or (ii) more than 10,000 total usable square feet of floor space and the improvement is partly or wholly nonresidential in character."

H. F. No. 711, page 6, lines 21 through 27 read:

"(d) The total sum of all liens, whether the contribution is made under a contract with the owner or otherwise, shall not exceed the total of said contract price plus the contract price or reasonable value of any additional contract or contracts between the owner and the contractor or additional work ordered by the owner, less the total of the following:"; whereas, S. F. No. 6, page 5, lines 11 through 16, read:

"(d) The total sum of all liens, whether the contribution is made under a contract with the owner or otherwise, shall not exceed the total of said contract price plus the contract price of any

additional contract or contracts between the owner and the contractor, less the total of the following:".

H. F. No. 711, page 7, line 2; page 7, line 10; page 8, line 25; and page 10, line 17, makes reference to subdivision 2; whereas, S. F. No. 6, page 5, line 19; page 5, line 27; page 7, line 14; and page 9, line 6, makes reference to subdivision 1.

In the title, H. F. No. 711, on page 1, line 5, contains the language "prescribing penalties". S. F. No. 6 does not contain this language.

SUSPENSION OF RULES

Moe moved that the rules be so far suspended that S. F. No. 6 be substituted for H. F. No. 711 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 655 and H. F. No. 920, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Graba moved that S. F. No. 655 be substituted for H. F. No. 920 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following message was received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Martin O. Sabo
Speaker of the House of Representatives
The Honorable Alec G. Olson
President of the Senate

Sirs:

I have the honor to inform you that the following enrolled Acts of the 1973 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
	65	45	March 27	March 27

Sincerely,

ARLEN ERDAHL
Secretary of State

REPORTS OF STANDING COMMITTEES

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 78, A bill for an act relating to the city of Hastings; authorizing payment of lump sum retirement benefits to firemen.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 217, A bill for an act relating to the Village of Roseville; firemen's relief association service pensions; amending Laws 1965, Chapter 598, Section 1, Subdivision 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 263, A bill for an act relating to the fire department relief association and firemen's service pensions in the city of Brainerd.

Reported the same back with the following amendments:

Page 1, line 8, after "Section 69.06" and before the comma, insert "or any other law".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 356, A bill for an act relating to teachers retirement; amending Minnesota Statutes 1971, Sections 136.82, Subdivision 2; 354.05, Subdivision 26; 354.07, Subdivision 5; 354.09, Subdivision 3; 354.145, Subdivisions 1 and 2; 354.34, Subdivision 2; 354.38; 354.42, Subdivision 2; 354.44, Subdivision 4; 354.49, Subdivision 5; 354.53; 354.55, by adding a subdivision; and 354.62, Subdivisions 3, 4 and 5.

Reported the same back with the following amendments:

Page 1, line 20, after "(1)" and before "or" insert the words "*notwithstanding the age 65 requirement*".

Page 8, line 5, after "at" strike "three and one half percent interest" and insert in lieu thereof "*the rate of interest currently being used in determining the amount of optional annuities*".

Page 8, line 9, after "at" strike "three and one half percent interest" and insert in lieu thereof "*the rate of interest currently being used in determining the amount of optional annuities*".

Page 14, delete lines 9, 10, 11 and 12 and insert in lieu thereof "*accumulations after June 30, 1957 under the provisions of section 354.44, subdivision 2 and all accumulations under the provisions of section 354.33, subdivision 1 shall be calculated using the same mortality table and interest assumption used to transfer the required reserves to the Minnesota adjustable fixed benefit fund.*".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 362, A bill for an act relating to the village of St. Michael; validating state aid payments to the firemen's relief association and service of members thereof.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 425, A bill for an act relating to retirement; firemen's service pensions in the village of Mendota Heights.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 535, A bill for an act relating to the firemen's relief association in the city of Coon Rapids; providing for a tax levy.

Reported the same back with the following amendments:

Page 5, line 20, strike "statute" and insert in lieu thereof "Minnesota Statutes, Section 69.773".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 610, A bill for an act relating to the village of Mound; fire department relief association and firemen's service pensions.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

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.

Reported the same back with the following amendments:

Page 27, after line 22, add a new section 21 to read:

"Sec. 21. Notwithstanding other provisions of Chapter 352B as amended, effective July 1, 1973 the administrative duties of the highway patrolmen's fund shall be transferred and become the responsibility of the executive director and staff of the Minnesota state retirement system. The officers of the association shall furnish said executive director with all records necessary for the discharge of his assumed administrative duties. The officers of the association shall retain the same duties, powers, and authority concerning the administration of the highway patrolmen's fund as the board of directors of the Minnesota state retirement system have over that fund. The highway patrolmen's fund shall pay to the Minnesota state retirement system 2/10 of 1 percent of the payroll of its membership to defray costs of administration. The rate of pay for administration expense may subsequently be increased or decreased from time to time by agreement between the officers of the highway patrolmen's association and the board of directors of the Minnesota state retirement system."

Renumber sections accordingly.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 895, A bill for an act relating to the city of Wayzata; volunteer firemen's service pensions.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 958, A bill for an act relating to the city of Thief River Falls; payment of firemen's service pensions.

Reported the same back with the recommendation that the bill be returned to its author.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 964, A bill for an act relating to the city of Thief River Falls; payment of firemen's service pensions.

Reported the same back with the following amendments:

Page 1, line 11, after the word "service" strike "," and insert in lieu thereof ".".

Page 1, line 11, strike the words "payable upon".

Page 1, strike lines 12 and 13.

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1130, A bill for an act relating to the city of Owatonna; firemen's relief benefits; amending Laws 1971, Chapter 200, Sections 1 and 2.

Reported the same back with the following amendments:

Page 1, line 13, strike "\$800" and insert in lieu thereof "\$600".

Page 1, line 15, strike "\$800" and insert in lieu thereof "\$600".

Page 1, line 16, strike "\$32,000" and insert in lieu thereof "\$24,000".

