

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1973

FIFTY-FIRST DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 3, 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.	Dieterich	Johnson, J.	Moe	Savelkoul
Adams, S.	Dirlam	Jopp	Mueller	Schreiber
Andersen, R.	Eckstein	Jude	Munger	Schulz
Anderson, D.	Eken	Kahn	Myrah	Searle
Anderson, G.	Enebo	Kelly	Nelson	Sherwood
Anderson, I.	Erdahl	Kempe	Newcome	Sieben, H.
Becklin	Erickson	Klaus	Niehaus	Sieben, M.
Belisle	Esau	Knickerbocker	Norton	Skaar
Bennett	Faricy	Kvam	Ohnstad	Smith
Berg	Ferderer	Laidig	Ojala	Spanish
Berglin	Fjoslien	Larson	Parish	Stangeland
Biersdorf	Flakne	LaVoy	Patton	Stanton
Boland	Forsythe	Lemke	Pavlak, R.	Swanson
Braun	Fudro	Lindstrom, E.	Pavlak, R. L.	Ulland
Brinkman	Fugina	Lindstrom, J.	Pehler	Vanasek
Carlson, A.	Graba	Lombardi	Peterson	Vento
Carlson, B.	Graw	Long	Pieper	Voss
Carlson, D.	Grove	Mann	Pleasant	Weaver
Carlson, L.	Hagedorn	McArthur	Prahl	Wenzel
Casserly	Hanson	McCarron	Quirin	Wigley
Cleary	Haugerud	McCauley	Resner	Wohlwend
Clifford	Heinitz	McEachern	Rice	Wolcott
Connors	Hook	McFarlin	Ryan	Mr. Speaker
Culhane	Jacobs	McMillan	St. Onge	
Cummiskey	Jaros	Menke	Salchert	
Dahl	Johnson, C.	Miller, D.	Samuelson	
DeGroat	Johnson, D.	Miller, M.	Sarna	

A quorum was present.

Bell was excused. Johnson, R., was excused until 4:30 p.m. Tomlinson was excused until 5:00 p.m.

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. 961, 972, 1192, 1316, 1436, 1451, 1524, 1575, 1577, 1837, 2008, 2162, 2166, 2308, 2436, 2437, 1870, 827, 1318, 1659, 2179, and 2180 and S. F. Nos. 162, 1881, 1955, 152, 509, 919, 1109, 1654, 1678, 1791, 1961, 325, 430, 1374, 1460, 1167, 1174, 1377, 1559, 1936, 2125, 775, 1247, 1232, 2008, 2014, 351, 746, 181, 462, 590, 1877, 2157, 54, 328, 1872, 1943, and 1964 have been placed in the members' files.

S. F. No. 1955 and H. F. No. 1909, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 1955, page 1, lines 19 and 20, contain the language:

"Sec. 2. This act shall be effective the day following its final enactment.";

whereas, H. F. No. 1909 does not contain this language.

SUSPENSION OF RULES

Smith moved that the rules be so far suspended that S. F. No. 1955 be substituted for H. F. No. 1909 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1678 and H. F. No. 1658, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1658, page 1, lines 24 and 25 read:

"Sec. 3. *This act shall become effective the day following its enactment.*";

whereas, S. F. No. 1678, page 1, lines 24 and 25 read:

"Sec. 3. *This act shall take effect on the day following its enactment.*".

SUSPENSION OF RULES

Pehler moved that the rules be so far suspended that S. F. No. 1678 be substituted for H. F. No. 1658 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2189 and H. F. No. 2228, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2189, page 1, lines 6 through 8, read:

"Section 1. Notwithstanding any law to the contrary, the governor, upon the recommendation of the commissioner of administration, and upon receipt of the consideration";

whereas, H. F. No. 2228, page 1, lines 6 through 8, read:

"Section 1. Notwithstanding any law to the contrary, the commissioner of administration upon receipt of the consideration specified herein shall convey by quitclaim".

S. F. No. 2189, page 2, line 5, reads: "oath shall be attached to the report of such appraisal."; whereas, H. F. No. 2228, page 2, line 4, reads: "oath shall be attached to the report of such appraisal."

S. F. No. 2189, page 2, after line 9, contains the language:

"Sec. 4. This act is effective the day following its final enactment.";

whereas, H. F. No. 2228 does not contain this language.

SUSPENSION OF RULES

Sherwood moved that the rules be so far suspended that S. F. No. 2189 be substituted for H. F. No. 2228 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1559 and H. F. No. 2008, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Berglin moved that S. F. No. 1559 be substituted for H. F. No. 2008 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2125 and H. F. No. 2018, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Johnson, D., moved that S. F. No. 2125 be substituted for H. F. No. 2018 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1377 and H. F. No. 1451, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Parish moved that S. F. No. 1377 be substituted for H. F. No. 1451 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 641 and H. F. No. 2227, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Sherwood moved that S. F. No. 641 be substituted for H. F. No. 2227 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 60 and H. F. No. 85, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Eken moved that S. F. No. 60 be substituted for H. F. No. 85 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication 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:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1973</i>	<i>Date Filed 1973</i>
1827		143	April 30	April 30

Sincerely,

ARLEN ERDAHL
Secretary of State

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations to which was referred:

H. F. No. 1478, A bill for an act relating to highways; the establishment of recreational vehicle lanes on state, county and town road rights of way, including bridges and underpasses; and appropriating money; amending Minnesota Statutes 1971, Sections 161.20, Subdivision 2; 161.21, Subdivision 1; 165.02; and 167.50, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 11, strike "VEHICLE".

Page 1, line 14, strike "vehicle".

Page 1, line 18, strike "vehicle".

Page 1, line 21, strike "vehicle".

Page 1, line 27, strike "vehicle".

Page 2, line 14, strike "vehicle".

Page 3, line 9, strike "vehicle".

Page 4, line 20, strike "vehicle".

Page 5, line 1, strike "use of".

Page 5, line 2, strike "vehicles" and insert in lieu thereof "use".

Page 5, line 13, strike "*vehicle*".

Page 5, line 19, strike "*vehicle*".

Page 5, line 26, strike "*vehicle*".

Amend the title in line 3 thereof by deleting "*vehicle*".

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

The report was adopted.

Mr. Ryan from the Committee on City Government to which was referred:

H. F. No. 1810, A bill for an act authorizing municipalities to create development districts within their corporate boundaries; to acquire, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; authorizing the issuance of bonds to carry out such development programs; authorizing the use of the tax increment created in the development districts to pay off the principal and interest on such bonds; authorizing municipalities to operate pedestrian systems and special lighting and similar systems; authorizing municipalities to assess the cost of operations against the development districts; authorizing municipalities to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

Reported the same back with the following amendments:

Page 2, line 18, after the period, insert the following: "No less than 60 percent of the area of any such district shall consist of land which has been platted and developed. The area of such district shall not be enlarged after three years following the date of designation of such district. At the time of adoption of the first development district, the governing body shall by formal action adopt one of the three following alternative restrictive options. Once the choice is made, the municipality must use the same option for all succeeding development districts.

(1) The total acreage included in any one development district shall not exceed one percent of the total acreage of the municipality. At no time shall the total current acreage within development districts for which unrecovered cost of bonds remain exceed three percent of the total acreage of the municipality.

(2) The total market value of taxable real property of any one development district when adopted shall not exceed five percent of the total market value of taxable real property in the municipality as then most recently certified by the county auditor. At no time shall the current total market value of taxable real property within development districts for which unrecovered costs of bonds remain exceed ten percent of the total market value of taxable real property in the municipality as most recently certified by the county auditor.

(3) The governing body may adopt one development district which shall not exceed six acres in area. At no time shall another development district be adopted by the governing body of the municipality until all cost of bonds for the previously adopted district has been paid.”.

Page 4, line 16, after “domain.”, insert “In all acquisitions the acquiring authority shall provide as a cost of acquisition the relocation assistance, services, payments and benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Statutes 1834, (1971), 42 United States Code, Section 4601, et seq.”.

Page 6, strike lines 13 through 20, and insert:

“Sec. 6. [ISSUANCE OF BONDS.] The governing body of the municipality may authorize, issue, and sell bonds, which shall mature within 30 years, to finance the acquisition and betterment of real and personal property needed to carry out the development program within the development district together with all relocation costs incidental hereto in accordance with Minnesota Statutes, Sections 475.51, 475.53, 475.54, 475.55, 475.56, 475.60, 475.61, 475.62, 475.63, 475.65, 475.66, 475.69, 475.70, 475.71. All tax increments received by the municipality pursuant to section 7 shall be pledged for the payment of such bonds and used to reduce or cancel the taxes otherwise required to be extended for that purpose, and the bonds shall not be included when computing the municipality’s net debt.”.

Page 7, line 10, strike “according to the original” and insert “in the proportion that the original taxable value bears to the current”.

Page 7, line 12, after the word “collected,” insert “referred to herein as the tax increment.”.

Page 9, line 15, strike “In its discretion.”.

Page 9, line 16, strike “may” and insert in lieu thereof “shall”.

Page 9, line 16, strike “and appoint”, and insert “appointed or”.

Page 9, line 16, after “an” insert “elected”.

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 120.17, Subdivision 7, is amended to read:

Subd. 7. [PLACEMENT IN STATE INSTITUTION; RESPONSIBILITY.] Responsibility for special instruction and services for a handicapped child placed in a state institution on a temporary basis shall be determined in the following manner:

(a) The legal residence of such child shall be the school district in which his parent resides, if living, or his guardian (IF NEITHER PARENT IS LIVING WITHIN THE STATE OR THE DISTRICT DESIGNATED BY THE COMMISSIONER OF EDUCATION IF NEITHER PARENT OR GUARDIAN IS LIVING WITHIN THE STATE);

(b) When the educational needs of such child can be met through the institutional program, the costs for such instruction shall be paid by the department to which the institution is assigned;

(c) When it is determined that such child can benefit from public school enrollment, provision for such instruction shall be made in the following manner:

(1) Determination of eligibility for special instruction and services shall be made by the commissioner of education and the commissioner of the department responsible for the institution;

(2) The school district where the institution is located shall provide an appropriate educational program for the child and shall make a tuition charge to the child's district of residence for the actual cost of providing the program;

(3) The district of the child's residence shall pay the tuition and other program costs and may claim foundation aid for the child. *Special transportation costs shall be paid by the district of the child's residence and the state shall reimburse such costs within the limits provided by law.*

Sec. 2. Minnesota Statutes 1971, Section 120.17, is amended by adding a subdivision to read:

Subd. 8a. [RESIDENCE OF CHILD UNDER SPECIAL CONDITIONS.] *The legal residence of a handicapped child placed in a foster facility for care and treatment when: (1) parental rights have been terminated by court order; (2) parent or guardian is not living within the state; or (3) no other school district residence can be established, shall be the school district in which the child resides. The School Board of the district of residence shall provide the same educational program for such child as it provides for all resident handicapped children in the district.*

Sec. 3. Minnesota Statutes 1971, Section 124.04, is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general

and special school purposes, the board of any district may levy annually an amount equal to eight mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills the levy under this section in the previous year. The tax so levied shall be collected in the manner provided by law for the collection of (OTHER) school taxes. The proceeds of the tax may be used only to acquire *land*, improve and repair school sites and to erect, (EQUIP) *re-equip*, repair and improve buildings and permanent attached fixtures(, AND). *Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct relocatable classrooms and minor buildings.* The board (MAY) shall establish a fund in which the proceeds of this tax (MAY) shall be accumulated until expended (BY THE BOARD).

The proceeds of the tax shall not be used for custodial or *annual maintenance services*.

Sec. 4. Minnesota Statutes 1971, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, pupils in junior high school or a six-year school and all other pupils in secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a middle school shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units.

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. The department of public welfare is directed to furnish to the department of education that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.

(5) *In every district where the number of pupils from families receiving aid to families with dependent children or its suc-*

cessor program exceeds ten percent of the total actual pupil units in the district for the same year as computed in clauses (1), (2), and (3), each such pupil shall be counted as an additional two-tenths pupil unit in school year 1973-1974 and 25/100 in 1974-1975 and for those districts where the number of such pupils is more than five percent but less than ten percent of the total pupil units in the district for the same year as computed in clauses (1), (2), and (3), each such pupil shall be counted as an additional one-tenth pupil unit in both 1973-74 and 1974-75. Such weighting shall be in addition to the weighting provided in clauses (1), (2), (3), and (4) of this section. Districts with these pupil units shall receive aid of \$788 for each pupil unit described in this clause in 1973-1974 and \$820 in 1974-1975.

((5)) (6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units for such district shall equal the average of actual pupil units for the prior and current year. This adjustment shall not be made in computing adjusted maintenance cost per pupil unit.

Sec. 5. Minnesota Statutes 1971, Section 124.212, Subdivision 1, is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for fiscal years (1972) 1974 and (1973) 1975 shall be governed by the terms and provisions of this section.

Sec. 6. Minnesota Statutes 1971, Section 124.212, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding any of the other provisions of this section, (FOR THE YEAR ENDING JUNE 30, 1972, THE SUM OF FOUNDATION AID, SALES TAX PER CAPITA PAYMENTS PURSUANT TO SECTIONS 297A.55 AND 297A.57, EXEMPT PERSONAL PROPERTY REPLACEMENT PAYMENTS PURSUANT TO SECTION 273.69 AND STATE PAYMENT OF AGRICULTURAL PROPERTY MILL RATE DIFFERENTIAL SHALL NOT BE LESS THAN THE SUM OF THE PAYMENTS FROM THE SAME SOURCES FOR THE YEAR ENDING JUNE 30, 1971. FOR THE YEAR ENDING JUNE 30, 1973, THE SUM OF THE PAYMENTS FROM THE SAME SOURCES SHALL NOT BE LESS THAN THE SUM OF THE PAYMENTS FROM THOSE SOURCES FOR THE YEAR ENDING JUNE 30, 1971, OR JUNE 30, 1972, WHICHEVER IS HIGHER) *for the year ending June 30, 1974 and 1975, the foundation aid earned shall not be less than the sum of foundation aid earned in 1972-1973 and any additional payments to a school district under the provisions of Extra Session Laws 1971, Chapter 31, Article XX, Section 3, Subdivision 3, which were received for the school year 1972-1973.*

Sec. 7. Minnesota Statutes 1971, Section 124.212, Subdivision 4, is amended to read:

Subd. 4. Notwithstanding any of the other provisions of this section, foundation aids computed under subdivisions 6 and 7 shall be reduced by the amount of moneys received by the district from the permanent school fund (AND SHALL BE FURTHER REDUCED BY THE AMOUNT OF SALES TAX PER CAPITA PAYMENTS MADE TO THE DISTRICT PURSUANT TO SECTIONS 297A.57 AND 297A.55).

Sec. 8. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 6a. For the 1973-1974 school year a district shall receive in foundation aid the lesser of (1) \$788 per pupil unit less 30 mills times the 1971 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the 1970-1971 adjusted maintenance cost per pupil unit increased by \$87, and the greater of (a) one-sixth of the difference that results when the adjusted maintenance cost per pupil unit, so increased, is subtracted from \$788, or (b) \$38, bears to \$788.

Sec. 9. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 7a. For the 1974-1975 school year a district shall receive in foundation aid, the lesser of: (1) \$820 per pupil unit less 30 mills times the 1972 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to section 8, clause (2) of this act, and the greater of (a) one-third of the difference that results when such greater sum is subtracted from \$820, or (b) \$32, bears to \$820.

Sec. 10. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 8a. Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts receiving payments under sections 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; 294.21 to 294.28; 124.215, subdivision 2a; 124.25; 124.30; 124.31; 124.801; 360.133; 360.135; and 124.28; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties, the foundation aid shall be reduced by 20 percent of the previous year's payments to the district pursuant to said sections in the 1971-1972 school year, 30 percent in 1972-1973 school year, and thereafter there shall be deducted from state foundation aids an amount that equals the following calculations:

The previous year's payment times the ratio of the maximum levy allowed the district under section 20 of this act to the total levy allowed by section 275.125, but not to exceed 35 percent in 1973-1974 and 40 percent in 1974-1975 of the previous year's payment.

Sec. 11. Minnesota Statutes 1971, Section 124.22, Subdivision 1, is amended to read:

124.22 [TRANSPORTATION AID.] Subdivision 1. To receive state aid for transportation, the schools in independent, *unorganized territory* and special districts shall be in session at least nine months in the year and shall have suitable school houses with the necessary rooms and equipment. For transportation or board of resident pupils in such districts who reside one mile or more from the public schools which they could attend or from the school they attend pursuant to a program approved by the commissioner of education or who reside one mile or more from a private school actually attended, but only to the extent permitted by Minnesota Statutes, Section 123.76 through Section 123.79 with respect to private school pupils, the state shall reimburse such districts, notwithstanding any statute, rule or regulation to the contrary regarding limitations of municipal boundaries, (AT RATES TO BE DETERMINED BY THE STATE BOARD PROVIDED, THAT NO DISTRICT SHALL RECEIVE ANNUALLY MORE THAN AN AVERAGE OF \$80 PER PUPIL PER YEAR TRANSPORTED OR BOARDED, AND PROVIDED FURTHER THAT SUCH REIMBURSEMENT SHALL NOT EXCEED) *in an amount equal to 80 percent of the actual total cost thereof including the actual depreciation at rates to be determined by the state board.*

Sec. 12. Minnesota Statutes 1971, Section 124.22, is amended by adding a subdivision to read:

Subd. 2a. *The state shall also reimburse at the same rate as provided for in subdivision 1, for the cost of transporting resident elementary pupils who reside within one mile of the public schools which they attend or from the school they attend pursuant to a program approved by the commissioner of education or who reside within one mile of a private school actually attended, but only to the extent permitted by Minnesota Statutes, Section 123.76 to 123.79 with respect to private school pupils, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards.*

There is hereby appropriated the sum of \$500,000 for the purposes of this subdivision. If the funds are insufficient to reimburse such districts at the prescribed rate, they shall be prorated among the approved districts.

Sec. 13. Minnesota Statutes 1971, Section 124.22, Subdivision 3, is amended to read:

Subd. 3. In a district or unorganized territory without a secondary school resident pupils including seventh and eighth grade pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to a district having a classified secondary school at the expense of the district of the pupil's residence. The state will reimburse the county or school district therefor (NOT TO EXCEED \$80 PER PUPIL PER YEAR NOR TO EXCEED) *at the rate of 80 percent of the total cost including actual depreciation.*

Sec. 14. Minnesota Statutes 1971, Section 124.28, Subdivision 3, is amended to read as follows:

Subd. 3. For the purpose of determining the applicability of this section to any district in *fiscal 1974 and subsequent years*, the valuation of taxable property shall be the (1969) adjusted value of such property as determined by the equalization aid review committee *and used in calculating foundation aid for the corresponding school year*, (EXCLUSIVE OF CLASS 2 PERSONAL PROPERTY AND PERSONAL PROPERTY EXEMPT FROM TAXATION BY EXTRA SESSION LAWS 1967, CHAPTER 32,) and the valuation of the exempt property shall be the full value of the exempt *railroad* property as reported annually by the department of public service. For the purpose of determining refunds the valuations of the taxable property shall be taken at 30 percent of the valuations as adjusted by the equalization aid review committee and the valuation of the exempt property shall be taken at 30 percent of its full value. The eligibility of a school district under this section is determined by adding the adjusted taxable valuation of the taxable property of the district as determined by the equalization aid review committee to the full value of the exempt property as reported by the department of public service; then by dividing the amount of the exempt property by the total of such taxable property and exempt property; if the result is 20 percent or more the school district is eligible, otherwise not, unless it qualifies temporarily under subdivision 1 *or the following paragraph*.

Any district disqualified from receiving refunds because this subdivision as amended substitutes a more recent adjusted assessed valuation for the 1969 adjusted assessed valuation previously specified, shall nevertheless continue to receive such refunds for three additional years, but the net amounts due prior to any required proration shall be reduced by 25 percent the first year, by 50 percent the second year, and by 75 percent the third year.

Sec. 15. Minnesota Statutes 1971, Section 124.32, Subdivision 1, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district and unorganized territory; (a) for the employment in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed (\$5,300) *\$5,600* for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed (\$5,300) *\$5,600* per annum for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time including but not limited to summer school.

Sec. 16. Minnesota Statutes 1971, Section 124.32, Subdivision 3, is amended to read:

Subd. 3. When a handicapped or a mentally retarded pupil cannot be transported on a regular school bus, the state shall reimburse each district or unorganized territory for the transportation or board and lodging including a pro rata amount for summer school for a mentally retarded or otherwise handicapped pupil when approved by the state board, at rates to be determined by the state board. Actual transportation costs (MAY) *shall* be reimbursed (BUT SHALL NOT EXCEED \$225 ANNUALLY FOR EACH SUCH PUPIL) *at the rate of 80 percent of the total cost thereof including actual depreciation.* Transportation funds may be used to reimburse for expenditures in conveying mentally retarded or otherwise handicapped pupils between home and school and within the school plant. In addition to transportation provided school pupils pursuant to any other provisions of law, any school district may provide transportation for children residing within the district who are attending a licensed daytime activity center and such district shall be eligible for the state reimbursement authorized by this subdivision for mentally retarded or otherwise handicapped children.

When it is necessary to provide board and lodging for a non-resident handicapped pupil in a district maintaining special classes, reimbursement shall be made for *80 percent of the actual cost of board and lodging (BUT NOT TO EXCEED \$900)* during the regular school year and (A PRO RATA AMOUNT) for summer school. This amount may be in addition to the reimbursement for transportation of such child from the place where the pupil is boarded to the school building.

Sec. 17. Minnesota Statutes 1971, Section 124.32, Subdivision 5, is amended to read:

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed 60 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. Not more than (\$125,000) \$300,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be pro rated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 18. Minnesota Statutes 1971, Section 124.32, is amended by adding a subdivision to read:

Subd. 6. The state shall reimburse each district or unorganized territory the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by section 12 of this act, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.

Upon following such procedure as requested by the commissioner of education a district or unorganized territory providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of foundation aid, special education aid, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in Minnesota Statutes, Section 124.32, Subdivision 4.

Sec. 19. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.781] [LIMITATION ON TAX ANTICIPATION BORROWING.] *Except as approved by the commissioner, a district may not issue certificates of indebtedness pursuant to sections 124.71 to 124.78, for a larger proportion of its total anticipated tax or aid revenues than it borrowed against such revenues which were received in calendar 1973.*

Sec. 20. Minnesota Statutes 1971, Section 275.125, is amended by adding a subdivision to read:

Subd. 2a. (1) In 1973, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the number of mills, not to exceed 30, times the 1972 adjusted assessed valuation of the district that bears the same relation to 30, as the greater sum computed pursuant to section 9, clause (2) of this act, bears to \$820.

(2) In 1974, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the number of mills, not to exceed 30, times the 1973 adjusted assessed valuation of the district that bears the same relation to 30, as the sum of the greater sum computed pursuant to section 9, clause (2) of this act, and the greater of (a) one-half of the difference that results when such greater sum is subtracted from \$860, or (b) \$40, bears to \$860.

(3) *The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year. The question on the ballot shall be whether a specific adjusted assessed millage may be added to that authorized by clauses (1) or (2). If approved, the additional adjusted assessed millage shall be authorized for each year until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall be effective if signed by a number of qualified voters in excess of 25 percent of the number of votes cast for the school board member who received the greatest number of votes at the most recent district wide school board election. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.*

Sec. 21. Minnesota Statutes 1971, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy (PRESCRIBED) authorized by (SUBDIVISION 2) section 20 of this act, (EACH) a qualifying district may levy additional amounts as follows:

(1) The amounts necessary to make payments for bonds issued and for interest thereon, (AND FOR REPAYMENT OF DEBT SERVICE LOANS AND CAPITAL LOANS, THE AMOUNT AUTHORIZED FOR CAPITAL OUTLAY) including the bonds and interest thereon, issued as authorized by clause (6)(C) of this subdivision, and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04 and the amount authorized for liabilities of dissolved districts pursuant to section 122.45.

(2) An amount necessary to pay the estimated actual transportation costs of the district for the following school year less estimated state transportation reimbursement for the current year. The money raised by this additional levy may be used only for costs incurred in transportation which is partially reimbursable under sections 124.22 and 124.32 other than transportation of elementary pupils for which the commissioner authorizes aid for extraordinary traffic hazards. A district may levy under this clause for the annual cash payments incident to the purchase of buses, but only for that portion of said payments not reimbursed by state transportation aid received on account of depreciation.

((3) FOR PURPOSES OF THE 1971 LEVY, COLLECTIBLE IN 1972, ANY DISTRICT, IN WHICH THE SUM OF \$87 PER PUPIL UNIT IN AVERAGE DAILY MEMBERSHIP AND THE DIFFERENCE BETWEEN THE REIMBURSEMENT ENTITLEMENT PER PUPIL UNIT IN AVERAGE DAILY MEMBERSHIP FOR 1970-1971 SCHOOL YEAR PROGRAMS FOR HANDICAPPED CHILDREN AND THE 1970-1971 ADJUSTED MAINTENANCE COST PER PUPIL UNIT IN AVERAGE DAILY MEMBERSHIP IS GREATER THAN \$750 PER PUPIL UNIT, MAY LEVY AN AMOUNT PER PUPIL UNIT WHICH IS EQUAL TO OR LESS THAN THE DIFFERENCE BETWEEN SAID SUM AND \$750 PER PUPIL UNIT. A DISTRICT WHICH IS LOCATED IN A CITY OF THE FIRST CLASS MAY NOT QUALIFY FOR AN ADDITIONAL LEVY THAT EXCEEDS 1.5 MILLS TIMES THE ADJUSTED ASSESSED VALUATION OF THE DISTRICT.)

((4) FOR PURPOSES OF THE 1972 LEVY COLLECTIBLE IN 1973, ANY DISTRICT, WHICH QUALIFIED FOR AN ADDITIONAL LEVY UNDER SUBPARAGRAPH (3) OF THIS SUBDIVISION, AND IN WHICH THE SUM OF THE ADDITIONAL AMOUNT PER PUPIL UNIT AUTHORIZED BY SUBPARAGRAPH (3) AND \$750 PER PUPIL UNIT IS GREATER THAN \$700 PER PUPIL UNIT MAY LEVY AN ADDITIONAL AMOUNT PER PUPIL UNIT WHICH IS EQUAL TO OR LESS THAN \$30 PER PUPIL UNIT PLUS THE DIFFERENCE BETWEEN SAID SUM AND \$700 PER PUPIL UNIT. A DISTRICT WHICH IS LOCATED IN A CITY OF THE FIRST CLASS MAY NOT QUALIFY FOR AN ADDITIONAL LEVY THAT EXCEEDS 1.5 MILLS TIMES THE ADJUSTED ASSESSED VALUATION OF THE DISTRICT.)

((5) EACH DISTRICT WHICH MAINTAINS A POST-SECONDARY AREA VOCATIONAL-TECHNICAL SCHOOL SHALL REPORT TO THE COMMISSIONER OF EDUCATION THE RECEIPTS AND EXPENDITURES OF THE DISTRICT FOR THE AREA VOCATIONAL-TECHNICAL SCHOOL BY SEPTEMBER OF THE FISCAL YEAR ENDING IN THE PRECEDING JUNE. THE COMMISSIONER SHALL PRESCRIBE THE FORM OF THE REPORT.)

(EACH DISTRICT OR COUNTY MAINTAINING A POST-SECONDARY AREA VOCATIONAL-TECHNICAL SCHOOL MAY LEVY AN ADDITIONAL LEVY EXCLUSIVELY FOR THIS SCHOOL, BUT SUCH LEVY IN A DISTRICT WITHIN A CITY OF THE FIRST CLASS MAY NOT EXCEED .5 MILLS TIMES THE ADJUSTED ASSESSED VALUATION OF THE DISTRICT AS DETERMINED BY THE EQUALIZATION AID REVIEW COMMITTEE FOR THE YEAR PRIOR TO THE CERTIFICATION OF THE LEVY.)

(3) For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy under Extra Session Laws 1971, Chapter 31, Article XX, Section 8, Subdivision 3, Clause (4), shall be allowed to levy the same amount allowed in

the 1972 levy collectible in 1973. Provided, however, that a district within a city of the first class which was affected by the limitation of an extra levy not to exceed 1.5 mills times the adjusted assessed valuation of the district shall be allowed to levy 2.25 mills. For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy in 1971, collectible in 1972, under Extra Session Laws 1971, Chapter 31, Article XX, Section 8, Subdivision 3, Clause (3), but did not qualify for an extra levy in 1972, collectible in 1973, shall be allowed to levy 133 percent of the amount it was qualified to levy under Extra Session Laws 1971, Chapter 31, Article XX, Section 8, Subdivision 3, clause (3).

(4) *Any district which qualified for a levy under clause (3) above shall be allowed to levy that same amount in 1974 reduced by the lesser of five percent of that amount or \$5 per pupil unit in average daily membership. Provided, however, that a district within a city of the first class which was affected by the limitation of an extra levy not to exceed 2.25 mills times the adjusted assessed valuation of the district shall be allowed to levy the 2.25 mills.*

(5) *For districts in cities of the first class, maintaining post secondary vocational schools, one-half mills times the adjusted assessed valuation of the taxable property of the district for the preceding year; and for other districts maintaining post secondary vocational schools, three mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, provided that districts formed pursuant to Laws 1967, Chapter 822, and Laws 1969, Chapters 775 and 1060, shall be subject to the levy limitations imposed by those laws, as amended.*

(6) (A) *In order that the transition from existing patterns of financing public schools to the system prescribed in Extra Session Laws 1971, Chapter 31, Article 20 may be made in an orderly fashion, a district may levy an additional levy under the terms of this section.*

(B) *If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.*

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its costs in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

A district may not be authorized an additional levy under both (B) and (C) of this section.

(7) *In 1973, and each year thereafter, for a district which has established a community school advisory council pursuant to section 121.88, whether or not the district receives reimbursement from the state pursuant to section 121.89, an amount of money, to raise \$1 per capita, for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.89.*

The population of the district for purposes of this clause is the population determined as provided in section 275.14.

(8) *Districts which receive payments which result in deductions from foundation aid pursuant to section 10 of this act, shall reduce the permissible levies authorized by this subdivision by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy made bears to the sum of the permissible levies made.*

Sec. 22. Minnesota Statutes 1971, Section 275.125, is amended by adding a subdivision to read:

Subd. 3a. School District No. 625 is authorized to issue general obligation bonds in the amount of \$15,000,000. Such bonds shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

Sec. 23. Minnesota Statutes 1971, Section 360.133, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF PROPERTIES.] For the purposes of determining the amount of this refund, the value of such properties shall be set at 30 percent of their full and true value except that in no case shall the assessed value of said properties for this purpose exceed such an amount as when added to the assessed value of all other property in the school district exceed (\$2,600) \$6,500 per resident pupil unit.

Sec. 24. *The state board of education shall summarize and disseminate to boards of education, individual school faculty groups, individual school and school district parent organizations, the legislature and the governor, from presently available reports or from new reports it may require of school districts, the following types of information: individual elementary, secondary and area vocational technical school district program costs, student enrollments, staffing and staffing ratios, district capital and operating debt or surplus, per pupil per mile costs of transportation, and other school district fiscal and demographic characteristics of importance.*

The state board of education shall submit a report on or before November 15, 1974, to the house appropriations committee and senate finance committee detailing a plan for a fiscal accounting and reporting system of program expenditures for each elementary, secondary and area vocational technical school building and school district in the state and additional information as listed above with procedures to summarize this material for regional and state description and comparison.