With the recommendation that when so amended the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1137, A bill for an act relating to the city of New Ulm; volunteer firemen's pensions.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 1218, A bill for an act relating to retirement; establishing a retirement program for officials and employees of the city of Minneapolis as a continuation of the program contained in Minnesota Statutes, Chapter 422, repealing Minnesota Statutes 1971, Chapter 422.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1200, A bill for an act relating to workmen's compensation; creating a division of workmen's compensation within the department of labor and industry; providing powers and responsibilities to such commission; making the commissioner of the department of labor and industry the head and administrator of such division; providing powers and responsibilities to such commissioner; amending Minnesota Statutes 1971, Sections 79.28; 121.33, Subdivision 2; 175.006, Subdivisions 1 and 4; 175.10; 175.11, Subdivision 1; 175.16; 175.17; 175.36; Chapter 175, by adding sections; 176.011, Subdivision 6; 176.021, Subdivisions 3 and 5; 176.061, Subdivision 9; 176.081; 176.091; 176.101, Subdivisions 3, 6 and 8; 176.111, Subdivisions 5, 10, 11, 17 and 18; 176.131, Subdivisions 3, 4, 5, 6, 9, 10, 11 and 12; 176.132, Subdivision 4; 176.135, Subdivisions 1, 2, 3 and 4; 176.151; 176.155, Subdivisions 2, 3, 4 and 5; 176.161, Subdivisions 1 and 2; 176.165; 176.171; 176.181, Subdivisions 2 and 3; 176.183, Subdivision 2; 176.185, Subdivisions 1, 6 and 7; 176.191; 176.195, Subdivisions 2 and 5; 176.215, Subdivision 3; 176.221, Subdivisions 1, 2, 5 and 6; 176.225, Subdivisions 1, 2 and 3; 176.231, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10; 176.235; 176.241, Subdivisions 1, 2, 3 and 4; 176.245; 176.251; 176.261; 176.265; 176.271; 176.275; 176.281; 176.285; 176.291; 176.295, Subdivisions 1, 2 and 4; 176.301, Subdivision 1; 176.305, Subdivisions 1, 2 and 3; 176.311; 176.321, Subdivision 3; 176.331; 176.341, Subdivisions 1, 2 and 3; 176.351, Subdivisions 1, 2, 3 and 4; 176.361; 176.381, Subdivisions 1 and 2; 176.391, Subdivisions 1, 2, 3 and 4; 176.421, Subdivisions 4, 5 and 7; 176.431, Subdivision 1; 176.441, Subdivisions 1 and 2; 176.461; 176.471, Subdivisions 3, 5, 6 and 8; 176.491; 176.511, Subdivision 2; 176.521, Subdivisions 1 and 2; 176.531, Subdivision 1; 176.541, Subdivisions 2, 3, 4 and 6; 176.561; 176.571, Subdivisions 1, 2, 3, 4, 5, 6 and 7; 176.581,

Subdivisions 1, 2 and 3; 176.591, Subdivision 3; 176.601; 176.611, Subdivisions 2, 3 and 4; 176.621, Subdivisions 1, 4 and 5; 176.631, Subdivision 1; 176.66, Subdivisions 5 and 7; 176.661; 176.662; 176.663; 176.664; 176.665; 176.666; 176.667; 176.668; 176.669, Subdivisions 1 and 2; Chapter 176, by adding a section; 251.042; 251.043, Subdivision 1; 251.052; 251.053; 352A.01, Subdivision 8; repealing Minnesota Statutes 1971, Sections 175.12 and 175.13.

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

The report was adopted.

Mr. Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

S. F. No. 553, A bill for an act relating to state government operations; repealing the rural credit law and disposing of rural credit records; amending Minnesota Statutes 1971, Section 9.071; and Chapter 46, by adding a section; repealing Minnesota Statutes 1971, Chapter 41.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 685, A bill for an act relating to investments; legal investments for certain financial institutions; amending Minnesota Statutes 1971, Sections 48.67; and 50.14, Subdivision 8.

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

The report was adopted.

Mr. Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1044, A bill for an act relating to insurance; making the unfair processing of the claim or complaint of a natural person an unfair trade practice; providing a penalty for violation; amending Minnesota Statutes 1971, Sections 72A.20, Subdivision 1; and 72A.28.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1045, A bill for an act relating to automobile insurance; cancellation; right to complain; amending Minnesota Statutes 1971, Sections 65B.19, and 65B.21.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1123, A bill for an act relating to insurance; non-resident insurance agents; requiring a license to do business; amending Minnesota Statutes 1971, Section 60A.17, Subdivision 3.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

Mr. Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 474, A bill for an act to establish a foster grandparents program; appropriating funds therefor.

Reported the same back with the following amendments:

Page 1 strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1971, Section 256.976, Subdivision 1, is amended to read:

256.976 [FOSTER GRANDPARENTS PROGRAM.] Subdivision 1. There is established a (PILOT) foster grandparents program which will engage the services of low income persons aged 60 or over to provide supportive person to person assistance in health, education, welfare, and related fields to (YOUNG PEOPLE) *persons* receiving care in resident group homes for dependent and neglected persons, (PRESCHOOL) day care centers or other public or private nonprofit institutions or agencies providing care for neglected and disadvantaged (CHILDREN) *persons* who lack close personal relationships.

Sec. 2. Minnesota Statutes 1971, Section 256.976, Subdivision 3, is amended to read:

Subd. 3. The governor's citizen council on aging, hereinafter called the council, may make grants-in-aid for the employment of foster grandparents to qualified resident group homes for dependent and neglected persons, (PRESCHOOL) day care centers and other public or nonprofit private institutions and agencies providing care for neglected and disadvantaged (YOUNG) *persons* who lack close personal relationships. Agencies and institutions seeking aid shall apply on a form prescribed by the council. Priority shall be given to agencies and institutions providing care for retarded children. Grants shall not be made to local public or nonprofit agencies until 40 percent of the recognized need for foster grandparents within state institutions has been met. Grants shall be for a period of 12 months or less, and grants to

local public and nonprofit agencies or institutions shall be based on 90 percent state, and 10 percent local sharing of program expenditures authorized by the council. Grants shall not be used to match other state (OR FEDERAL) funds nor shall any person paid from grant funds be used to replace any staff member of the grantee. *Grants may be used to match federal funds.* Each grantee shall file a semiannual report with the council at the time and containing such information as the council shall prescribe.

Sec. 3. [APPROPRIATION.] *The sum of \$ is appropriated for the purposes of this act from the general fund to the governor's council on aging for the biennium beginning July 1, 1973, and ending June 30, 1975. Five percent of the said appropriated amount may be retained by the council as a fee for its administrative services and expenses, pursuant to Laws 1971, Chapter 938, and this act for the aforementioned biennium.*

Further amend the title on page 1, line 3 after "therefor" by striking the "." and inserting "; amending Minnesota Statutes 1971, Section 256.976, Subdivisions 1 and 3."

With the recommendation that when so amended the bill do pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Mr. Pavlak, R., from the Committee on Taxes to which was referred:

H. F. No. 568, A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32(a); providing that changes from gross earnings taxation of railroads may be made without referendum.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Mr. Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1031, A bill for an act relating to education; vocational rehabilitation work activity centers; amending Minnesota Statutes 1971, Sections 121.71; 121.711; 121.712; 121.713; and 121.714.

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

The report was adopted.

Mr. Johnson, C., from the Committee on Education to which was referred:

H. F. No. 1195, A bill for an act relating to independent school district No. 447 in Roseau, Marshall and Beltrami counties; providing certain statutory exemptions.

Reported the same back with the following amendments:

Page 1, after line 11, add a new section to read:

"Sec. 2. The status of the school district named in section 1 as an independent school district created and operating pursuant to the provisions of Minnesota Statutes, Chapters 123 and 124 and all other applicable laws and the power of such district to hereafter issue its general obligation bonds in the amount authorized by special election on December 9, 1969, are hereby ratified and affirmed."

Renumber the remaining section in sequence.

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

The report was adopted.

Mr. Johnson, C., from the Committee on Education to which was referred:

S. F. No. 829, A bill for an act relating to education; authorizing payment of certain surplus school funds in county treasuries to certain school districts; amending Minnesota Statutes 1971, Chapter 124, by adding a section.

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. 632, A bill for an act relating to intoxicating liquor; authorizing the issuance of additional on-sale licenses in the county of Cook.