Sec. 25. [APPROPRIATIONS.] *The sums set forth are appropriated from the general fund for the indicated purposes. The figures appearing below designated years are for the fiscal years beginning on July 1 of those years.*

	1973	1974
School Foundation Aids	\$535,000,000	\$550,000,000
School Transportation		
Reimbursement Aid	40,555,000	44,255,000
Classes for Handicapped		
Children	26,625,000	27,060,000
Secondary School Vocational Aid	10,500,000	10,500,000
Post-secondary school		
Vocational Aid	30,152,000	30,152,000
Adult Vocational Aid	2,950,000	2,950,000
AFDC Concentration Aid	4,475,000	5,750,000
Gross Earnings Aid	900,000	900,000
Exempt Land Aid Pursuant to		
M.S. 124.30	400,000	400,000
Airport Aid (M.S. 360.133)	145,000	145,000

School Aid—Counties	1973	1974
A/C of Non Tax Areas \$	48,000	\$ 48,000
Shared Time	500,000	500,000

Sec. 26. [RETARDED; INDETERMINATE RESIDENCY; AID 1972-73.] *A district which provides educational services in 1972-1973 to trainable mentally retarded children residing in a state hospital mental retardation unit or other licensed residential facility, other than a group or foster home, and for which children parental rights have been legally terminated, or for which children no district of residency has been established, shall receive \$550 per child served in that year.*

Sec. 27. [VOCATIONAL REIMBURSEMENT CEILING.] *Notwithstanding any reimbursement formula which is inconsistent with this section, for secondary, post-secondary and adult vocational programs provided in fiscal year 1974 to be reimbursed in fiscal year 1975, the state shall not be obligated to reimburse in fiscal year 1975, or any other fiscal year, any amounts in excess of the appropriations made for fiscal year 1975 in this act for those purposes.*

Sec. 28. *Notwithstanding any other provisions of law, any school district which has received aid pursuant to Minnesota Statutes, Section 124.802, for the preceding eight years shall be entitled to receive in any school year commencing after July 1, 1973, the greater of the aid under section 124.802 or the average of the aid received during the preceding eight years. This section shall not apply to a district in which the average of the aids received during the eight preceding years exceeds \$90,000.*

Sec. 29. *Minnesota Statutes 1971, Sections 124.212, Subdivisions 6, 7, and 8; 275.125, Subdivision 2; and 360.133, Subdivision 3, are repealed."*

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

"A bill for an act relating to taxation; school aids and levy limitations; appropriating money; amending Minnesota Statutes 1971, Sections 120.17, Subdivision 7, and by adding a subdivision; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 1, 3, 4, and by adding subdivisions; 124.22, Subdivisions 1 and 3, and by adding a subdivision; 124.28, Subdivision 3; 124.32, Subdivisions 1, 3, 5, and by adding a subdivision; 275.125, Subdivision 3, and by adding subdivisions; 360.133, Subdivision 2; and Chapter 124, by adding a section; repealing Minnesota Statutes 1971, Sections 124.212, Subdivisions 6, 7, and 8; 275.125, Subdivision 2; and 360.133, Subdivision 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. Johnson, C., from the Committee on Education to which was referred:

H. F. No 1976, A bill for an act relating to Independent School District No. 709, St. Louis county; inclusion of other certificated employees in any teachers' retirement fund and association created pursuant to certain provisions of law.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

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

S. F. No. 1936, A bill for an act relating to Independent School District No. 709, St. Louis county; inclusion of other certificated employees in any teachers' retirement fund and association created pursuant to certain provision of law.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Governmental Operations.

The report was adopted.

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 923, A bill for an act relating to water pollution control; authorizing certain advisory and regulatory powers of the pollution control agency over sewage disposal systems and sanitary districts; providing for certain tax levies and bond issues; providing penalties; amending Minnesota Statutes 1971, Sections 115.01, Subdivisions 1, 2, 5, and by adding subdivisions; 115.03, Subdivisions 1 and 4, and by adding a subdivision; 115.04; 115.05, Subdivision 1; 115.07, Subdivisions 3, 4, and 6; 115.18, Subdivisions 3 and 9; 115.19; 115.20, Subdivisions 1, 3, 4, 5, 6, 7, and 9; 115.21, Subdivisions 1 to 4; 115.23, Subdivisions 1, 3, and 8; 115.24, by adding a subdivision; 115.25, Subdivisions 1 and 6; 115.28; 115.44, Subdivisions 5 and 8; 115.49, Subdivision 1, and by adding a subdivision; Chapter 115, by adding sections; 116.075, Subdivision 2; 116.08, by adding a subdivision; 414.01, Subdivision 1; and Chapter 414, by adding a section; repealing Minnesota Statutes 1971, Sections 115.07, Subdivision 2; 115.18, Subdivision 10; 115.20, Subdivision 2; 115.33, Subdivisions 1, 3 and 4; 115.34; 115.43, Subdivision 3; 115.45, Subdivision 2; 115.61; 115.62; 115.63; 115.64; 115.65; 115.66; and 115.67.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 115.01, Subdivision 1, is amended to read:

115.01 [DEFINITIONS.] Subdivision 1. The following words and phrases when used in (SECTIONS 115.01 TO 115.09) *chapter 115 and, with respect to the pollution of the waters of the state, in chapter 116*, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section.

Sec. 2. Minnesota Statutes 1971, Section 115.01, Subdivision 2, is amended to read:

Subd. 2. "Sewage" means the water carried waste products from residences, public buildings, institutions or other buildings, *or any mobile source*, including the excrementitious or other discharge from the bodies of human beings or animals, together with such ground water infiltration and surface water as may be present.

Sec. 3. Minnesota Statutes 1971, Section 115.01, Subdivision 4, is amended to read:

Subd. 4. "Other wastes" mean garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, sand, ashes, offal, oil, tar, chemicals, *dredged spoil, solid waste, incinerator residue, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, cellar dirt or municipal or agricultural waste*, and all other substances not *included within the definitions of sewage (OR) and industrial waste set forth in this chapter* which may pollute or tend to pollute the waters of the state.

Sec. 4. Minnesota Statutes 1971, Section 115.01, Subdivision 5, is amended to read:

Subd. 5. "(POLLUTION)" "*Pollution of water*", "*water pollution*", or "*pollute the water*" means (a) *the discharge of any pollutant into any waters of the state or the contamination of any waters of the state so as to create a nuisance or render such waters unclean, or noxious, or impure so as to be actually or potentially harmful or detrimental or injurious to public health, safety or welfare, to domestic, agricultural, commercial, industrial, (OR) recreational (USE) or other legitimate uses, or to livestock, (WILD) animals, (BIRD) birds, fish, or other aquatic life; or (b) the man-made or man-induced alteration of the chemical, physical, biological, or radiological integrity of waters of the state.*

Sec. 5. Minnesota Statutes 1971, Section 115.01, Subdivision 10, is amended to read:

Subd. 10. "Person" means the state or any agency or institution thereof, any municipality, governmental subdivision, public or private corporation, individual, partnership, or other entity, *including, but not limited to, association, commission or any interstate body*, and includes any officer or governing or managing body of any municipality, governmental subdivision, or public or private corporation, *or other entity*.

Sec. 6. Minnesota Statutes 1971, Section 115.01, is amended by adding subdivisions to read:

Subd. 12. "Discharge" means the addition of any pollutant to the waters of the state or to any disposal system.

Subd. 13. "Pollutant" means any "sewage," "industrial waste," or "other wastes," as defined in chapter 115, discharged into a disposal system or to waters of the state.

Subd. 14. "Toxic pollutants" means those pollutants, or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the agency, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformation, in such organisms or their offspring.

Subd. 15. "Point source" means any discernible, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.

Subd. 16. "Standards" means effluent standards, effluent limitations, standards of performance for new sources, water quality standards, pre-treatment standards, and prohibitions.

Subd. 17. "Schedule of compliance" means a schedule of remedial measures including an enforceable sequence of actions or operations leading to compliance with an effluent limitation, other limitation prohibition, or standard.

Sec. 7. Minnesota Statutes 1971, Section 115.03, Subdivision 1, is amended to read:

115.03 [POWERS AND DUTIES.] Subdivision 1. The agency is hereby given and charged with the following powers and duties:

(a) To administer and enforce all laws relating to the pollution of any of the waters of the state;

(b) To investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;

(c) To establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of (SECTIONS 115.01 TO 115.09) chapter 115 and, with respect to the pollution of waters of the state, chapter 116;

(TO MAKE AND ALTER REASONABLE ORDERS REQUIRING THE DISCONTINUANCE OF THE DISCHARGE OF SEWAGE, INDUSTRIAL WASTE OR OTHER WASTES INTO ANY WATERS OF THE STATE RESULTING IN POL-

LUTION IN EXCESS OF THE APPLICABLE POLLUTION STANDARD ESTABLISHED UNDER THIS SUBDIVISION.)

(d) To adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable orders, permits, variances, standards, regulations, schedules of compliance, and stipulation agreements, under such conditions as it may prescribe, in order to prevent, control or abate water pollution, or for the installation or operation of disposal systems or parts thereof, or for other equipment and facilities;

(1) Requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the state resulting in pollution in excess of the applicable pollution standard established under this chapter;

(2) Prohibiting or directing the abatement of any discharge of sewage, industrial waste, or other wastes, into any waters of the state or the deposit thereof or the discharge into any municipal disposal system where the same is likely to get into any waters of the state in violation of this chapter and, with respect to the pollution of waters of the state, chapter 116, or standards or regulations promulgated or permits issued pursuant thereto, and specifying the schedule of compliance within which such prohibition or abatement must be accomplished;

(3) Prohibiting the storage of any liquid or solid substance or other pollutant in a manner which does not reasonably assure proper retention against entry into any waters of the state that would be likely to pollute any waters of the state;

(4) Requiring the construction, installation, maintenance, and operation by any person of any disposal system or any part thereof, or other equipment and facilities, or the reconstruction, alteration, or enlargement of its existing disposal system or any part thereof, or the adoption of other remedial measures to prevent, control or abate any discharge or deposit of sewage, industrial waste or other wastes by any person;

(5) Establishing, and from time to time revising, standards of performance for new sources taking into consideration, among other things, classes, types, sizes, and categories of sources, processes, pollution control technology, cost of achieving such effluent reduction, and any non-water quality environmental impact and energy requirements. Said standards of performance for new sources shall encompass those standards for the control of the discharge of pollutants which reflect the greatest degree of effluent reduction which the agency determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants. New sources shall encompass buildings, structures, facilities, or installations from which there is or may be the discharge of pollutants, the construction of which is commenced after the publication by the agency of proposed regulations prescribing a standard of performance which will be applicable to such source. Notwithstanding any other provision of the

law of this state, any point source the construction of which is commenced after the date of enactment of this Act and which is so constructed as to meet all applicable standards of performance for new sources shall, consistent with and subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution Control Act, not be subject to any more stringent standard of performance for new sources during a ten-year period beginning on the date of completion of such construction or during the period of depreciation or amortization of such facility for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first. Construction shall encompass any placement, assembly, or installation of facilities or equipment, including contractual obligations to purchase such facilities or equipment, at the premises where such equipment will be used, including preparation work at such premises;

(6) Establishing and revising pretreatment standards to prevent or abate the discharge of any pollutant into any publicly owned disposal system, which pollutant interferes with, passes through, or otherwise is incompatible with such disposal system.

(7) Requiring the owner or operator of any disposal system or any point source to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment or methods, including where appropriate biological monitoring methods, sample such effluents in accordance with such methods, at such locations, at such intervals, and in such a manner as the agency shall prescribe, and providing such other information as the agency may reasonably require.

(8) Notwithstanding any other provision of chapter 115, and with respect to the pollution of waters of the state, chapter 116, requiring the achievement of more stringent limitations than otherwise imposed by effluent limitations in order to meet any applicable water quality standard by establishing new effluent limitations, based upon section 115.01, subdivision (5)(b), including alternative effluent control strategies for any point source or group of point sources to insure the integrity of water quality classifications, whenever the agency determines that discharges of pollutants from such point source or sources, with the application of effluent limitations required to comply with any standard of best available technology, would interfere with the attainment or maintenance of the water quality classification in a specific portion of the waters of the state. Prior to establishment of any such effluent limitation, the agency shall hold a public hearing to determine the relationship of the economic and social costs of achieving such limitation or limitations, including any economic or social dislocation in the affected community or communities, to the social and economic benefits to be obtained and to determine whether or not such effluent limitation can be implemented with available technology or other alternative control strategies. If a person affected by such limitation demonstrates at such hearing that, whether or not such technology or other alternative control strategies are available, there is no reasonable relationship between the economic and social

costs and the benefits to be obtained, such limitation shall not become effective and shall be adjusted as it applies to such person.

(9) *To modify, in its discretion, any requirement or limitation based upon best available technology with respect to any point source for which a permit application is filed after July 1, 1977 upon a showing by the owner or operator of such point source satisfactory to the agency that such modified requirements will represent the maximum use of technology within the economic capability of the owner or operator and will result in reasonable further progress toward the elimination of the discharge of pollutants.*

(e) *To require to be submitted and to approve plans and specifications for disposal systems or point sources, or any part thereof and to inspect the construction thereof for compliance with the approved plans and specifications thereof;*

(TO ISSUE, CONTINUE IN EFFECT OR DENY PERMITS, UNDER SUCH CONDITIONS AS IT MAY PRESCRIBE FOR THE PREVENTION OF POLLUTION, FOR THE DISCHARGE OF SEWAGE, INDUSTRIAL WASTE OR OTHER WASTES, OR FOR THE INSTALLATION OR OPERATION OF DISPOSAL SYSTEMS OR PARTS THEREOF;)

(TO REVOKE OR MODIFY ANY PERMIT ISSUED UNDER SECTIONS 115.01 TO 115.09 WHENEVER IT IS NECESSARY, IN THE OPINION OF THE AGENCY, TO PREVENT OR ABATE POLLUTION OF ANY WATERS OF THE STATE;)

(f) *To prescribe and alter rules and regulations, not inconsistent with law, for the conduct of the agency and other matters within the scope of the powers granted to and imposed upon it by (SECTIONS 115.01 TO 115.09) this chapter and, with respect to pollution of waters of the state, in chapter 116, provided that every rule or regulation affecting any other department or agency of the state or any person other than a member or employee of the agency shall be filed with the secretary of state; (AND)*

(g) *To conduct such investigations, issue such notices, public and otherwise, and hold such hearings as are necessary or which it may deem advisable (AND NECESSARY) for the discharge of its duties under (SECTIONS 115.01 TO 115.09) this chapter and, with respect to the pollution of waters of the state, under chapter 116, including, but not limited to, the issuance of permits, and to authorize any member, employee, or agent appointed by it to conduct such investigations or, issue such notices and hold such hearings (.);*

(h) *For the purpose of water pollution control planning by the state and pursuant to the Federal Water Pollution Control Act, as amended, to establish and revise planning areas, adopt plans and programs and continuing planning processes, including, but not limited to, basin plans and areawide waste treatment management plans, and to provide for the implementation of any*

such plans by means of, including but not limited to, standards, plan elements, procedures for revision, intergovernmental cooperation, residual treatment process waste controls, and needs inventory and ranking for construction of disposal systems;

(i) To train water pollution control personnel, and charge such fees therefor as are necessary to cover the agency's costs. All such fees received shall be paid into the state treasury and credited to the water pollution control training fund of the agency, from which the agency shall have the power to make disbursements to pay expenses relating to such training;

(j) To impose as additional conditions in permits to publicly owned disposal systems appropriate measures to insure compliance by industrial and other users with any pretreatment standard, including, but not limited to, those related to toxic pollutants, and any system of user charges ratably as is hereby required under state law or said Federal Water Pollution Control Act, as amended, or any regulations or guidelines promulgated thereunder; and

(k) To set a period not to exceed five years for the duration of any National Pollutant Discharge Elimination System permit;

Sec. 8. Minnesota Statutes 1971, Section 115.03, Subdivision 4, is amended to read:

Subd. 4. It is unlawful for any person to issue or grant a building permit for, or otherwise permit, the construction, enlargement, or relocation of a commercial or industrial building to be used as the place of employment of more than 12 persons, or any other commercial or industrial building to house a process producing industrial or other wastes, unless the sewage or industrial or other waste originating in such buildings is or will be discharged into a disposal system for which a permit has first been granted by the agency *unless the agency has cause not to apply this requirement*, provided that this subdivision shall not apply to building permits issued for buildings, which have an estimated value of less than \$500,000, located or to be located within an incorporated municipality. *After January 1, 1975 (IF AN APPLICATION FOR) such (PERMIT) permits (IS NOT) shall be acted upon by the agency within 90 days after submitted, (THE PERMIT SHALL BE DEEMED TO BE GRANTED),* provided that the agency, for good cause, may order said 90 day period to be extended for a reasonable time.