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. 633, A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

Reported the same back with the following amendments:

Page 2, after line 6, add the following:

"Sec. 3. [EFFECTIVE DATE.] *This act shall be effective upon final enactment.*"

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

The report was adopted.

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

H. F. No. 1070, A bill for an act relating to Goodhue county; authorizing use of county funds for county extension committee.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

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

H. F. No. 1072, A bill for an act relating to the county of Polk; authorizing appropriations for incidental expenses; amending Laws 1969, Chapter 628, Section 1.

Reported the same back with the recommendation that the bill do pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 78, 217, 263, 356, 362, 425, 535, 610, 821, 895, 964, 1130, 1137, 1218, 1200, 685, 1044, 1045, 1123, 1031, 1195, 632, 633, 1070, and 1072 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 349, 6, 655, 553, and 829 were read for the second time.

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

During the recess the Honorable Richard F. Kneip, Governor from the State of South Dakota, addressed the members.

RECONVENED

The House reconvened and was called to order by the Speaker.

INTRODUCTION OF BILLS

Hanson, Faricy, LaVoy, Quirin, and Eken introduced:

H. F. No. 1600, A bill for an act relating to water resources; providing for the regulation of shoreland use and development in municipalities; prescribing the powers and duties of municipalities and state agencies in relation thereto; amending Minnesota Statutes 1971, Sections 105.485, Subdivisions 2 and 3, and by adding a subdivision; and 462.357, Subdivision 1.

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

Norton introduced:

H. F. No. 1601, A bill for an act relating to the operation of state government for the fiscal year ending June 30, 1973; appropriating money therefor.

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

Spanish, Fugina, Prahl, Ojala, and Johnson, D., introduced:

H. F. No. 1602, A bill for an act relating to the claim of James William Farnham; arising from negligence by Hibbing junior college; appropriating money for the payment thereof.

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

Larson, by request, introduced:

H. F. No. 1603, A bill for an act relating to the claim of John S. Thoreson; arising from improper treatment at Fergus Falls state hospital; appropriating money for the payment thereof.

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

Laidig introduced:

H. F. No. 1604, A bill for an act relating to the claim of Robert B. Loveland; arising from misappropriation by personnel of the department of corrections; appropriating money for the payment thereof.

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

McFarlin and Hook introduced:

H. F. No. 1605, A bill for an act relating to the city of St. Louis Park; authorizing the city council to establish special assessment districts.

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

Rice, Sarna, Flakne, Wolcott, and Adams, J., introduced:

H. F. No. 1606, A bill for an act relating to the term of office of the comptroller and of the treasurer of the city of Minneapolis.

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

Miller, D.; Patton; Esau; St. Onge; and Brinkman introduced:

H. F. No. 1607, A bill for an act relating to architects, engineers and surveyors; exempting certain contractors from certain state registration requirements; amending Minnesota Statutes 1971, Section 326.02, Subdivision 5, and by adding a subdivision.

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

Ulland; Carlson, A.; McMillan; and Nelson introduced:

H. F. No. 1608, A bill for an act relating to corrections; regulating communication between prisoners and the news media.

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

Graba; Johnson, C.; Adams, S.; Sabo; and Anderson, I., introduced:

H. F. No. 1609, A bill for an act relating to taxation; school aids and levy limitations; amending Minnesota Statutes 1971, Sections 124.04; 124.212; and 275.125.

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

Savelkoul and Haugerud introduced:

H. F. No. 1610, A bill for an act relating to education; school districts; requiring certain payments of interest by county auditors.

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

Cummiskey; Casserly; Kahn; Anderson, I.; and Vanasek introduced:

H. F. No. 1611, A bill for an act relating to trade regulation; prohibiting the sale of nonreturnable beverage bottles; providing for the regulation and reclamation of cans; providing a penalty.

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

Munger; Boland; Carlson, D.; Anderson, I.; and Ulland introduced:

H. F. No. 1612, A bill for an act relating to the establishment of a riding and hiking trail from the Twin Cities metropolitan area to Jay Cooke state park in Carlton county; providing authority for acquisition of interests in land and development, maintenance and operation of the trail.

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

Ojala, Fudro, Pehler, Wolcott, and Connors introduced:

H. F. No. 1613, A bill for an act relating to snowmobiles; regulations; warning devices; providing a penalty.

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

Braun, Skaar, Dahl, Jacobs, and Anderson, I., introduced:

H. F. No. 1614, A bill for an act relating to natural resources; authorizing sale of certain lands in Roseau county; amending Minnesota Statutes 1971, Section 282.151.

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

DeGroat, Smith, Samuelson, Skaar, and Eken introduced:

H. F. No. 1615, A bill for an act relating to snowmobiles; postponing the effective date of any rules and regulations relating to noise emissions of snowmobiles.

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

Growe; Savelkoul; Sieben, H.; Andersen, R.; and Sherwood introduced:

H. F. No. 1616, A bill for an act relating to flood plain management; amending Minnesota Statutes 1971, Sections 104.01, by adding a subdivision; 104.03, by adding a subdivision; 104.04, Subdivision 3, and by adding subdivisions; and Chapter 104, by adding a section.

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

Brinkman, Graw, Prahl, Dieterich, and Jacobs introduced:

H. F. No. 1617, A bill for an act relating to insurance; cancellation of automobile insurance policies; setting requirements for cancellation of collision and comprehensive coverages; amending Minnesota Statutes 1971, Sections 65B.14, and 65B.17.

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

Swanson, Berglin, McArthur, Forsythe, and Brinkman introduced:

H. F. No. 1618, A bill for an act relating to insurance; regulating the terms of certain insurance contracts; amending Minnesota Statutes 1971, Sections 62A.041; and 62C.14, by adding a section; repealing Minnesota Statutes 1971, Section 309.176; and Laws 1971, Chapter 680, Section 2.

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

Sieben, M.; Wenzel; Vento; and Laidig introduced:

H. F. No. 1619, A bill for an act relating to insurance; requiring the commissioner of insurance to compile certain data.

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

McFarlin, Brinkman, Norton, Vento, and Graw introduced:

H. F. No. 1620, A bill for an act relating to common trust funds; permitting participation therein by affiliated banks and trust companies; amending Minnesota Statutes 1971, Section 290.281, Subdivision 1.

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

Johnson, D.; and Vanasek introduced:

H. F. No. 1621, A bill for an act proposing an amendment to the Minnesota Constitution; Article IV, Sections 1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 29; Article V, Section 4; Article IX, Section 6, Subdivision 2; Article XIV, Sections 1 and 2; and repealing Article IV, Sections 6 and 10; providing for a unicameral legislature.

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

Berglin; Kahn; Nelson; Adams, J.; and Growe introduced:

H. F. No. 1622, A bill for an act relating to elections; defining "county auditor" for the purpose of the election laws; amending Minnesota Statutes 1971, Section 200.02, by adding a subdivision.

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

Becklin, Fjoslien, Niehaus, DeGroat, and Laidig introduced:

H. F. No. 1623, A bill for an act relating to holidays; dates for celebration thereof; amending Minnesota Statutes 1971, Section 645.44, Subdivision 5.