Sec. 9. Minnesota Statutes 1971, Section 115.03, is amended by adding a subdivision to read:

Subd. 5. *Notwithstanding any other provisions prescribed in or pursuant to chapter 115 and, with respect to the pollution of waters of the state, in chapter 116, or otherwise, the agency shall have the authority to perform any and all acts minimally necessary including, but not limited to, the establishment and application of standards, procedures, regulations, orders, variances, stipulation agreements, schedules of compliance, and permit conditions, consistent with and, therefore not less stringent*

than the provisions of the Federal Water Pollution Control Act, as amended, applicable to the participation by the state of Minnesota in the National Pollutant Discharge Elimination System (NPDES); provided that this provision shall not be construed as a limitation on any powers or duties otherwise residing with the agency pursuant to any provision of law.

Sec. 10. Minnesota Statutes 1971, Section 115.04, is amended to read:

115.04 [DISPOSAL SYSTEMS AND POINT SOURCES.] Subdivision 1. [INFORMATION.] Any person operating or installing a disposal system or other point source, or portion thereof, when requested by the agency, or any member, employee or agent thereof, when authorized by it, shall furnish to it any information which he may have or which is relevant to the subject of (SECTIONS 115.01 TO 115.09) chapter 115 and, with respect to the pollution of waters of the state, of chapter 116.

Subd. 2. [EXAMINATION OF RECORDS.] The agency or any member, employee or agent thereof, when authorized by it, upon presentation of credentials, may examine and copy any books, papers, records or memoranda pertaining to the installation, maintenance, or operation of discharge, including but not limited to, monitoring data, of (A) disposal (SYSTEM) systems or other point sources, in accordance with the purpose of chapter 115 and, with respect to the pollution of waters of the state, chapter 116.

Subd. 3. [ACCESS TO PREMISES.] Whenever it shall be necessary for the purposes of (SECTIONS 115.01 TO 115.09) chapter 115 and, with respect to pollution of waters of the state, chapter 116, the agency or any member, employee, or agent thereof, when authorized by it, upon presentation of credentials, may enter upon any property, public or private, for the purpose of obtaining information or examination of records or conducting surveys or investigations.

Sec. 11. Minnesota Statutes 1971, Section 115.05, Subdivision 1, is amended to read:

115.05 [FINAL ORDER.] Subdivision 1. [NOTICE: HEARING.] No final order of the agency shall be effective as to the vested rights of any person adversely affected thereby nor as to any disposal system or point source operated by any person unless the agency or its authorized officer, member, or agent shall have held a hearing upon the matter therein involved at which evidence may be taken, of which hearing such person shall have had notice as hereinafter provided. Any person who will be directly affected by the final order therein shall have the right to be heard at the hearing and to submit evidence thereat. Written notice specifying the time and place of the hearing shall be served by the agency upon all persons known by it to be directly affected by the final order, personally or by mail not less than 30 days before the date of the hearing. A copy of the final order shall be served in the same manner upon all persons who entered an appearance at the hearing. *Stipulation agreements*

or permits for treatment works or disposal systems for pollution abatement shall be construed to be orders of the agency.

Sec. 12. Minnesota Statutes 1971, Section 115.07, Subdivision 3, is amended to read:

Subd. 3. [PERMISSION FOR EXTENSION.] It shall be unlawful for any person to make any change in, addition to or extension of any existing disposal system or point source, or part thereof that would (MATERIALLY ALTER THE METHOD OR THE EFFECT OF TREATING OR DISPOSING OF THE SEWAGE, INDUSTRIAL WASTE OR OTHER WASTES), to effect any facility expansion, production increase, or process modification which results in new or increased discharges of pollutants, or to operate such system or point source, or part thereof as so changed, added to, or extended until plans and specifications therefor shall have been submitted to the agency unless the agency shall have waived the submission thereof to it and a written permit therefor shall have been granted by the agency.

Sec. 13. Minnesota Statutes 1971, Chapter 115, is amended by adding a section to read:

[115.07] [ENFORCEMENT.] Subdivision 1. [REMEDIES AVAILABLE.] *The provisions of Minnesota Statutes, Chapter 115 and Chapter 116 and all regulations, standards, orders, stipulation agreements, schedules of compliance, and permits adopted or issued by the agency thereunder or under any other law now in force or hereafter enacted for the prevention, control, or abatement of pollution may be enforced by any one or any combination of the following: criminal prosecution; action to recover civil penalties; injunction; action to compel performance; or other appropriate action, in accordance with the provisions of said chapters and this section.*

Subd. 2. [CRIMINAL PENALTIES.] (a) [VIOLATIONS OF LAWS; ORDERS; PERMITS.] (1) *Any person who willfully or negligently violates any provision of chapter 115 or chapter 116, or any standard, regulation, variance, order, stipulation agreement, schedule of compliance or permit issued or adopted by the agency thereunder, which violation is not included in clause (2) of this subdivision, shall upon conviction be guilty of a misdemeanor.*

(2) *Any person who willfully or negligently violates any effluent standard, and limitation or water quality standard or any other standard, limitation, regulation, rule, order, license, stipulation agreement or permit adopted or issued by the agency pursuant to Chapter 115 or 116, or any term or condition thereof, any duty to permit or carry out any recording, reporting, monitoring, sampling, information entry, access, copying, or other inspection or investigation requirement as provided under applicable provisions of chapter 115 or chapter 116, any National Pollutant Discharge Elimination System filing requirement, shall upon conviction be punished by a fine of not less than \$2,500 in the event of a willful violation or not less than \$300 in the event of a negligent violation. In any case the penalty shall not be more*

than \$25,000 per day of violation or by imprisonment for not more than one year, or both. If the conviction is for conduct committed after a first conviction of such person under this subdivision, punishment shall be by fine of not more than \$50,000 per day of violation, or by imprisonment for not more than two years, or both.

(b) [INFORMATION AND MONITORING.] Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under chapter 115 or chapter 116, or standards, regulations, orders, stipulation agreements, schedule of compliance or permits pursuant hereto, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under chapter 115 or chapter 116, or standards, regulations, variances, orders, stipulation agreements, schedules of compliance, or permits pursuant thereto, shall upon conviction, be punished by a fine of not more than \$10,000 per day of violation, or by imprisonment for not more than six months, or both.

(c) [DUTY OF LAW ENFORCEMENT OFFICIALS.] It shall be the duty of all county attorneys, sheriffs and other peace officers, and other officers having authority in the enforcement of the general criminal laws to take all action to the extent of their authority, respectively, that may be necessary or proper for the enforcement of said provisions, regulations, standards, orders, stipulation agreements, variances, schedule of compliance, or permits.

Subd. 3. [CIVIL PENALTIES.] Any person who violates any provision of chapter 115 or chapter 116 or of (1) any effluent standards and limitations or water quality standards, (2) any National Pollutant Discharge Elimination System permit or term or condition thereof, (3) any National Pollutant Discharge Elimination System filing requirements, (4) any duty to permit or carry out inspection, entry or monitoring activities, or (5) any rules, regulations, stipulation agreements, variances, schedules of compliance, or orders issued by the agency, shall forfeit and pay to the state a penalty, in an amount to be determined by the court, of not more than \$10,000 per day of violation.

In addition, in the discretion of the court, the defendant may be required to:

(a) forfeit and pay to the state a sum which will adequately compensate the state for the reasonable value of cleanup and other expense directly resulting from unauthorized discharge of pollutants, whether or not accidental;

(b) forfeit and pay to the state an additional sum to constitute just compensation for any loss or destruction to wildlife, fish or other aquatic life and for other actual damages to the state caused by an unauthorized discharge of pollutants.

As a defense to any of said damages, the defendant may prove that the violation was caused solely by (1) an act of God, (2) an

act of war, (3) negligence on the part of the state of Minnesota, or (4) an act or failure to act which constitutes sabotage or vandalism, or any combination of the foregoing clauses.

The civil penalties and damages provided for in this subdivision may be recovered by a civil action brought by the attorney general in the name of the state.

Subd. 4. [INJUNCTIONS.] Any violation of the provisions, regulations, standards, orders, stipulation agreements, variances, chapter 116, shall constitute a public nuisance and may be enjoined as provided by law in an action, in the name of the state, brought by the attorney general.

Subd. 5. [ACTIONS TO COMPEL PERFORMANCE.] In any action to compel performance of an order of the agency for any purposes relating to the prevention, control or abatement of pollution under chapter 115 and chapter 116, the court may require any defendant adjudged responsible to do and perform any and all acts and things within his power which are reasonably necessary to accomplish the purposes of the order. In case a municipality or its governing or managing body or any of its officers is a defendant, the court may require him to exercise his powers, without regard to any limitation of any requirement for an election or referendum imposed thereon by law and without restricting the powers of the agency to do any or all of the following, without limiting the generality hereof; to levy taxes, levy special assessments, prescribe service or use charges, borrow money, issue bonds, employ assistance, acquire real or personal property, let contracts or otherwise provide for the doing of work of the construction, installation, maintenance, or operation of facilities, and do all other acts and things reasonably necessary to accomplish the purposes of the order, but the court shall grant the municipality the opportunity to determine the appropriate financial alternatives to be utilized in complying with the court imposed requirements.

Sec. 14. Minnesota Statutes 1971, Chapter 115, is amended by adding a section to read:

[115.072] [RECOVERY OF LITIGATION COSTS AND EXPENSES.] In any action brought by the attorney general, in the name of the state, pursuant to the provisions of chapter 115 and chapter 116, for civil penalties, injunctive relief, or in an action to compel compliance, if the state shall finally prevail, and if the proven violation was willful, the state, in addition to other penalties provided in chapter 115, may be allowed an amount determined by the court to be the reasonable value of all or a part of the litigation expenses incurred by the state. In determining the amount of such litigation expenses to be allowed, the court shall give consideration to the economic circumstances of the defendant.

All amounts recovered under the provisions of this section and section 13 of this act, subdivisions 3, 4, and 5, shall be paid into the state treasury.

Sec. 15. Minnesota Statutes 1971, Section 115.44, Subdivision 5, is amended to read:

Subd. 5. In establishing such standards, consideration should be given to the following factors:

(a) The extent, if any, to which floating solids may be permitted in the water;

(b) The extent to which suspended solids, colloids or a combination of solids with other substances suspended in water, may be permitted;

(c) The extent to which organism of the coliform group (intestinal bacilli) or any other bacteriological organisms may be permitted in the water;

(d) The extent of the oxygen demand which may be permitted in the receiving waters;

(e) Such other chemical or biological properties necessary for the attainment of the objectives of (LAWS 1963, CHAPTER 874) *chapter 115 and, with respect to pollution of the waters of the state, chapter 116.*

(f) *Wherever deemed practicable and advisable by the agency, standards specifying the quality and purity, or maximum permissible pollutional content, of effluent entering waters of the state may be established without (PREVIOUSLY ESTABLISHING) respect to water quality standards; provided, however, that whenever the owner or operator of any point source, after opportunity for public hearing, can demonstrate to the satisfaction of the agency that any effluent limitation proposed for the control of the heat component of any discharge from such source will require effluent limitations more stringent than necessary to assure the protection and propagation of a balanced, indigenous population of fish and wildlife in and on the body of water into which the discharge is to be made, the agency may impose an effluent limitation for such plan, with respect to the heat component of such discharge, taking into account the interaction of such heat component with other pollutants, that will assure the protection and propagation of a balanced, indigenous population of fish and wildlife in and on that body of water; and provided further that notwithstanding any other provision of chapter 115 and, with respect to the pollution of the waters of the state, chapter 116, any point source of a discharge having a heat component, the modification of which point source is commenced after the date of enactment of this act, and which, as modified, meets applicable effluent limitations, and which effluent limitations will assure protection and propagation of a balanced, indigenous population of fish and wildlife in or on the water into which the discharge is made, shall not be subject to any more stringent effluent limitation with respect to the heat component of its discharge during a ten year period beginning on the date of completion of such modification or during the period of depreciation or amortization of such facility for the*

purpose of section 167 or 169, or both, of the Internal Revenue Code of 1954, whichever period ends first.

Sec. 16. Minnesota Statutes 1971, Section 115.44, Subdivision 8, is amended to read:

Subd. 8. If the agency finds in order to comply with the federal water pollution control act or any other federal law or rule or regulation promulgated thereunder that it is impracticable to comply with the requirements of this section in classifying waters or adopting standards or in meeting any of the requirements thereof, compliance with the requirements of such section are waived to the extent necessary to enable the agency to comply with federal laws and rules and regulations promulgated thereunder. The agency may classify waters and adopt criteria and standards in such form and based upon such evidence as it may deem necessary and sufficient for the purpose of meeting requirements of such federal laws, notwithstanding any provisions in chapter 115 or any other state law to the contrary. In the event waters are classified and criteria and standards are adopted to meet the requirements of federal law, the agency shall thereafter proceed to otherwise comply with the provisions of this section which were waived as rapidly as is practicable. This authority shall extend to proceedings pending before the agency on (APRIL 20, 1967) the *effective date of this act*.

Notwithstanding the provisions of subdivision 4, wherever advisable and practicable the agency may establish standards for effluent (OF) or disposal systems (ENTERING) *discharging into waters of the state* regardless of whether such waters are or are not classified.

Sec. 17. Minnesota Statutes 1971, Section 115.49, Subdivision 1, is amended as follows:

115.49 [COOPERATION BETWEEN MUNICIPALITIES: CONTRACTS.] Subdivision 1. If the agency determines after a hearing on the subject matter that cooperation between two or more municipalities is necessary to *provide for areawide waste management and treatment, in accordance with the Federal Water Pollution Control Act, as amended, or to prevent, control, or abate pollution*, it may adopt a resolution so declaring and determining whether it will be feasible to secure such cooperation by contract between the municipalities concerned.