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

Fudro, Sarna, Dahl, Pleasant, and Cleary introduced:

H. F. No. 1624, A bill for an act relating to voting machines; substituting secretary of state for the attorney general on the Minnesota voting machine commission; amending Minnesota Statutes 1971, Section 206.08.

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

Sieben, H.; Enebo; Sarna; Ferderer; and Sherwood introduced:

H. F. No. 1625, A bill for an act relating to workmen's compensation, suicide; amending Minnesota Statutes 1971, Section 176.021, Subdivision 1.

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

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

H. F. No. 1626, A bill for an act relating to retirement; the Minnesota unclassified employees retirement program; amending Minnesota Statutes 1971, Chapter 352D, by adding sections; Sections 352D.01, 352D.02, 352D.03, 352D.04, 352D.05, 352D.06, and 352D.09; repealing Minnesota Statutes 1971, Sections 352D.07, and 352D.08.

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

Growe; Anderson, I.; Johnson, R.; Ferderer; and Quirin introduced:

H. F. No. 1627, A bill for an act relating to state agencies; providing for payment of child care costs by the state for certain members of state boards and commissions.

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

Prahl; Ojala; Faricy; Anderson, I.; and Fugina introduced:

H. F. No. 1628, A resolution memorializing the President and Congress to continue the Emergency Employment Act program.

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

Pavlak, R. L.; Sieben, M.; McCauley; Laidig; and Anderson, I., introduced:

H. F. No. 1629, A bill for an act relating to the Minnesota-Wisconsin boundary compact commission; compensation and reimbursement for Minnesota members; amending Minnesota Statutes 1971, Section 1.36.

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

Carlson, A.; Swanson; Kahn; Cleary; and Adams, J., introduced:

H. F. No. 1630, A bill for an act relating to Hennepin county; retirement of county employees; amending Laws 1965, Chapter 855, Section 15, Subdivision 1.

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

Prahl; Anderson, I.; Faricy; Fugina; and Ojala introduced:

H. F. No. 1631, A resolution memorializing the President and Congress to re-introduce legislation or take steps to have the federal government release money already appropriated for the continuation of the Community Action Agency program.

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

Ulland, Cleary, and Pleasant introduced:

H. F. No. 1632, A bill for an act relating to health; regulating sale and other transfer of turtles; providing a penalty.

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

Grove; Kahn; Johnson, R.; Fugina; and McCauley introduced:

H. F. No. 1633, A bill for an act relating to post-secondary education; appropriating money to support innovative activities for improving post-secondary education.

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

Dieterich; Berg; Lindstrom, J.; Savelkoul; and Carlson, L., introduced:

H. F. No. 1634, A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and 4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

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

Fugina; Anderson, I.; Johnson, D.; and Ojala introduced:

H. F. No. 1635, A bill for an act relating to Bois Forte Indian Reservation at Nett Lake; providing for the retrocession to the United States of America of all criminal jurisdiction in that area of Indian country.

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

Sieben, H.; Bell; Parish; McCauley; and Vento introduced:

H. F. No. 1636, A bill for an act relating to certain actions to recover damages arising out of defective improvements to real property; limitation on time for such actions; amending Minnesota Statutes 1971, Section 541.051, Subdivisions 1 and 2.

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

Kempe; Pieper; Sieben, H.; Pavlak, R.; and Jacobs introduced:

H. F. No. 1637, A bill for an act relating to courts; providing for payment of part of fines collected for misdemeanors or petty misdemeanors under state laws to prosecuting municipality; amending Minnesota Statutes 1971, Section 487.33, Subdivision 5.

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

Quirin introduced:

H. F. No. 1638, A bill for an act relating to labor relations; charitable hospitals; amending Minnesota Statutes 1971, Section 179.35, Subdivision 2.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Heinitz introduced:

H. F. No. 1639, A bill for an act authorizing the village of Plymouth to refund temporary improvement bonds issued in the years 1969 to 1973; amending Laws 1971, Chapter 557, Section 1.

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

Wigley, Peterson, Lemke, Kempe, and Eken introduced:

H. F. No. 1640, A bill for an act relating to counties; authorizing county boards to annually appropriate money as a contingent fund for use by the chairman of the board for incidental costs and expenses.

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

Knickerbocker, Rice, Swanson, Parish, and Schreiber introduced:

H. F. No. 1641, A bill for an act relating to Hennepin county; soil and water conservation; expenditures from general revenue fund.

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

Larson, Graba, DeGroat, and Fjoslien introduced:

H. F. No. 1642, A bill for an act relating to Otter Tail county; authorizing a levy for county extension work.

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

Dieterich, Norton, Berg, Jacobs, and Berglin introduced:

H. F. No. 1643, A bill for an act relating to taxation; assessment of low income real property; amending Minnesota Statutes 1971, Section 273.13, Subdivisions 17 and 17b.

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

Johnson, D.; Mann; Vanasek; Jacobs; and Voss introduced:

H. F. No. 1644, A bill for an act relating to taxation of or measured by net income; providing for the deduction of certain transportation expenses; amending Minnesota Statutes 1971, Section 290.09, by adding a subdivision.

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

Berglin, Pehler, Sarna, Weaver, and Pavlak, R., introduced:

H. F. No. 1645, A bill for an act relating to taxation; securities; imposing a tax on transfers of securities; appropriating money; providing penalties.

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

LaVoy; Jaros; Carlson, B.; Ulland; and Munger introduced:

H. F. No. 1646, A bill for an act relating to taxation; defining tax relief area for purposes of taconite and iron ore homestead tax relief; amending Minnesota Statutes 1971, Section 273.134.

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

Haugerud; Mann; Anderson, D.; Andersen, R.; and Johnson, D., introduced:

H. F. No. 1647, A bill for an act relating to highway traffic regulations; accident reports; amending Minnesota Statutes 1971, Section 169.09, Subdivision 7.

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

Voss; Bennett; Skaar; Sieben, H.; and Carlson, B., introduced:

H. F. No. 1648, A bill for an act relating to motor vehicles; licensing and taxation thereof; providing penalties; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 16 and 17; 168.013, Subdivisions 1, 3, 12, and 15; 168.12, Subdivision 1; and 168.29; repealing Minnesota Statutes 1971, Sections 168.011, Subdivision 24; 168.013, Subdivisions 1a, 10, and 13; 168.015; and 168.165.

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

MOTIONS AND RESOLUTIONS

Kempe moved that the name of Lemke be added as an author on H. F. No. 720. The motion prevailed.

Wenzel introduced:

House Resolution No. 19, A house resolution commending and congratulating Peter Foley, Wally Bowers and the Minnesota Handicapped Skiers Association.

SUSPENSION OF RULES

Wenzel moved that the Rules be so far suspended that House Resolution No. 19 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE RESOLUTION NO. 19

A house resolution commending and congratulating Peter Foley, Wally Bowers and the Minnesota Handicapped Skiers Association.