Sec. 18. Minnesota Statutes 1971, Section 115.49, is amended by adding a subdivision to read:

Subd. 9. *Any contract ordered by the agency pursuant to this section may be reformed or terminated upon: (a) mutual agreement among all parties to the contract as exhibited by a joint written application to the agency and approval thereof by the agency; or (b) unilateral application to the agency by registered mail by any party to such a contract, with a copy thereof served by registered mail upon all other parties to the contract, and subsequent order of reformation or termination of the agreement by the agency. The applicant may in its application for reforma-*

tion or termination seek other relief in addition to said order of reformation or termination, including, but not limited to, an order directing the refund by the municipality operating the disposal system of overpayments made by the municipality being served during the life of the contract, or the further payment by the municipality being served to the municipality operating the disposal system made necessary by the inadequacy of payments made by the municipality being served to the municipality operating the disposal system during the life of the contract. In the event of a unilateral application to the agency, the agency may, after 30 days written notice, hold a public hearing for the purpose of hearing evidence relating to the application. Pursuant to an application under this subdivision, the agency may enter its order reforming or terminating the contract, ordering a refundment of overpayment or payment of underpayment, as aforesaid, or granting any further relief that is reasonable under the circumstances. Any party aggrieved by the agency's decision may thereafter appeal to district court from the agency's order.

Sec. 19. Minnesota Statutes 1971, Section 116.05, Subdivision 1, is amended to read:

Subdivision 1. All state departments and agencies are hereby directed to cooperate with the pollution control agency and its director and assist them in the performance of their duties, and are authorized to enter into necessary agreements with the agency, and the pollution control agency is authorized to cooperate and to enter into necessary agreements with other departments and agencies of the state, with municipalities, with other states, with the federal government and its agencies and instrumentalities, in the public interest and in order to control pollution under this chapter and chapter 115.

Sec. 20. Minnesota Statutes 1971, Section 116.075, is amended to read:

116.075 [HEARINGS AND RECORDS PUBLIC.] Subdivision 1. All hearings conducted by the pollution control agency pursuant to (THIS CHAPTER) chapters 115 and 116 shall be open to the public, and the transcripts thereof are public records. All final records, studies, reports, orders, and other documents prepared in final form by order of, or for the consideration of, the agency, are public records. Any documents designated as public records by this section may be inspected by members of the public at all reasonable hours and places under such rules and regulations as the agency shall promulgate.

Subd. 2. Any records or other information obtained by the pollution control agency or furnished to the agency by the owner or operator of one or more air contaminant or water or land pollution sources which are certified by said owner or operator, and said certification as it applies to water pollution sources, is approved in writing by the director, to relate to (a) (PRODUCTION OR) sales figures, (b) processes or methods of production unique to the owner or operator, or (c) information which would tend to affect adversely the competitive position of said owner

or operator, shall be only for the confidential use of the agency in discharging its statutory obligations, unless otherwise specifically authorized by said owner or operator. Provided, however, that all such information may be used by the agency compiling or publishing analysis or summaries relating to the general conditions of the (OUTDOOR ATMOSPHERE) *state's water, air and land resources* so long as such analyses or summaries do not identify any owner or operator who has so certified. *Notwithstanding the foregoing, the agency may disclose any information, whether or not otherwise considered confidential which it is obligated to disclose in order to comply with federal law and regulations, to the extent and for the purpose of such federally required disclosure.*

Sec. 21. Minnesota Statutes 1971, Section 116.11, is amended to read:

Sec. 116.11 [EMERGENCY POWERS.] In the event that there is imminent *and substantial* danger to the health or welfare of the people of the state, or at any part thereof, as a result of the pollution of air, land or water; upon such finding, the agency may by emergency order direct the *immediate discontinuance or abatement* of such pollution without notice and without a hearing *or at the request of the agency, the attorney general of the state may bring an action in the name of the state in the appropriate district court for a temporary restraining order to immediately abate or prevent such pollution. Such agency order or temporary restraining order shall remain effective until notice, hearing and determination are effected pursuant to other provisions of law, or, in the interim, as otherwise ordered.* Such agency order shall be appealable to the appropriate district court and the provisions of chapter 15 shall govern the procedure and scope of review on such appeal.

Sec. 22. [REPEALER.] *Minnesota Statutes 1971, Section 115.05, Subdivision 2; 115.07, Subdivisions 2, 4, and 6; 115.43, Subdivision 3; 115.45, Subdivision 2; 115.47; 115.81; 116.08; 116.30; and 116.31 are repealed.*

Sec. 23. *This act is effective the day following its final enactment."*

Strike the title and insert in lieu thereof:

"A bill for an act relating to water pollution control; authorizing certain advisory and regulatory powers of the pollution control agency over disposal systems; providing penalties; amending Minnesota Statutes 1971, Section 115.01, Subdivisions 1, 2, 4, 5, and 10, and by adding subdivisions; 115.03, Subdivisions 1 and 4, and by adding a subdivision; 115.04; 115.05, Subdivision 1; 115.07, Subdivision 3; 115.44, Subdivisions 5 and 8; 115.49, Subdivision 1, and by adding a subdivision; Chapter 115, by adding sections; 116.05, Subdivision 1; 116.075; 116.11; repealing Minnesota Statutes 1971, Section 115.05, Subdivision 2; 115.07, Subdivisions 2, 4, and 6; 115.43, Subdivision 3; 115.45, Subdivision 2; 115.47; 115.81; 116.08; 116.30 and 116.31."

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

The report was adopted.

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

H. F. No. 712, A bill for an act relating to county attorneys; creating a county attorneys council and the office of executive director; creating the offices of district attorney; prescribing powers and duties; and appropriating money; amending Minnesota Statutes 1971, Section 15A.083, Subdivision 3.

Reported the same back with the following amendments:

Page 4, strike lines 7 through 28.

Page 5, strike lines 1 through 28.

Page 6, strike lines 1 through 28.

Page 7, strike lines 1 through 27.

Renumber the remaining sections in sequence.

Further, amend the title as follows: line 4, strike "creating the",

Line 5, strike "offices of district attorney;"

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

H. F. No. 1581, A bill for an act relating to the Minnesota housing finance agency; prescribing its powers and duties; providing for the financing thereof; appropriating money; amending Minnesota Statutes 1971, Sections 462A.03, Subdivisions 2, 4, 9, and 10, and by adding subdivisions; 462A.05, Subdivisions 2, 3, 4, 5, and 10; 462A.06, Subdivision 11; 462A.07, Subdivision 5; 462A.08, Subdivision 1; 462A.10, Subdivision 5; 462A.17, Subdivision 1; 462A.18, Subdivision 2; 462A.21, Subdivisions 2 and 3; 462A.22; and 462A.23.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 462A.02, is amended by adding a subdivision to read:

Subd. 7. It is further declared that housing assistance programs provided by the federal government frequently require cooperation by or coordination with an agency of state government and that the availability of particular housing assistance

programs of the federal government may depend upon the existence of an agency in state government with the authority and capacity to coordinate and administer such federal housing assistance programs.

Sec. 2. Minnesota Statutes 1971, Section 462A.03, Subdivision 2, is amended to read:

Subd. 2. "Development costs" means the costs approved by the agency as appropriate expenditures which may be incurred by sponsors of land development for residential housing or of residential housing, within this state, prior to commitment and initial advance of the proceeds of a (FEDERALLY INSURED) *an eligible* construction loan, or (FEDERALLY INSURED) *eligible* mortgage, and for which temporary loans from the housing development fund may be made by the agency subject to the provisions of section 462A.05, subdivision (2) 5, including but not limited to:

(a) Payments for options to purchase properties on the proposed residential housing site, deposits on contracts of purchase, or, with prior approval of the (HOUSING DEVELOPMENT FUND) *agency*, payments for the purchase of such properties;

(b) Legal and organizational expenses, including payments of attorneys' fees, project manager and clerical staff salaries, office rent and other incidental expenses;

(c) Payment of fees for preliminary feasibility studies, advances for planning, engineering and architectural work;

(d) Expenses for tenant surveys and market analyses; and

(e) Necessary application and other fees.

Sec. 3. Minnesota Statutes 1971, Section 462A.03, Subdivision 4, is amended to read:

Subd. 4. "Federally insured mortgage" means a mortgage loan for residential housing *which is* insured or guaranteed by the United States or an instrumentality thereof, or by a commitment by the United States or an instrumentality thereof to insure such a mortgage.

Sec. 4. Minnesota Statutes 1971, Section 462A.03, Subdivision 7, is amended to read:

Subd. 7. "Residential housing" means a specific work or improvement within this state undertaken primarily to provide dwelling accommodations *for persons and families of low and moderate income and for others when determined to be necessary in furtherance of the policy stated in section 462A.02, subdivision 6*, including land development and the acquisition, construction or rehabilitation of buildings and improvements thereto, for residential housing, and such other nonhousing facilities as may be incidental or appurtenant thereto.

Sec. 5. Minnesota Statutes 1971, Section 462A.03, Subdivision 9, is amended to read:

Subd. 9. ("LOAN FUND," AND "BOND FUND," AND) "Housing development (FUND,") *fund*" and *"bond funds"* mean the funds which may be created and established in accordance with sections 462A.20 (,) and 462A.22 (AND 462A.23,) respectively.

Sec. 6. Minnesota Statutes 1971, Section 462A.03, Subdivision 10, is amended to read:

Subd. 10. "Persons and families of low and moderate income" means persons and families, irrespective of race, creed, national origin or sex, determined by the agency to require such assistance as is made available by sections 462A.01 to 462A.24 on account of personal or family income not sufficient to afford adequate housing (, AND TO BE ELIGIBLE OR POTENTIALLY ELIGIBLE TO OCCUPY RESIDENTIAL HOUSING CONSTRUCTED AND FINANCED, WHOLLY OR IN PART, WITH FEDERALLY INSURED CONSTRUCTION LOANS, FEDERALLY INSURED MORTGAGES, FEDERALLY INSURED SECURITIES, OR WITH OTHER PUBLIC OR PRIVATE ASSISTANCE, AND). In making such determination the agency shall take into account the following: (a) The amount of the total income of such persons and families available for housing needs, (b) the size of the family, (c) the cost and condition of housing facilities available, (d) the eligibility of such persons and families to compete successfully in the normal housing market and to pay the amounts at which private enterprise is providing sanitary, decent and safe housing. In the case of federally (INSURED) *subsidized* mortgages with respect to which income limits have been established by any agency of the federal government having jurisdiction thereover for the purpose of defining eligibility of low and moderate income families, the limits so established shall govern under the provision of sections 462A.01 to 462A.24. In all other cases income limits for the purpose of defining low or moderate income persons shall be established by the agency in its rules.

Sec. 7. Minnesota Statutes 1971, Section 462A.03, is amended by adding a subdivision to read:

Subd. 11. "*Eligible loan*" means any mortgage loan, construction loan, or other loan, whether or not federally insured, granted by the agency to an eligible mortgagor.

Sec. 8. Minnesota Statutes 1971, Section 462A.03, is amended by adding a subdivision to read:

Subd. 12. "*Eligible security*" means any security payable from or evidencing an interest in mortgages securing loans to finance residential housing.

Sec. 9. Minnesota Statutes 1971, Section 462A.03, is amended by adding a subdivision to read:

Subd. 13. "*Eligible mortgagor*" means a non-profit corporation or limited profit entity as the same are defined by the agency in its rules, or a natural person of low or moderate income except that the return to a limited dividend entity shall not ex-

ceed 8 percent annually of the capital contribution of the investors or such lesser percentage as the agency shall establish in its rules.

Sec. 10. Minnesota Statutes 1971, Section 462A.03, is amended by adding a subdivision to read:

Subd. 14. "Federal housing assistance supplements" means and refers to all funds made available to the state of Minnesota by the federal government or any agency or instrumentality thereof for the purpose of assisting in providing adequate and economic housing in the state of Minnesota.

Sec. 11. Minnesota Statutes 1971, Section 462A.05, Subdivision 2, is amended to read:

Subd. 2. It may make or participate in the making of (FEDERALLY INSURED) *eligible* construction loans to sponsors of residential housing for occupancy by persons or families of low and moderate income. Such loans shall be made only upon determination by the agency that construction loans are not otherwise available, wholly or in part, from private lenders upon equivalent terms and conditions.

Sec. 12. Minnesota Statutes 1971, Section 462A.05, Subdivision 3, is amended to read:

Subd. 3. It may *agree to purchase*, make, or otherwise participate in the making and enter into commitments for the *purchase, making, or participation in the making* of long term (FEDERALLY INSURED) *eligible* mortgage loans to sponsors of residential housing for occupancy by persons and families of low and moderate income, or to persons and families of low and moderate income, who may purchase such residential housing. Such loans shall be made only upon determination by the agency that long term mortgage loans are not otherwise available, wholly or in part, from private lenders upon equivalent terms and conditions.

Sec. 13. Minnesota Statutes 1971, Section 462A.05, Subdivision 4, is amended to read:

Subd. 4. It may purchase and enter into commitments for the purchase of (FEDERALLY INSURED) *eligible* securities provided that the agency shall first determine that the proceeds of such securities will be utilized for the purpose of residential housing for occupancy by persons or families of low and moderate income.

Sec. 14. Minnesota Statutes 1971, Section 462A.05, Subdivision 5, is amended to read:

Subd. 5. It may make temporary loans *solely* to "nonprofit" sponsors as defined by the agency, with or without interest, and with such security for repayment, if any, as the agency determines reasonably necessary and practicable, solely from the housing development fund, in accordance with the provisions of section 462A.21, to defray development costs to sponsors of residential housing construction for occupancy by persons and

families of low and moderate income which development costs are eligible or potentially eligible for (FEDERALLY INSURED) construction loans (,) or (FEDERALLY INSURED) mortgages. (PROVIDED THAT NO TEMPORARY LOANS SHALL BE MADE TO LIMITED DIVIDEND CORPORATIONS.)

Sec. 15. Minnesota Statutes 1971, Section 462A.05, Subdivision 9, is amended to read:

Subd. 9. It may invest any funds not required for immediate disbursement in direct obligations of the United States government or in obligations the principal of (WHICH) and interest on which are guaranteed by the United States government or an agency thereof (, SUBJECT TO THE PROVISIONS OF SECTION 462A.23.)

Sec. 16. Minnesota Statutes 1971, Section 465A.05, Subdivision 10, is amended to read:

Subd. 10. It may sell (FEDERALLY INSURED MORTGAGES) *eligible loans or eligible securities to the federal national mortgage association or (ANOTHER) any other agency or instrumentality of the United States, and may invest in the capital stock (OF SUCH) issued by said association or other agency or instrumentality to the extent, if any, required as a condition of such sale.*

Sec. 17. Minnesota Statutes 1971, Section 462A.05, is amended by adding a subdivision to read:

Subd. 11. It may receive federal housing assistance supplements from the federal government, or from agencies or instrumentalities thereof; may administer and distribute said funds in accordance with the applicable provisions of federal law or regulations governing the administration and distribution of said supplements; and may make and publish such rules and regulations as are necessary to enable it to receive, administer, and distribute said supplements in accordance with said federal laws and regulations.

Sec. 18. Minnesota Statutes 1971, Section 462A.05, is amended by adding a subdivision to read:

Subd. 12. It may, from time to time, establish such funds as may be needed in order to receive, administer, and distribute federal housing assistance supplements. All federal housing assistance supplements received by the agency are hereby appropriated to the agency.

Sec. 19. Minnesota Statutes 1971, Section 462A.05, is amended by adding a subdivision to read:

Subd. 13. In carrying out the policies and purposes declared in section 462A.02, the agency shall prefer those housing projects which are federally subsidized and those loans which are federally insured or guaranteed, to the extent that the agency finds such projects and loans to be available at the times and in

the amounts needed to meet the shortage of residential housing for persons and families of low and moderate income.

Sec. 20. Minnesota Statutes 1971, Section 462A.06, Subdivision 11, is amended to read:

Subd. 11. It may make and publish rules and regulations respecting its (FEDERALLY INSURED) mortgage lending, construction lending, and temporary lending, and any such other rules and regulations as are necessary to effectuate its corporate purpose.

Sec. 21. Minnesota Statutes 1971, Section 462A.06, Subdivision 12, is amended to read:

Subd. 12. It may borrow money to carry out and effectuate its corporate purpose and may issue its negotiable bonds or notes as evidence of any such borrowing (IN SUCH PRINCIPAL AMOUNTS AND UPON SUCH TERMS AS SHALL BE NECESSARY TO PROVIDE SUFFICIENT FUNDS FOR ACHIEVING ITS CORPORATE PURPOSE, EXCEPT THAT NO NEGOTIABLE NOTE SHALL BE ISSUED TO MATURE MORE THAN TEN YEARS FROM DATE OF ISSUANCE AND NO NEGOTIABLE BONDS SHALL BE ISSUED TO MATURE MORE THAN 50 YEARS FROM DATE OF ISSUANCE) *in accordance with sections 462A.08 to 462A.17.*

Sec. 22. Minnesota Statutes 1971, Section 462A.07, Subdivision 5, is amended to read:

Subd. 5. It may enter into agreements with sponsors, mortgagors, or the issuers of securities for the purpose of regulating the planning, development, and management of housing projects financed in whole or in part by the proceeds of (FEDERALLY INSURED MORTGAGES) *eligible loans or eligible securities purchased by the agency.*

Sec. 23. Minnesota Statutes 1971, Section 462A.08, Subdivision 1, is amended to read:

Subdivision 1. The agency from time to time may issue its negotiable bonds and notes in such principal amount, as, in the opinion of the agency, shall be necessary to provide sufficient funds for achieving its purposes (THROUGH), *including the making of (FEDERALLY INSURED) eligible construction loans and mortgage loans (FOR RESIDENTIAL HOUSING FOR LOW AND MODERATE INCOME PERSONS AND FAMILIES) and the purchase of (FEDERALLY INSURED) eligible securities, the payment of interest on bonds and notes of the agency, the establishment of reserves to secure such bonds and notes, and the (MAINTENANCE OF A RESERVE AS PROVIDED IN SECTION 462A.22) payment of all other expenditures of the agency incident to and necessary or convenient to carry out its corporate purposes and powers.*

Sec. 24. Minnesota Statutes 1971, Section 462A.08, Subdivision 2, is amended to read:

Subd. 2. The agency from time to time may issue (RENEWAL NOTES, ISSUE) bonds (TO PAY NOTES AND WHENEVER IT DEEMS) or notes for the purpose of refunding (EXPEDIENT, REFUND) any bonds (BY THE ISSUANCE OF NEW BONDS, WHETHER THE BONDS TO BE REFUNDED HAVE OR HAVE NOT MATURED, AND ISSUE BONDS PARTLY TO REFUND BONDS THEN OUTSTANDING AND PARTLY FOR ANY OTHER PURPOSE) or notes of the agency then outstanding, including the payment of any redemption premiums thereon and any interest accrued or to accrue to the redemption date next succeeding the date of delivery of such refunding bonds or notes. The (REFUNDING BONDS SHALL BE SOLD AND THE) proceeds of any such refunding bonds or notes may, in the discretion of the agency, be applied to the purchase (, REDEMPTION) or payment at maturity of the bonds or notes to be refunded, or to the redemption of such outstanding bonds or notes on the redemption date next succeeding the date of delivery of such refunding bonds or notes and may, pending such application, be placed in escrow to be applied to such purchase, retirement, or redemption. Any such escrowed proceeds, pending such use, may be invested and reinvested in obligations issued or guaranteed by the state or the United States or by any agency or instrumentality thereof, or in certificates of deposit or time deposits secured in such manner as the agency shall determine, maturing at such time or times as shall be appropriate to assure the prompt payment of the principal of and interest and redemption premiums, if any, on the bonds or notes to be refunded. The income earned or realized on any such investment may also be applied to the payment of the bonds or notes to be refunded. After the terms of the escrow have been fully satisfied, any balance of such proceeds and investment income may be returned to the agency for use by it in any lawful manner. All refunding bonds or notes issued under the provisions of this subdivision shall be issued and secured in the manner provided by resolution of the agency.

Sec. 25. Minnesota Statutes 1971, Section 462A.08, Subdivision 3, is amended to read:

Subd. 3. All notes or bonds issued hereunder shall be negotiable investment securities (UNDER) within the meaning and for all purposes of the uniform commercial code, subject only to any provisions of the bonds and notes for registration. All notes and bonds so issued shall be general obligations of the agency, secured by its full faith and credit, and payable out of any moneys, assets, or revenues of the agency, subject to the provisions of resolutions or indentures pledging and appropriating particular moneys, assets, or revenues to particular notes or bonds.

Sec. 26. Minnesota Statutes 1971, Section 462A.09, is amended to read:

462A.09. The notes and bonds of the agency shall be authorized by a resolution (OF THE MEMBERS OF) or resolutions adopted by the agency, shall bear such date or dates, (AND)

shall mature at such time or times, (IN THE CASE OF ANY NOTE, OR ANY RENEWAL THEREOF, NOT EXCEEDING TEN YEARS FROM THE DATE OF ISSUE OF SUCH ORIGINAL NOTE, AND IN THE CASE OF ANY BOND, NOT EXCEEDING 50 YEARS FROM THE DATE OF ISSUE, AS THE RESOLUTION MAY PROVIDE. THE NOTES AND BONDS) shall bear interest at such rate or rates, be in such denominations, be in such form, (EITHER COUPON OR REGISTERED,) carry such registration privileges, be executed in such manner, be payable in (SUCH MEDIUM OF PAYMENT) *lawful money of the United States of America*, at such place or places *within or without the state*, and be subject to such terms of redemption *prior to maturity* as such (RESOLUTION OR) resolutions or certificates may provide. *No note shall mature more than ten years from its date or from the date of any note refunded thereby. The maximum maturity of any bond, whether or not issued for the purpose of refunding, shall be 50 years from its date.* The notes and bonds of the agency may be sold (BY THE AGENCY,) at public or private sale, at such price or prices as the agency shall determine.

Sec. 27. Minnesota Statutes 1971, Section 462A.10, Subdivision 2, is amended to read:

Subd. 2. It may pledge *or create a lien on* all or any part of the moneys (RECEIVED IN PAYMENT OF LOANS AND INTEREST THEREON, AND) *or property of the agency and any moneys held in trust or otherwise (,) by others* to secure the payment of the notes or bonds or of any issue thereof, subject to such agreements with bondholders or noteholders as may then exist (, AND SUBJECT TO THE PROVISIONS OF SECTIONS 462A.22 AND 462A.23.)

Sec. 28. Minnesota Statutes 1971, Section 462A.10, Subdivision 3, is amended to read:

Subd. 3. It may provide for the (USE AND DISPOSITION OF THE GROSS INCOME FROM MORTGAGES OWNED BY THE AGENCY AND PAYMENT OF PRINCIPAL OF MORTGAGES OWNED BY) *custody, collection, securing, investment, and payment of any moneys of the agency.*

Sec. 29. Minnesota Statutes 1971, Section 462A.10, Subdivision 4, is amended to read:

Subd. 4. It may set aside reserves (IN THE BOND FUND) *or sinking funds* and provide for the regulation and disposition thereof *and may create other special funds into which any moneys of the agency may be deposited.*

Sec. 30. Minnesota Statutes 1971, Section 462A.10, Subdivision 5, is amended to read:

Subd. 5. It may limit the (GUARANTEED) loans and securities to which the proceeds of sale of notes or bonds may be applied and may pledge repayments thereon to secure the payment of the notes or bonds or of any issue thereof.

Sec. 31. Minnesota Statutes 1971, Section 462A.10, Subdivision 9, is amended to read:

Subd. 9. *It may define the acts or omissions to act which shall constitute a default in the obligations and duties of the agency and may provide for the rights and remedies of the holders of bonds or notes in the event of such default, and provide any other matters of like or different character, consistent with (SECTIONS 462A.01 TO 462A.24) the general laws of the state and other provisions of this chapter, which in any way affect the security or protection of the notes or bonds and the rights of the holders thereof.*

Sec. 32. Minnesota Statutes 1971, Section 462A.16, is amended to read:

462A.16. *If the agency defaults in the payment of principal or interest on any issue of notes or bonds after the same shall become due, whether at maturity or upon call for redemption, and such default continues for a period of 30 days, or if the agency fails or refuses to comply with the provisions of (SECTIONS 462A.01 TO 462A.24) this chapter, or defaults in any agreement made with the holders of any issue of notes or bonds, the holders of 25 percent in aggregate principal amount of the notes or bonds of such issue then outstanding may appoint a trustee to represent the holders of such notes or bonds for the purposes set forth in section 462A.17, unless the notes or bonds are issued under an indenture made and entered into by the agency with a designated trustee.*

Sec. 33. Minnesota Statutes 1971, Section 462A.17, Subdivision 1, is amended to read:

Subdivision 1. *The trustee designated in any indenture or resolution securing an issue of notes or bonds, or a trustee appointed pursuant to section (462A.14) 462A.16, may, and upon written request of the holders of 25 percent in principal amount of such notes or bonds then outstanding shall, in his own name, subject to the provisions of such indenture or resolution:*

(a) *Enforce all rights of the noteholders or bondholders, including the right to require the agency to collect fees and charges and interest and (AMORTIZATION) payments on (MORTGAGE) eligible loans and mortgages made and eligible securities purchased by it adequate to carry out any agreement as to, or pledge of, such fees and charges and (INTEREST) payments and to require the agency to carry out any other agreements with the holders of such notes or bonds and to perform its duties under (SECTIONS 462A.01 TO 462A.24) this chapter;*

(b) *Bring suit upon such notes or bonds;*

(c) *Require the agency to account as if it were the trustee of any express trust for the holders of such notes or bonds;*

(d) *Enjoin any acts or things which may be unlawful or in violation of the rights of holders of such notes or bonds; or*

(e) Declare all such notes or bonds due and payable, and if all defaults shall be made good, then, with the consent of the holders of 25 percent of the principal amount of such notes or bonds then outstanding, (TO) *the trustee may annul such declaration and consequences.*

Sec. 34. Minnesota Statutes 1971, Section 462A.18, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding the provisions of this section, the agency shall have power, subject to the approval of the state treasurer, to contract with the holders of any of its notes or bonds, as to the custody, collection, securing, investment, and payment of any moneys of the (AGENCIES) *agency*, or any moneys held in trust or otherwise for the payment of notes or bonds, and to carry out such contract. Moneys held in trust or otherwise for the payment of notes or bonds or in any way to secure notes or bonds and deposits of such moneys may be secured in the same manner as moneys of the agency, and all banks and trust companies are authorized to give such security for such deposits. *All moneys so paid to the state treasurer as agent of the agency, from whatever source, are appropriated to the agency.*

Sec. 35. Minnesota Statutes 1971, Section 462A.20, Subdivision 2, is amended to read:

Subd. 2. There shall be paid into the housing development fund:

(a) Any moneys appropriated and made available by the state for the purposes of the fund;

(b) Any moneys which the agency receives in repayment of advances made from the fund;

(c) Any other moneys which may be made available to the authority for the purpose of the fund from any other source or sources;

(d) All fees and charges collected by the agency;

(e) All interest or other income not required (TO BE PAID INTO THE BOND FUND OR LOAN FUND) *by the provisions of a resolution or indenture securing notes or bonds to be paid into another special fund.*

Sec. 36. Minnesota Statutes 1971, Section 462A.21, Subdivision 2, is amended to read:

Subd. 2. To make temporary loans to "nonprofit" sponsors to defray development costs, as provided by section 462A.05, subdivision 5. Each such loan shall be repaid in full by the borrower to the agency concurrent with the initial endorsement of such (BORROWERS FEDERALLY INSURED) *borrower's eligible* construction loan, unless the authority extends for the period for the repayment of the advances. In no event shall the time of repayment be extended later than the date of the final endorsement of the (FEDERALLY INSURED) *eligible* mortgage loan. If no permanent financing is obtained (FROM THE FEDERAL

AGENCY,) the loan shall be repaid in accordance with such terms and conditions as the agency has prescribed by rule.

Sec. 37. Minnesota Statutes 1971, Section 462A.21, Subdivision 3, is amended to read:

Subd. 3. To make planning grants to local communities, pursuant to rules promulgated by the agency, in such amounts as the agency determines, not to exceed the net costs, exclusive of any federal or other aid or assistance, as are incurred by the local community in planning for land and building acquisition, improvements, renewal, relocation or conservation. Such grants shall be limited to planning for specific sites upon which housing is, or is to be, situated and sites designated for other uses that are reasonably related to such housing.

Sec. 38. Minnesota Statutes 1971, Section 462A.21, Subdivision 4, is amended to read:

Subd. 4. For the payment of all costs, expenses, and financing not paid out of (THE LOAN FUND) *a special fund created by a resolution or indenture securing notes or bonds.*

Sec. 39. Minnesota Statutes 1971, Section 462A.22, is amended to read:

462A.22. *Subdivision 1.* (BEFORE ISSUING ANY BONDS OR NOTES THE AGENCY SHALL ESTABLISH A SPECIAL BOND FUND ON ITS OFFICIAL BOOKS AND RECORDS, AND SHALL DEPOSIT IN IT, WHENEVER MONEY IS RECEIVED OR AVAILABLE FROM ANY OF THE SOURCES DESCRIBED BELOW, SUCH AMOUNT OF SUCH MONEY AS MAY BE NEEDED TO INCREASE THE BALANCE THEN ON HAND IN THE BOND FUND TO AN AMOUNT AT LEAST EQUAL TO THE MAXIMUM AMOUNT OF PRINCIPAL AND INTEREST TO BECOME DUE IN ANY SUBSEQUENT FISCAL YEAR ON ALL BONDS THEN OUTSTANDING AND PAYABLE FROM THE BOND FUND, OR TO SUCH GREATER AMOUNT AS MAY BE COVENANTED AND AGREED IN THE RESOLUTIONS, INDENTURES, OR OTHER INSTRUMENTS AUTHORIZING THE ISSUANCE OF THE BONDS. THE OBLIGATION TO MAKE THESE DEPOSITS SHALL BE A FIRST AND PRIOR LIEN AND CHARGE ON (A) THE PROCEEDS OF EACH ISSUE OF AGENCY BONDS, (B) ALL REPAYMENTS OF PRINCIPAL AND INTEREST ON FEDERALLY INSURED MORTGAGE LOANS MADE AND SECURITIES PURCHASED FROM THE LOAN FUND, AND (C) ALL CASH AND INVESTMENTS FROM TIME TO TIME ON HAND IN THE LOAN FUND (OTHER THAN PROCEEDS OF NOTES AND REPAYMENTS OF FEDERALLY INSURED CONSTRUCTION LOANS AND INTEREST THEREON). THE BOND FUND SHALL BE USED ONLY TO PAY WHEN DUE THE PRINCIPAL OF AND INTEREST ON BONDS OF THE AGENCY, AND ALL FEES AND EXPENSES OF TRUSTEES AND PAYING AGENTS DESIGNATED FOR BOND ISSUES. INVESTMENTS OF MONEY IN THE BOND FUND SHALL BE

LIMITED TO DIRECT OBLIGATIONS OF THE UNITED STATES GOVERNMENT MATURING WITHIN ONE YEAR FROM THE DATE OF INVESTMENT, AND SHALL BE VALUED AT THEIR MATURITY VALUE.) The aggregate principal amount of bonds and notes which are outstanding at any time, *excluding the principal amount of any bonds and notes refunded by the issuance of new bonds or notes*, shall not exceed \$150,000,000. (TO THE EXTENT CONSISTENT WITH THE PROVISIONS OF RESOLUTIONS OF THE AGENCY OR OTHER INSTRUMENTS AUTHORIZING THE ISSUANCE OF BONDS, THE INTEREST RATE ON LOANS MADE FROM THE PROCEEDS THEREOF MAY BE DECREASED OR INCREASED FROM TIME TO TIME, PROVIDED THAT THE RATE SHALL AT NO TIME BE LESS THAN THE RATE PAID BY THE AGENCY ON BONDS ISSUED TO FUND THE LOAN.)