Whereas, the conquest of severe physical handicap and the subsequent pursuit and enjoyment of an active life are among the noblest accomplishments and highest tributes of human spirit and determination; and

Whereas, on February 24, 1973, the National Invitational Amputees Ski Races were held in Winter Park, Colorado, under the auspices of the Winter Park and Rocky Mountain Amputees Ski Clubs; and

Whereas, Peter John Foley, a Vietnam veteran from Wabasha, Minnesota, and Wally Bowers, co-presidents of the Minnesota

Handicapped Skiers Association, did attend and participate in these National Races under sponsorship of the Minnesota Association; and

Whereas, Peter Foley earned and won the Second Place award in the Class B, Senior Men's Giant Slalom Competition at these National Races; and

Whereas, such sporting effort, skill, and courageous participation provide an important and positive example for other handicapped citizens of this state and reflect honorably upon the State of Minnesota, the Minnesota Handicapped Skiers Association; and upon Peter Foley, Wally Bowers and all of the other participants in these National Races; now, therefore,

Be it resolved, by the House of Representatives of the State of Minnesota that this body extend an expression of congratulations, commendation and profound respect to Peter Foley, Wally Bowers, and the Minnesota Handicapped Skiers Association for their individual and collective triumphs in the sport of skiing and over physical handicaps.

Be it further resolved, that the chief clerk of the House of Representatives forthwith prepare and transmit formal copies of this resolution to Peter Foley, Wally Bowers and the Minnesota Handicapped Skiers Association.

Wenzel moved that House Resolution No. 19 be now adopted.

House Resolution No. 19 was adopted.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested.

H. F. No. 341, A bill for an act relating to highway traffic regulations; school bus inspections; amending Minnesota Statutes 1971, Section 169.451.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Stanton moved that the House concur in the Senate amendments to H. F. No. 341 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 341, A bill for an act relating to highway traffic regulations; school bus inspections; amending Minnesota Statutes 1971, Section 169.451.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question being taken on the repassage of the bill and the roll being called, there were yeas 124, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the adoption by the Senate of the Joint Rules of the Senate and House of Representatives for the Sixty-Eighth Session, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the House concur in the Senate amendments to the Joint Rules of the House and the Senate, and that the Joint Rules be adopted as amended by the Senate. The motion prevailed.

The question was taken on the adoption of the Joint Rules, as amended by the Senate, and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Carlson, A.	Culhane	Enebo
Adams, S.	Bennett	Carlson, B.	Cummiskey	Erdahl
Andersen, R.	Berg	Carlson, D.	Dahl	Erickson
Anderson, D.	Berglin	Carlson, L.	DeGroat	Esau
Anderson, G.	Biersdorf	Casserly	Dieterich	Faricy
Anderson, I.	Boland	Cleary	Dirlam	Ferderer
Becklin	Braun	Clifford	Eckstein	Fjoslien
Belisle	Brinkman	Connors	Eken	Flakne

Forsythe	Jude	McCauley	Pavlak, R. L.	Skaar
Fudro	Kahn	McFarlin	Pehler	Smith
Fugina	Kelly	Menke	Peterson	Spanish
Graba	Kempe	Miller, D.	Pieper	Stanton
Graw	Klaus	Miller, M.	Pleasant	Swanson
Grove	Knickerbocker	Moe	Prahl	Tomlinson
Hagedorn	Kvam	Mueller	Resner	Ulland
Hanson	Laidig	Munger	Rice	Vanasek
Haugerud	Larson	Myrah	Ryan	Vento
Heinitz	LaVoy	Nelson	St. Onge	Voss
Hook	Lemke	Newcome	Sarna	Weaver
Jacobs	Lindstrom, E.	Niehaus	Savelkoul	Wenzel
Jaros	Lindstrom, J.	Norton	Schreiber	Wigley
Johnson, C.	Lombardi	Ohnstad	Schulz	Wohlwend
Johnson, D.	Long	Ojala	Searle	Wolcott
Johnson, J.	Mann	Parish	Sherwood	Mr. Speaker
Johnson, R.	McArthur	Patton	Sieben, H.	
Jopp	McCarron	Pavlak, R.	Sieben, M.	

The Joint Rules, as amended by the Senate, were adopted.

CONSENT CALENDAR

H. F. No. 1005 was reported to the House.

Niehaus moved to amend H. F. No. 1005, the printed bill, as follows:

Page 1, line 8, strike the figure "\$5" and insert in lieu thereof the figure "\$3".

Line 14, strike the figure "15" and insert in lieu thereof the figure "10".

Objection having been made by ten members, H. F. No. 1005 was returned to General Orders.

CALENDAR

S. F. No. 297, A bill for an act relating to the interstate compact for the supervision of parolees and probationers; providing for parole and probation revocation hearings; amending Minnesota Statutes 1971, Section 243.16, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Biersdorf	Culhane	Faricy	Haugerud
Adams, S.	Boland	Cummiskey	Ferderer	Heinitz
Andersen, R.	Braun	Dahl	Fjoslien	Hook
Anderson, D.	Brinkman	DeGroat	Flakne	Jacobs
Anderson, G.	Carlson, A.	Dieterich	Forsythe	Jaros
Anderson, I.	Carlson, B.	Dirlam	Fudro	Johnson, C.
Becklin	Carlson, D.	Eckstein	Fugina	Johnson, D.
Belisle	Carlson, L.	Eken	Graba	Johnson, J.
Bell	Casserly	Enebo	Graw	Johnson, R.
Bennett	Cleary	Erdahl	Grove	Jopp
Berg	Clifford	Erickson	Hagedorn	Jude
Berglin	Connors	Esau	Hanson	Kahn

Kelly	McArthur	Niehaus	Rice	Spanish
Kempe	McCarron	Norton	Ryan	Stanton
Klaus	McCauley	Ohnstad	St. Onge	Swanson
Knickerbocker	McEachern	Ojala	Samuelson	Tomlinson
Kvam	McFarlin	Parish	Sarna	Ulland
Laidig	Menke	Patton	Savelkoul	Vanasek
Larson	Miller, D.	Pavlak, R.	Schreiber	Vento
LaVoy	Miller, M.	Pavlak, R. L.	Schulz	Voss
Lemke	Moe	Pehler	Searle	Weaver
Lindstrom, E.	Mueller	Peterson	Sherwood	Wenzel
Lindstrom, J.	Munger	Pieper	Sieben, H.	Wigley
Lombardi	Myrah	Pleasant	Sieben, M.	Wohlwend
Long	Nelson	Prahl	Skaar	Wolcott
Mann	Newcome	Resner	Smith	Mr. Speaker

The bill was passed and its title agreed to.

H. F. No. 592, A bill for an act relating to health; providing that the state may take responsibility for the regulation of radiation sources.

The bill was read for the third time and placed upon its final passage.

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

CALL OF THE HOUSE

On the motion of Mr. Dirlam and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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

Mr. Dirlam moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 295 was reported to the House. The bill was read for the third time.

Pursuant to Rule 33, Bennett requested that he be excused from voting on H. F. No. 295.

A roll call was requested and properly seconded.

POINT OF ORDER

Ulland raised a point of order pursuant to Rule 34. The Speaker ruled the point of order not well taken.

The question was taken on the request of Bennett and the roll being called, there were yeas 56, and nays 71, as follows:

Those who voted in the affirmative were:

Adams, S.	Erdahl	Johnson, R.	McCauley	Searle
Andersen, R.	Erickson	Jopp	McFarlin	Skaar
Becklin	Esau	Jude	Mueller	Spanish
Belisle	Ferderer	Klaus	Myrah	Ulland
Bell	Fjoslien	Knickerbocker	Newcome	Weaver
Biersdorf	Flakne	Kvam	Niehaus	Wigley
Carlson, A.	Forsythe	Laidig	Ohnstad	Wohlwend
Carlson, D.	Graw	Larson	Pavlak, R. L.	Wolcott
Cleary	Hagedorn	Lindstrom, E.	Pieper	
Clifford	Heinitz	Lombardi	Pleasant	
DeGroat	Hook	Long	Savelkoul	
Dirlam	Johnson, J.	McArthur	Schreiber	

Those who voted in the negative were:

Adams, J.	Dieterich	Kelly	Ojala	Sieben, H.
Anderson, D.	Eckstein	Kempe	Parish	Sieben, M.
Anderson, G.	Eken	LaVoy	Patton	Smith
Anderson, I.	Enebo	Lemke	Pavlak, R.	Stanton
Berg	Faricy	Lindstrom, J.	Pehler	Swanson
Berglin	Fudro	Mann	Peterson	Tomlinson
Boland	Fugina	McCarron	Prahl	Vanasek
Braun	Graba	McEachern	Resner	Vento
Brinkman	Growe	Menke	Rice	Voss
Carlson, L.	Hanson	Miller, D.	Ryan	Wenzel
Casserly	Haugerud	Miller, M.	St. Onge	Mr. Speaker
Connors	Jacobs	Moe	Samuelson	
Culhane	Jaros	Munger	Sarna	
Cummiskey	Johnson, C.	Nelson	Schulz	
Dahl	Johnson, D.	Norton	Sherwood	

The request was not granted.

H. F. No. 295, A bill for an act relating to public employees; giving public employees and employers certain rights and obligations; defining unfair practices; amending the public employment labor relations act of 1971; amending Minnesota Statutes 1971, Sections 179.63, Subdivisions 6, 8, 9, 13, and 18, and by adding a subdivision; 179.64, Subdivisions 1 and 7; 179.65, Subdivisions 2, 3, 5, 6 and 7; 179.66, Subdivisions 4 and 5; 179.66, by adding a subdivision; 179.67, Subdivisions 7, 11, and 12; 179.68; 179.69, Subdivisions 3, 5 and 6; 179.70, Subdivision 1; 179.71, Subdivision 3; 179.72, Subdivisions 1, 7, 9, and 10; 179.73, Subdivision 2; 179.74, Subdivisions 2, 4 and 5; 179.75, Subdivision 8; repealing Minnesota Statutes 1971, Sections 179.69, Subdivision 7; 179.72, Subdivisions 11 and 13; 179.73, Subdivisions 3, 4, and 5; 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9; and 179.77.

The bill was placed upon its final passage.

Adams, S., moved that those not voting be excused from voting. The motion did not prevail.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

The question being taken on the passage of the bill and the roll being called, there were yeas 76, and nays 53, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Johnson, D.	Norton	Sieben, M.
Andersen, R.	Dahl	Jude	Ojala	Smith
Anderson, G.	Dieterich	Kahn	Parish	Spanish
Anderson, I.	Eken	Kelly	Patton	Stanton
Becklin	Enebo	Kempe	Pavlak, R.	Swanson
Bell	Faricy	LaVoy	Pehler	Tomlinson
Berg	Ferderer	Lemke	Peterson	Vanasek
Berglin	Fudro	Lindstrom, J.	Prahl	Vento
Boland	Fugina	McCarron	Resner	Voss
Braun	Graba	McCauley	Rice	Wenzel
Carlson, A.	Growe	McEachern	Ryan	Wolcott
Carlson, B.	Hanson	Menke	St. Onge	Mr. Speaker
Carlson, L.	Haugerud	Miller, M.	Samuelson	
Casserly	Jacobs	Moe	Sarna	
Connors	Jaros	Munger	Sherwood	
Culhane	Johnson, C.	Nelson	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Erdahl	Johnson, R.	McArthur	Savelkoul
Anderson, D.	Erickson	Jopp	McFarlin	Schreiber
Behlsle	Esau	Klaus	Miller, D.	Schulz
Biersdorf	Fjoslien	Knickerbocker	Mueller	Searle
Brinkman	Flakne	Kvam	Myrah	Skaar
Carlson, D.	Forsythe	Laidig	Newcome	Ulland
Cleary	Graw	Larson	Niehaus	Weaver
Clifford	Hagedorn	Lindstrom, E.	Ohnstad	Wigley
DeGroat	Heinitz	Lombardi	Pavlak, R. L.	Wohlwend
Dirlam	Hook	Long	Pieper	
Eckstein	Johnson, J.	Mann	Pleasant	

The bill was passed and its title agreed to.

Knickerbocker was excused at 4:20 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 an amendment to H. F. No. 221 offered by Kempe.

An amendment to the Kempe amendment offered by Pavlak, R. L., was adopted as follows:

Page 4 of the amendment, line 26, after the words "shall be" delete all the language remaining in the line and all of lines 27 and 28, and insert in lieu thereof "*guilty of a misdemeanor*."

Page 6 of the amendment, line 16, after the words "shall be" strike the language remaining in the line and all of lines 17, 18 and 19, and insert in lieu thereof "*guilty of a misdemeanor*."

The Kempe amendment, as amended, reads as follows:

The printed bill, page 35, line 12, strike "18" and insert in lieu thereof "19".

Page 35, after line 13, add a new section to read:

"Sec. 63. Minnesota Statutes 1971, Section 340.035, Subdivision 1, is amended to read:

340.035 [PERSONS UNDER 19.] Subdivision 1. It shall be unlawful for any:

(1) Licensee or his employee to sell or serve non-intoxicating malt liquor to any (MINOR) *person under the age of 19 years* or to permit (ANY MINOR) *such person* to consume non-intoxicating malt liquor on the licensed premises or to permit any (MINOR) *person under the age of 19 years* to loiter or to remain in the room where non-intoxicating malt liquor is being sold or served unless accompanied by his parent or legal guardian;

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any (MINOR) *person under the age of 19 years*;

(3) Person to induce a (MINOR) *person under the age of 19 years* to purchase or procure non-intoxicating malt liquor;

(4) (MINOR) *Person under the age of 19 years* to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) (MINOR) *Person under the age of 19 years* to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) (MINOR) *Person under the age of 19 years* to have in his possession any non-intoxicating malt liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.”.

Page 35, line 24, strike “18” and insert in lieu thereof “19”.

Page 35, line 30, strike “18” and insert in lieu thereof “19”.

Page 35, after line 35, add a new section to read:

“Sec. 66. Minnesota Statutes 1971, Section 340.14, Subdivision 1a, is amended to read:

Subd. 1a. [PERSONS DENIED ACCESS.] No intoxicating liquor shall be sold, furnished, or delivered for any purpose to any (MINOR) *person under the age of 19 years* or to any person obviously intoxicated or to any of the persons to whom sale is prohibited by statute.”.

Page 36, line 8, strike “18” and insert in lieu thereof “19”.

Page 36, line 10, strike “18” and insert in lieu thereof “19”.