Subd. 2. *Subdivision 1 is not a contract with the holders of any bonds or notes excluding the issuance of bonds or notes in excess of said maximum amount, if such maximum shall be increased by law.*

Subd. 3. *The agency may create and establish a special fund or funds for the security of one or more or all series of its bonds or notes, which funds shall be known as debt service reserve funds. The agency may pay into each debt service reserve fund (a) any moneys appropriated by the state only for the purposes of such fund, (b) any proceeds of sale of bonds or notes to the extent provided in the resolution or indenture authorizing the issuance thereof, (c) any funds directed to be transferred by the agency to such debt service reserve fund, and (d) any other moneys made available to the agency only for the purpose of such fund from any other source or sources.*

Subd. 4. *The moneys held in or credited to each debt service reserve fund, except as provided in this section, shall be used solely for the payment of the principal of bonds or notes of the agency as the same mature, the purchase of such bonds or notes, the payment of interest thereon, or the payment of any premium required when such bonds or notes are redeemed before maturity; provided, that moneys in any such fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of the fund to less than the amount which the agency shall determine to be reasonably necessary for the purposes of the fund, except for the purpose of paying principal or interest due on bonds or notes secured by the fund, for the payment of which other moneys of the agency are not available.*

Subd. 5. *Moneys in any debt service reserve fund not required for immediate use or disbursement may be invested in obligations of the state or the United States of America, or obligations the principal and interest of which are guaranteed by the state or the United States of America. In computing the amount of any debt service reserve fund for the purpose of this section, securities in which all or a portion of the fund are in-*

vested shall be valued at par or, if purchased at less than par, at their cost to the agency.

Subd. 6. If the agency shall create and establish a debt service reserve fund for the security of any series of bonds or notes, it shall not issue any additional bonds or notes which are similarly secured if the amount of any of the debt service reserve funds at the time of such issuance does not equal or exceed the minimum amount, if any, required by the resolution creating such fund, unless the agency shall deposit in each such fund at the time of such issuance, from the proceeds of the bonds or notes or otherwise, an amount which, together with the amount then in the fund, will be not less than the minimum amount so required.

Subd. 7. To the extent consistent with the resolutions and indentures securing outstanding bonds and notes, the agency may at the close of any fiscal year transfer to any other fund or account from any debt service reserve fund, any excess in that fund over the amount deemed by the agency to be reasonably necessary for the purpose of the fund.

Subd. 8. In order to assure the payment of the principal of and interest on bonds and notes of the agency and the continued maintenance of all debt service reserve funds created and established therefor, the agency shall annually determine and certify to the governor, on or before December 1, (a) the amount, if any, then be used to restore each debt service reserve fund to the minimum amount required by the resolution of indenture establishing the fund, not exceeding the maximum amount of principal and interest to become due and payable in any subsequent year on all bonds or notes which are then outstanding and secured by such fund; and (b) the amount, if any, determined by the agency to be needed in the then immediately ensuing fiscal year, with other funds pledged and estimated to be received during that year, for the payment of the principal and interest due and payable in that year on all then outstanding bonds and notes secured by a debt service reserve fund the amount of which is then less than the minimum amount agreed. The governor shall include and submit to the legislature, in the budget for the following fiscal year, or in a supplemental budget if the regular budget for that year has previously been approved, the amounts certified to him by the agency in accordance with this subdivision 8.

Subd. 9. The agency shall also submit a biennial report of its activities to the governor and the legislature on or before January 15 in each odd-numbered year.

Subd. 10. All of the official books and records of the agency shall be subject to audit by the public examiner in the manner prescribed for other agencies of state government. The agency is authorized also to employ and to contract in its resolutions and indentures for the employment of independent accountants for the audit of books and records pertaining to any fund or funds, and the public examiner is authorized to cooperate with such accountants as provided in Minnesota Statutes, sections 215.31 to 215.37.

Sec. 40. *Minnesota Statutes 1971, Section 462A.06, Subdivisions 13, 14, 15, and 16, and 462A.23, are repealed.*"

Further, amend the title in the following manner:

Line 6, after the word "Sections", add "462A.02, by adding a Subdivision;"

Line 7, after "4," add "7,"

Line 9, after "5," add "9,"; after "10" strike the semicolon and insert a comma and add "and by adding Subdivisions,"

Line 10, delete the word "Subdivision" and insert in lieu thereof "Subdivisions"; after "11" and before the semicolon add "and 12".

Line 11, delete the second word "Subdivision" and insert in lieu thereof "Subdivisions"; after "1" and before the semicolon add ", 2 and 3".

Line 12, before "462A.10" add "462.09,"; delete the word "Subdivision 5;" and insert in lieu thereof "Subdivisions 2, 3, 4, 5 and 9,"; before "462A.17" add "462A.16,"

Line 13, at the end of the line, add "462A.20, Subdivision 2;"

Line 14, after "2" add a comma; delete the word "and" and insert in lieu thereof "3 and 4".

Line 15, delete "462A.23" and insert "repealing Minnesota Statutes 1971, Section 462A.06, Subdivisions 13 to 16, and 462A.23".

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

The report was adopted.

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

H. F. No. 1834, A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the Interstate Civil Defense and Disaster Compact; providing penalties; repealing Minnesota Statutes 1971, Chapter 12, and Laws 1951, Chapter 669.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 12.03, is amended by adding subdivisions to read:

Subd. 9. "Disaster" means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including but not limited to fire, flood, earthquake, wind, storm, wave action, oil spill, or other water contamination requiring emer-

gency action to avert danger or damage, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, or shortages of crucial materials such as fuel and energy.

Subd. 10. "Emergency" means an unforeseen combination of circumstances which calls for immediate action to protect life and property and to prevent a disaster from developing or occurring, including but not limited to the management of resources in crisis situations.

Sec. 2. Minnesota Statutes 1971, Chapter 12, is amended by adding a section to read:

[12.38] [THE GOVERNOR AND EMERGENCIES.] Subdivision 1. The governor is responsible for meeting the dangers to the state and people presented by disasters.

Subd. 2. Under this act, the governor may issue executive orders, proclamations, and regulations, and amend or rescind them. Executive orders, proclamations, and regulations have the force and effect of law.

Subd. 3. (a) An emergency shall be declared by executive order or proclamation of the governor if he finds a disaster has occurred or that the occurrence or the threat thereof is imminent. The state of emergency shall continue until the governor finds that the threat or danger has passed or the disaster has been dealt with to the extent that emergency conditions no longer exist, and terminates the state of emergency by executive order or proclamation, but no state of emergency may continue for longer than 30 days unless renewed by the governor. The legislature by concurrent resolution may terminate a state of emergency at any time. Thereupon, the governor shall issue an executive order or proclamation ending the state of emergency. All executive orders or proclamations issued under this subdivision shall indicate the nature of the disaster, the area or areas threatened, the conditions which have brought it about or which make possible termination of the state of emergency. An executive order or proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent or impede, shall be promptly filed with the division of civil defense and the secretary of state.

(b) An executive order or proclamation of a state of emergency shall activate the disaster response and recovery aspects of the state, local, and interjurisdictional emergency plans applicable to the political subdivision or area in question, and shall be authority for the deployment and use of any forces to which the plan or plans apply and for the use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available pursuant to this act or other provision of law relating to disaster emergencies.

(c) During the continuance of any state of emergency, the governor is commander-in-chief of the organized and unorga-

nized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement embodied in appropriate executive orders or regulations, but nothing herein shall restrict his authority to do so by orders issued at the time of the emergency.

Subd. 4. In addition to any other powers conferred upon the governor by law, he may:

(a) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations, of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;

(b) Utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the emergency;

(c) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services;

(d) Subject to any applicable requirements for compensation, commandeer or utilize any private property if he finds this necessary to cope with the emergency;

(e) Establish priorities and prescribe allocation of any or all fuel oil, gasoline, diesel fuel, natural gas, propane, or other petroleum products within or entering the state;

(f) Direct a study of the emergency with authority to hold hearings, subpoena witnesses and records, and adopt rules and regulations he deems proper."

Page 1, strike lines 2 through 8 and insert the following in lieu thereof: "relating to civil defense; clarifying the authority of the governor in time of emergency; amending Minnesota Statutes 1971, Section 12.03, by adding subdivisions; and Chapter 12, by adding a section."

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. 2260, A bill for an act relating to labor; regulating the powers, duties and procedures of certain state agencies and others; regulating the divisions of the department of labor and industry; providing penalties; amending Minnesota Statutes 1971, Sections 175.08; 175.10; 175.16; 175.17; 175.171; 175.20; 175.24; 175.27; and 175.32; repealing Minnesota Statutes 1971, Sections 175.12; 175.13; 175.18; 175.19; 175.21; 175.22; 175.23; 175.28; and 175.29.

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

The report was adopted.

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

S. F. No. 17, A bill for an act abolishing the commission on taxation and production of iron ore and other minerals; repealing Minnesota Statutes 1971, Section 3.923.

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

The report was adopted.

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

S. F. No. 147, A bill for an act relating to public health; abolishing certain advisory committees; amending Minnesota Statutes 1971, Section 145.10; repealing Minnesota Statutes 1971, Sections 144.75 and 144.93.

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:

S. F. No. 170, A bill for an act relating to real estate; qualifications of advisory commission members; amending Minnesota Statutes 1971, Section 82.125, 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:

S. F. No. 662, A bill for an act relating to the department of manpower services; changing the name thereof to the department of employment services; amending Minnesota Statutes 1971, Sections 268.12, Subdivision 1a; and 268.24.

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:

S. F. No. 935, A bill for an act relating to education; authorizing employment of retired teachers as substitutes in cities of the first class; amending Minnesota Statutes 1971, Section 354.19.

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:

S. F. No. 1165, A bill for an act relating to real property; abolishing tax judgment sales and county auditor's certificates; amending Minnesota Statutes 1971, Chapter 280, by adding a section.

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:

S. F. No. 1319, A bill for an act relating to the state civil service; extending the appointment of unskilled labor service from five months to seven months; amending Minnesota Statutes 1971, Section 43.09, 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. 1911, A bill for an act relating to child support; requiring the employer of certain persons required to pay support to withhold, upon order, from the pay of such person and pay the money so withheld over to the department of public welfare; prohibiting certain acts by an employer; amending Minnesota Statutes 1971, Section 256.873.

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

H. F. No. 2048, A bill for an act relating to welfare; limiting the payments under medical assistance to physicians in teaching hospitals; amending Minnesota Statutes 1971, Section 256B.05, Subdivision 2.

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

H. F. No. 2084, A bill for an act relating to public welfare; placing a limit on assets for old age assistance applicants in order to restore conformity with federal regulations; amending Minnesota Statutes 1971, Section 256.18.

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

H. F. No. 2085, A bill for an act relating to child welfare; requiring consents for adoption to be executed before a child-placing agency; amending Minnesota Statutes 1971, Section 259.24, Subdivision 5.

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

H. F. No. 2332, A bill for an act relating to adoption; amending Minnesota Statutes 1971, Sections 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 260.221; 260.231, Subdivision 3; and Chapter 259, by adding a section.

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

H. F. No. 2333, A bill for an act relating to welfare; providing for mandatory certification to the commissioner of manpower services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

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

H. F. No. 2334, A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

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

H. F. No. 2335, A bill for an act relating to public welfare, authorizing access to certain records for the purpose of verifying assets of recipients and applicants; amending Minnesota Statutes 1971, Section 256.978.

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

H. F. No. 2364, A bill for an act relating to human services; providing for the rendering of human services by a single board; permitting the joint exercise of powers by counties in the provision of human services; appropriating money.

Reported the same back with the recommendation that the bill 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. 2121, A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Chapters 272, by adding a section; 273; 275; and 290, by adding sections; and Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 124.212, Subdivision 3; 272.03, Subdivisions 1, 2 and 3, and by adding subdivisions; 272.04, Subdivision 1; 273.13, Subdivisions 6 and 7, and by adding a subdivision; 273.17, Subdivision 1; 273.41; 275.50,

Subdivisions 2, 4 and 5; 275.51, Subdivisions 1, 2, 3 and 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivision 2; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 297A.25, Subdivision 1; 297.13, Subdivision 1; 340.60, Subdivision 1; 414.01, by adding a subdivision; 477A.01, Subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 16 and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 124.28; 124.281; 124.29; 290.0607; 290.0617; 290.361, Subdivision 4; 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6 and 7; and 477A.01, Subdivisions 12 and 15.

Reported the same back with the following amendments:

Page 3, line 23, after "section 256.12" and before semicolon, insert "*if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof*".

Page 6, line 6, after "be" and before the period, insert "*and all amounts paid for the unit during the selected claimant's occupancy shall be considered as paid by him*".

Page 22, line 13, change the effective date of this Article XI from "1973" to "1974".

Page 31, after line 14, add a new paragraph to read as follows:

"Sales made by or through a corporation which is qualified as a domestic international sales corporation under section 992 of the Internal Revenue Code of 1954, as amended through December 31, 1972, shall not be considered to have been made within this state."

Page 31, line 16, change the effective date of this Article XIII from "December 31, 1972" to "December 31, 1973".

Page 31, beginning on line 17, strike all of Article XIV, ending on page 36, line 11. Renumber the remaining articles.

Strike all the material beginning on page 36, line 20 and ending on page 41, line 1, and insert in lieu thereof the following:

		Total Household Income				
Property Tax						
At Least	But Less Than	\$ 0 to \$1,499	\$1,500 to \$1,999	\$2,000 to \$2,499	\$2,500 to \$2,999	\$3,000 to \$3,499
\$ 0 - \$ 25		\$ 22	\$ 21	\$ 19	\$ 16	\$ 12
25 - 50		45	42	38	32	25
50 - 75		68	64	56	49	38

51st Day]

THURSDAY, MAY 3, 1973

2559

75 - 100	90	85	75	65	50
100 - 125	112	106	94	81	62
125 - 150	135	128	112	98	75
150 - 175	158	149	131	114	88
175 - 200	180	170	150	130	100
200 - 225	202	191	169	146	112
225 - 250	225	212	188	162	125
250 - 275	248	234	206	179	138
275 - 300	270	255	225	195	150
300 - 325	292	276	244	211	162
325 - 350	315	298	262	228	175
350 - 375	338	319	281	244	188
375 - 400	360	340	300	260	200
400 - 425	382	361	319	276	212
425 - 450	405	382	338	292	225
450 - 475	428	404	356	309	238
475 - 500	450	425	375	325	250
500 - 525	472	446	394	341	262
525 - 550	495	468	412	358	275
550 - 575	518	489	431	374	288
575 - 600	540	510	450	390	300
600 - 625	562	531	469	406	312
625 - 650	585	552	488	422	325
650 - 675	608	574	506	439	338
675 - 700	630	595	525	455	350
700 - 725	652	616	544	471	362
725 - 750	675	638	562	488	375
750 - 775	698	659	581	504	388
775 - 800	720	680	600	520	400

Property Tax

At Least	But Less Than	\$3,500 to \$3,999	\$4,000 to \$4,499	\$4,500 to \$4,999	\$5,000 to \$5,499	\$5,500 to \$5,999
\$ 0 - \$ 25		\$ 9	\$ 5	\$ 4	\$ 2	\$ 1
25 - 50		18	10	8	5	2

50 - 75	26	15	11	8	4
75 - 100	35	20	15	10	5
100 - 125	44	25	19	12	6
125 - 150	52	30	22	15	8
150 - 175	61	35	26	18	9
175 - 200	70	40	30	20	10
200 - 225	79	45	34	22	11
225 - 250	88	50	38	25	12
250 - 275	96	55	41	28	14
275 - 300	105	60	45	30	15
300 - 325	114	65	49	32	16
325 - 350	122	70	52	35	18
350 - 375	131	75	56	38	19
375 - 400	140	80	60	40	20
400 - 425	149	85	64	42	21
425 - 450	158	90	68	45	22
450 - 475	166	95	71	48	24
475 - 500	175	100	75	50	25
500 - 525	184	105	79	52	26
525 - 550	192	110	82	55	28
550 - 575	201	115	86	58	29
575 - 600	210	120	90	60	30
600 - 625	219	125	94	62	31
625 - 650	228	130	98	65	32
650 - 675	236	123	101	68	34
675 - 700	245	140	105	70	35
700 - 725	254	145	109	72	36
725 - 750	262	150	112	75	38
750 - 775	271	155	116	78	39
775 - 800	280	160	120	80	40

Page 44, line 20, insert after the word "credit" the words "*an equal amount to the excess of current tax over base tax*".