Page 36, line 17, strike “18” and insert in lieu thereof “19”.

Page 36, after line 29, add new sections to read:

“Sec. 69. Minnesota Statutes 1971, Section 340.73, Subdivision 1, is amended to read:

340.73 [PERSONS TO WHOM SALES ARE ILLEGAL.] Subdivision 1. It shall be unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, deliver, or dispose of, in any manner, either directly or indirectly, any spirituous, vinous, malt, or fermented liquors in any quantity, for any purpose, whatever, to any (MINOR) *person under the age of 19 years*, or to any intoxicated person, or to any public prostitute.

Sec. 70. Minnesota Statutes 1971, Section 340.731, is amended to read:

340.731 [PERSONS UNDER 19; FORBIDDEN ACTS OR STATEMENTS.] It shall be unlawful for (1) a (MINOR) *person under 19 years of age* to enter any premises licensed for the retail sale of alcoholic beverages or any municipal liquor

store for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage containing more than one-half of one percent of alcohol by volume or

(2) a (MINOR) *person under 19 years of age* to consume any intoxicating liquor or to purchase, attempt to purchase or have another purchase for him or her any intoxicating liquor; or

(3) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, or any employee of any municipal liquor store, to sell, serve or deliver any alcoholic beverage to a (MINOR) *person under 19 years of age*; or

(4) A (MINOR) *person under 19 years of age* to have in his possession any intoxicating liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such intoxicating liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 71. Minnesota Statutes 1971, Section 340.78, is amended to read:

340.78 [SALES TO PERSONS UNDER 19 AND OTHERS, AFTER NOTICE.] Every person selling liquor to a (MINOR) *person under 19 years of age*, habitual drunkard, or person under guardianship, after written notice by a parent, husband, wife, child, guardian, master, or employer, of such (MINORITY) *person's age*, habitual drunkenness, or guardianship, or in the case of an habitual drunkard after written notice by the mayor, chief of police, or any member of the council of the municipality in which such habitual drunkard resides, or member of the county board of the county in which such habitual drunkard resides, and within one year after such notice in case of an habitual drunkard, and in other cases during the continuance of the (MINORITY, OR) guardianship *or until a person under 19 attains 19 years of age*, shall be guilty of a misdemeanor.

Sec. 72. Minnesota Statutes 1971, Section 340.79, is amended to read:

340.79 [GIVING TO OR PROCURING FOR PERSONS UNDER 19.] Any person who shall give to, procure or purchase, intoxicating liquors for any (MINOR) *person under the age of 19 years* or other person to whom the sale of intoxicating liquors is by law forbidden, is guilty of a gross misdemeanor and, upon conviction, shall be punished in accordance with the laws of the state.

Sec. 73. Minnesota Statutes 1971, Section 340.80, is amended to read:

340.80 [INDUCING PERSON UNDER 19 TO ENTER SALOON.] Any person who shall assist, procure or induce any (MINOR) *person under 19 years of age* or other person to whom the sale of liquor is by law forbidden, to enter or visit any sa-

loon, bar, buffet or public drinking place for the purpose of obtaining intoxicating liquors, is guilty of a gross misdemeanor; and, upon conviction, punished therefor according to the laws of the state.

Sec. 74. Minnesota Statutes 1971, Section 340.81, is amended to read:

340.81 [EXCLUSION OF PERSONS UNDER 19 FROM PLACES WHERE LIQUOR IS SOLD, AFTER NOTICE; PENALTY.] No (MINOR) *person under 19 years of age*, intemperate drinker, habitual drunkard, inmate of a poor or alms house, or person under guardianship, shall be allowed in any room where intoxicating liquor is sold in less quantities than five gallons as a beverage, after written notice upon the licensee or his agent, by parent, husband, wife, child, guardian, master or employer, of such (MINORITY) *person's age*, intemperate drinking, habitual drunkenness or guardianship, or in the case of an intemperate drinker, inmate of a poor or alms house, or habitual drunkard, after written notice by the mayor, chief of police, judge of the municipal court, or any member of the council of the municipality in which such intemperate drinker, or habitual drunkard, resides, or member of the county board of the county in which such inmate of a poor or alms house, intemperate drinker or habitual drunkard resides, and within one year after such notice, in case of an inmate of a poor or alms house, intemperate drinker or habitual drunkard, and in other cases during the continuance of the (MINORITY OR) guardianship *or until a person under 19 attains 19 years of age*. Any violation of this section shall be *guilty of a misdemeanor*."

Renumber the sections in sequence.

Further, amend the title as follows:

Line 14, after "Subdivision 8;" insert "340.035, Subdivision 1;"

Line 14, after "340.14," strike "Subdivision" and insert in lieu thereof "Subdivisions 1a and".

Line 15, before "353.01" insert "340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; 340.81;"

There were yeas 67, and nays 57.

Those who voted in the affirmative were:

Adams, S.	Erdahl	Johnson, R.	McEachern	Savelkoul
Anderson, G.	Erickson	Jopp	McFarlin	Schreiber
Becklin	Esau	Kelly	Miller, M.	Schulz
Bennett	Ferderer	Kempe	Mueller	Searle
Biersdorf	Fjoslien	Klaus	Myrah	Sherwood
Braun	Forsythe	Kvam	Newcome	Skaar
Carlson, D.	Graba	Laidig	Niehaus	Smith
Carlson, L.	Hanson	Larson	Ohnstad	Swanson
Cleary	Haugerud	Lindstrom, E.	Pavlak, R. L.	Weaver
Clifford	Heinitz	Lindstrom, J.	Peterson	Wigley
Culhane	Hook	Lombardi	Pieper	Wolcott
DeGroat	Jacobs	Long	Pleasant	
Dirlam	Johnson, C.	Mann	Ryan	
Eken	Johnson, J.	McArthur	Sarna	

Those who voted in the negative were:

Adams, J.	Cummiskey	Jude	Parish	Stanton
Andersen, R.	Dahl	Kahn	Patton	Tomlinson
Anderson, I.	Dieterich	LaVoy	Pavlak, R.	Ulland
Belisle	Eckstein	Lemke	Pehler	Vanasek
Bell	Enebo	McCarron	Prahl	Vento
Berg	Faricy	McCauley	Resner	Voss
Berglin	Fudro	Menke	Rice	Wenzel
Boland	Fugina	Miller, D.	St. Onge	Wohlwend
Brinkman	Growe	Moe	Samuelson	Mr. Speaker
Carlson, A.	Hagedorn	Nelson	Sieben, H.	
Casserly	Jaros	Norton	Sieben, M.	
Connors	Johnson, D.	Ojala	Spanish	

The amendment, as amended, was adopted.

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

H. F. No. 458 upon which it recommended progress retaining its place on General Orders.

H. F. No. 221 upon which it recommended progress with the following amendments offered by Vento:

The printed bill, as follows: page 4, strike lines 1 and 2 and insert in lieu the following: "work. The board may continue to waive tuition for persons (WHO WERE) *until they reach the age of 21 provided such persons were* under the guardianship of the commis-".

Page 36, delete lines 30 through 36, inclusive.

Page 37, delete lines 1 through 22, inclusive.

Renumber remaining sections.

Further, amend the title in the 15th line thereof by deleting "353.01, Subdivision 15; 353.32, Subdivision 1;"

Offered by Kempe:

The printed bill, as follows:

Page 35, line 12, strike "18" and insert in lieu thereof "19".

Page 35, after line 13, add a new section to read:

"Sec. 63. Minnesota Statutes 1971, Section 340.035, Subdivision 1, is amended to read:

340.035 [PERSONS UNDER 19.] Subdivision 1. It shall be unlawful for any:

(1) Licensee or his employee to sell or serve non-intoxicating malt liquor to any (MINOR) *person under the age of 19 years* or to permit (ANY MINOR) *such person* to consume non-intoxicating malt liquor on the licensed premises or to permit any (MINOR) *person under the age of 19 years* to loiter or to remain in the room where non-intoxicating malt liquor is being sold or served unless accompanied by his parent or legal guardian;

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any (MINOR) *person under the age of 19 years*;

(3) Person to induce a (MINOR) *person under the age of 19 years* to purchase or procure non-intoxicating malt liquor;

(4) (MINOR) *Person under the age of 19 years* to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) (MINOR) *Person under the age of 19 years* to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) (MINOR) *Person under the age of 19 years* to have in his possession any non-intoxicating malt liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.”.

Page 35, line 24, strike “18” and insert in lieu thereof “19”.

Page 35, line 30, strike “18” and insert in lieu thereof “19”.

Page 35, after line 35, add a new section to read:

“Sec. 66. Minnesota Statutes 1971, Section 340.14, Subdivision 1a, is amended to read:

Subd. 1a. [PERSONS DENIED ACCESS.] No intoxicating liquor shall be sold, furnished, or delivered for any purpose to any (MINOR) *person under the age of 19 years* or to any person obviously intoxicated or to any of the persons to whom sale is prohibited by statute.”.

Page 36, line 8, strike “18” and insert in lieu thereof “19”.

Page 36, line 10, strike “18” and insert in lieu thereof “19”.

Page 36, line 17, strike “18” and insert in lieu thereof “19”.

Page 36, after line 29, add new sections to read:

“Sec. 69. Minnesota Statutes 1971, Section 340.73, Subdivision 1, is amended to read:

340.73 [PERSONS TO WHOM SALES ARE ILLEGAL.] Subdivision 1. It shall be unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, deliver, or dispose of, in any manner, either directly or indirectly, any spirituous, vinous, malt, or fermented liquors in any quantity, for any purpose, whatever, to any (MINOR) *person under the age of 19 years*, or to any intoxicated person, or to any public prostitute.

Sec. 70. Minnesota Statutes 1971, Section 340.731, is amended to read:

340.731 [PERSONS UNDER 19; FORBIDDEN ACTS OR STATEMENTS.] It shall be unlawful for (1) a (MINOR) *per-*

son under 19 years of age to enter any premises licensed for the retail sale of alcoholic beverages or any municipal liquor store for the purpose of purchasing, or having served or delivered to him or her, any alcoholic beverage containing more than one-half of one percent of alcohol by volume or

(2) a (MINOR) *person under 19 years of age* to consume any intoxicating liquor or to purchase, attempt to purchase or have another purchase for him or her any intoxicating liquor; or

(3) any person to misrepresent or misstate his or her age, or the age of any other person for the purpose of inducing any licensee or any employee of any licensee, or any employee of any municipal liquor store, to sell, serve or deliver any alcoholic beverage to a (MINOR) *person under 19 years of age*; or

(4) a (MINOR) *person under 19 years of age* to have in his possession any intoxicating liquor, with intent to consume same at a place other than the household of his parent or guardian. Possession of such intoxicating liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.

Sec. 71. Minnesota Statutes 1971, Section 340.78, is amended to read:

340.78 [SALES TO PERSONS UNDER 19 AND OTHERS, AFTER NOTICE.] Every person selling liquor to a (MINOR) *person under 19 years of age*, habitual drunkard, or person under guardianship, after written notice by a parent, husband, wife, child, guardian, master, or employer, of such (MINORITY) *person's age*, habitual drunkenness, or guardianship, or in the case of an habitual drunkard after written notice by the mayor, chief of police, or any member of the council of the municipality in which such habitual drunkard resides, or member of the county board of the county in which such habitual drunkard resides, and within one year after such notice in case of an habitual drunkard, and in other cases during the continuance of the (MINORITY, OR) guardianship or until a *person under 19 attains 19 years of age*, shall be guilty of a misdemeanor.

Sec. 72. Minnesota Statutes 1971, Section 340.79, is amended to read:

340.79 [GIVING TO OR PROCURING FOR PERSONS UNDER 19.] Any person who shall give to, procure or purchase, intoxicating liquors for any (MINOR) *person under the age of 19 years* or other person to whom the sale of intoxicating liquors is by law forbidden, is guilty of a gross misdemeanor and, upon conviction, shall be punished in accordance with the laws of the state.

Sec. 73. Minnesota Statutes 1971, Section 340.80, is amended to read:

340.80 [INDUCING PERSON UNDER 19 TO ENTER SALOON.] Any person who shall assist, procure or induce any

(MINOR) *person under 19 years of age* or other person to whom the sale of liquor is by law forbidden, to enter or visit any saloon, bar, buffet or public drinking place for the purpose of obtaining intoxicating liquors, is guilty of a gross misdemeanor; and, upon conviction, punished therefor according to the laws of the state.

Sec. 74. Minnesota Statutes 1971, Section 340.81, is amended to read:

340.81 [EXCLUSION OF PERSONS UNDER 19 FROM PLACES WHERE LIQUOR IS SOLD, AFTER NOTICE; PENALTY.] No (MINOR) *person under 19 years of age*, intemperate drinker, habitual drunkard, inmate of a poor or alms house, or person under guardianship, shall be allowed in any room where intoxicating liquor is sold in less quantities than five gallons as a beverage, after written notice upon the licensee or his agent, by parent, husband, wife, child, guardian, master or employer, of such (MINORITY) *person's age*, intemperate drinking, habitual drunkenness or guardianship, or in the case of an intemperate drinker, inmate of a poor or alms house, or habitual drunkard, after written notice by the mayor, chief of police, judge of the municipal court, or any member of the council of the municipality in which such intemperate drinker, or habitual drunkard, resides, or member of the county board of the county in which such inmate of a poor or alms house, intemperate drinker or habitual drunkard resides, and within one year after such notice, in case of an inmate of a poor or alms house, intemperate drinker or habitual drunkard, and in other cases during the continuance of the (MINORITY OR) guardianship or until a *person under 19 attains 19 years of age*. Any violation of this section shall be *guilty of a misdemeanor*."

Renumber the sections in sequence.

Further, amend the title as follows:

Line 14, after "Subdivision 8;" insert "340.035, Subdivision 1;"

Line 14, after "340.14," strike "Subdivision" and insert in lieu thereof "Subdivisions 1a and".

Line 15, before "353.01" insert "340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; 340.81;"

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 2:00 p.m., Monday, April 2, 1973. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, April 2, 1973.

EDWARD A. BURDICK, Chief Clerk, House of Representatives