Page 48, line 8 through line 25, strike out everything after "Subd. 5" and insert "(IF THE TOTAL AMOUNT DISTRIBUTED TO THE SEVERAL TAXING AUTHORITIES WITHIN A COUNTY PURSUANT TO SUBDIVISION 1 IS LESS THAN

THE TOTAL AMOUNT THE SEVERAL TAXING AUTHORITIES WITHIN THE COUNTY, EXCEPT SCHOOL DISTRICTS, WERE ENTITLED TO RECEIVE IN 1971 PURSUANT TO MINNESOTA STATUTES 1969, SECTIONS 273.69 AND 297A.51 TO 297A.60, THE STATE SHALL SUPPLY AND DISTRIBUTE THE DIFFERENCE FROM THE GENERAL FUND WHICH SHALL BE DISTRIBUTED AS PART OF THE DISTRIBUTION PURSUANT TO SUBDIVISION 1.)

(a) The department of taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, town, and county government within each county subject to the provisions of Subdivision 1 or within the territory specified in Subdivision 7:

(1) 1973 local government aids pursuant to Extra Session Laws 1971, Chapter 31, Article 21;

(2) 1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;

(3) 1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;

(4) 1973 gross earnings aids to cities, villages, towns, and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; and 373.20 to 373.24;

(5) The November 30, 1972 and May 31, 1973 distributions of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;

(6) Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;

(7) Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.

(b) If the total amount distributed to the several taxing authorities within a county pursuant to Subdivision 1 or to the territory specified in Subdivision 7 is less than the aggregate of aids to the several taxing authorities within such county or territory, except school districts, as calculated by the Department of Taxation pursuant to clause (a), the state shall supply and distribute the difference from the general fund which shall be distributed as part of the distribution to the several taxing authorities within the territory specified in Subdivision 7."

Page 48, after line 25, insert "Sec. 6 Minnesota Statutes 1971, Section 477A.01, Subdivision 6 is amended to read:

Subd. 6 (IF THE AMOUNT DISTRIBUTED TO A CITY, VILLAGE OR TOWN PURSUANT TO SUBDIVISION 4, IS LESS THAN IT WAS ENTITLED TO RECEIVE IN 1971 PURSUANT TO MINNESOTA STATUTES 1969, SECTIONS 273.69 AND 297A.51 TO 297A.60, THE AMOUNT DIS-

TRIBUTED TO IT SHALL BE RAISED TO THE AMOUNT DISTRIBUTED IN 1971 AND THE DISTRIBUTIONS TO EACH OF THE OTHER CITIES, VILLAGES AND TOWNS AND THE COUNTY, SHALL BE PROPORTIONATELY REDUCED AS NECESSARY TO SUPPLY THE DIFFERENCE.)

(a) *The Department of Taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, town and county government within each county subject to the provisions of Subdivision 1:*

(1) *1973 local government aids pursuant to Extra Session Laws 1971, Chapter 31, Article 21;*

(2) *1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;*

(3) *1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;*

(4) *1973 gross earnings aids to cities, villages, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; 373.20 to 373.24;*

(5) *The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361;*

(6) *Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;*

(7) *Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.*

(b) *If the amount distributed to a city, village, borough, town or county government pursuant to Subdivision 2 or Subdivision 4 is less than the aggregate of aids for such county government, city, village, borough, or town as calculated by the Department of Taxation pursuant to clause (a), the amount distributed to it shall be raised to the amount for such county, city, village, borough or township as calculated by the Department of Taxation pursuant to clause (a), and the distributions to each of the other cities, villages, boroughs and towns and the county government shall be proportionately reduced as necessary to supply the difference."*

Renumber the remaining sections in Article XVIII.

Page 52, lines 4 through 19, delete everything after "Subd. 16" and insert in lieu thereof "(IF THE AMOUNT DISTRIBUTED TO A CITY, VILLAGE, BOROUGH OR TOWN IN 1972 OR 1973 IN THE SEVEN NAMED COUNTIES PURSUANT TO THIS SECTION, IS LESS THAN IT WAS ENTITLED TO RECEIVE IN 1971 PURSUANT TO MINNESOTA STATUTES 1969, SECTIONS 273.69 AND 297A.51 TO 297A.60, THE AMOUNT SHALL BE RAISED TO THE AMOUNT DIS-

TRIBUTED IN 1971 AND THE DISTRIBUTIONS TO EACH OF THE OTHER CITIES, VILLAGES, BOROUGHS AND TOWNS SHALL BE PROPORTIONATELY REDUCED AS NECESSARY TO SUPPLY THE DIFFERENCE.) (a) *The Department of Taxation shall calculate the aggregate of the following aids (before adjustments for prior year aid payments) for each city, village, borough, town, and county government within the territory specified in Subdivision 7.*

(1) *1973 local government aids pursuant to Extra Session Laws 1971, Chapter 31, Article 21;*

(2) *1973 cigarette tax distribution aids pursuant to Minnesota Statutes 1971, Section 297.13;*

(3) *1973 liquor tax distribution aids pursuant to Minnesota Statutes 1971, Section 340.60;*

(4) *1973 gross earnings aids to cities, villages, towns and counties pursuant to Minnesota Statutes 1971, Sections 276.15 to 276.18; 368.39 to 368.42; 373.20 to 373.24;*

(5) *The November 30, 1972 and May 31, 1973 distribution of bank excise tax aids pursuant to Minnesota Statutes 1971, Section 290.361.*

(6) *Fifty percent of the 1973 inheritance tax distribution to counties pursuant to Minnesota Statutes 1971, Section 291.33;*

(7) *Seventy percent of the amount county governments were entitled to receive and 100 percent of the amount city, village, borough and town governments were entitled to receive in 1973 pursuant to Minnesota Statutes 1971, Section 287.12.*

(b) *If the amount distributed to a city, village, borough, town, or county in 1974 or 1975 in the seven named counties pursuant to this section is less than the aggregate of aids for such county, city, village, borough, or town as calculated by the Department of Taxation pursuant to clause (a), the amount distributed to it shall be raised to the amount for such county, city, village, borough or town as calculated by the Department of Taxation pursuant to clause (a), and the distributions to each of the other counties, cities, villages, boroughs and towns shall be proportionately reduced as necessary to supply the difference."*

Page 54, line 19, before the word "notwithstanding," insert "*Except as provided in section 3 and*".

Page 54, after line 23, insert:

"Sec. 3. (a) *Notwithstanding the provisions of section 2, if in the opinion of the town board, governing body of the borough, village council, city council or, in the case of unorganized territory only, the board of county commissioners (hereinafter referred to as the taxing authorities) any class of property within such taxing district, or property located in a particular area of such taxing district would reflect a substantially lower level of assessment than that of other property within such taxing dis-*

trict, the taxing authorities of such taxing district by resolution may conduct a public meeting for the purpose of informing interested persons attending such meeting that the assessor will be directed by the taxing authority to list and assess such property for the purpose of taxes due and payable in 1974 and 1975 and why the taxing authority feels the reassessment must be conducted at this time. Such notice shall be published by the clerk no later than 15 days prior to such meeting, and shall state the purpose of the meeting, the areas and the classes of property which the taxing authority is requesting to be reassessed. Such notice shall be published in a general circulation newspaper designated by such taxing authorities for that purpose. In addition, such notice shall be posted in the building or structure in which such taxing authorities are located. After such hearing, the taxing authority may direct the assessor to list and assess such property.

(b) The reassessment of property as provided by clause (a) shall be subject to the provisions of sections 270.12 and 270.07 relating to the duties of the commissioner of taxation and the state board of equalization.

It is specifically provided that the commissioner of taxation and the state board of equalization shall not increase the level of assessments, except for iron ore and utilities, in a taxing district where no reassessment as provided in clause (a) has occurred, in order to equalize the level of assessment between such taxing district and any other taxing districts whether or not reassessed. The commissioner of taxation or the state board of equalization is hereby authorized to reduce the level of assessment made pursuant to clause (a) where such reduction would be appropriate under the authority of section 271.12.

Sec. 4. The provisions of section 3 shall be effective for the assessment year 1973.”.

Page 54, line 24, change Sec. 3 to Sec. 5 and insert before the phrase “the provisions” the following material: “except as provided in section 4”.

Page 55, line 12, after “to” and before “the” insert “the general economic needs and development of the state, the special needs of employment and job opportunity and”.

Page 56, line 2, after the word “to” strike “290.0617” and insert in lieu thereof “290.0618”.

Page 56, line 8, strike “290.0617” and insert in lieu thereof “290.0618”.

Page 56, line 12, strike “290.0617” and insert in lieu thereof “290.0618”.

Page 57, line 18, after the word “to” strike “290.0617” and insert in lieu thereof “290.0618”.

Page 58, line 7, strike “290.0617” and insert in lieu thereof “290.0618”.

Page 58, line 13, strike "290.0617" and insert in lieu thereof "290.0618".

Page 58, line 22, strike "290.0617" and insert in lieu thereof "290.0618".

Page 70, after line 20, insert:

"For the purpose of determining the amount of property taxes that a governmental subdivision may levy, in 1973 and thereafter, taxes payable in 1974 and thereafter, for all purposes except special levies and special assessments, the following amounts (increased by 12.36 percent and divided by the 1973 population of the governmental subdivision established pursuant to section 275.53) shall be added to the governmental subdivision's 1972 payable 1973 levy limit base per capita and adjusted pursuant to section 275.52, subdivision 2:

(1) The amount of a county auditor's error of omission in the ad valorem taxes extended in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

(2) The amount of an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city, village, borough or town with village powers in levy year 1970, taxes payable in 1971, but only to the extent that when included in the governmental subdivision's levy in 1970, taxes payable in 1971, such amount is not in excess of any applicable statutory, special law or charter limitation imposed on the governmental subdivision in levy year 1970.

The foregoing addition shall not be construed to alter in any way the amount of state formula aids estimated by the department of taxation to be paid a governmental subdivision pursuant to section 477A.01 in calendar years 1972 and 1973."

Page 71, lines 23 and 24, strike "Extra Session Laws 1971, Chapter 31, Articles XXI and XXX" and insert "sections 477A.01 and 298.282, as amended".

Page 72, lines 7 and 8, strike "Extra Session Laws 1971, Chapter 31, Articles XXI and XXX" and insert "sections 477A.01 and 298.282, as amended".

Page 72, lines 23 and 24, strike "Extra Session Laws 1971, Chapter 31, Article XXI" and insert "section 477.01, as amended".

Page 72, lines 25 and 26, strike "Extra Session Laws 1971, Chapter 31, Article XXX" and insert "section 298.282, as amended".

Page 73, line 11, strike "presume" and insert "resume".

Page 81, strike the sentence beginning on line 17 with the words "A stenographic" and ending on line 20 with the number "15.0419."

Page 85, lines 7 to 28, delete all of the language and insert in lieu thereof the following: "*Section 1. Minnesota Statutes 1971, Sections 276.15; 276.16; 276.17; 276.18; 295.38; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; and 373.24 are repealed for all payments required to be made thereunder subsequent to December 31, 1973.*"

Page 86, lines 1 and 2, delete all of the language.

Page 87, line 23, strike "act" and insert in lieu thereof "article".

Page 95, line 4, after "section." insert "*The register of deeds and registrar of titles shall file with the county auditor a copy of each document so recorded within 60 days after recording in the office of register of deeds or registrar of titles.*"

Page 98, line 6, strike "6" and insert in lieu thereof "7".

Page 98, line 7, strike "act" and insert in lieu thereof "article".

Page 98, line 8, after "1974." insert "*As soon as possible after final enactment but before the effective date of this article the register of deeds and registrar of titles in each county shall file with the county auditor a copy of each document recorded pursuant to Minnesota Statutes, Sections 93.52 to 93.58, before the effective date of this article.*"

Further, amend the title as follows:

Lines 11 and 12, strike "272.03, Subdivisions 1, 2 and 3, and by adding subdivisions;"

Line 31, after "5," insert "6,".

Line 34, after "124.29;" insert "276.15; 276.16; 276.17; 276.18;"

Line 35, after "Subdivision 4;" insert "295.38;"

Line 38, after "7;" insert "368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; 373.24;"

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

The report was adopted.

PURSUANT TO JOINT RULE 20, THE FOLLOWING COMMITTEE REPORTS
WERE RE-REFERRED TO THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Mr. Munger from the Committee on Environmental Preservation and Natural Resources to which was referred:

H. F. No. 2284, A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

Reported the same back with the following amendments:

Page 4, strike lines 18 through 28.

Page 5, strike lines 1 through 28.

Page 6, strike lines 1 through 28 and insert in lieu thereof:

"Subd. 11. Stewart and Little Stewart Rivers Trout Stream Improvement, Management, and Angling Easements:

Strips of land lying in Gov't. Lot 2 and in the E 1/2 NW 1/4 of Section 29, T. 53 N., R. 10 W., and in W 1/2 SW 1/4 of S. 20, T. 53 N., R. 10 W., said strips described as follows:

From the center line of the beds of the Stewart and the Little Stewart Rivers, extending to the right and to the left looking down stream, to the natural ordinary high water marks of said Stewart and Little Stewart Rivers.

Also a strip of land 66 ft. in width lying to the right of said ordinary high water marks of said Rivers and a strip of land 66 ft. in width lying to the left of said ordinary high water marks of said Rivers.

Also easements for ingress and egress by employees and agents of the State, for the purpose of fish management, to and from the Stewart and Little Stewart Rivers over and across Gov't. Lot 2, and the E 1/2 NW 1/4 of said S. 29 and over and across the S 1/2 SW 1/4 and the NW 1/4 SW 1/4 of said S. 20."

Page 7, line 10, after the first word "said" strike "NW 1/4 SW 1/4" and insert in lieu thereof "NE 1/4 SE 1/4".

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

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

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

H. F. No. 1795, A bill for an act relating to the Hennepin county conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivisions 1 and 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

Reported the same back with the following amendments:

Page 1, delete lines 9 to 17.

Page 1, line 28, strike "\$3" and restore "\$2".

Renumber the sections in sequence.

Further amend title in line 5 by striking "Subdivisions 1 and 5" and inserting in lieu thereof "Subdivision 5".

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

The report was adopted and re-referred to the Committee on Rules and Legislative Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1478, 1810, 923, 1581, 1834, and 2121 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1955, 1678, 2189, 1559, 2125, 1377, 641, 60, and 17 were read for the second time.

Ojala moved that S. F. No. 17 and H. F. No. 768, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

SECOND READING OF SENATE BILLS, Continued

S. F. Nos. 147, 170, 662, 935, 1165, and 1319 were read for the second time.

INTRODUCTION OF BILLS

Moe, Berglin, and Sarna introduced:

H. F. No. 2446, A bill for an act relating to trading stamps; providing for redemption of such stamps by retail distributors of stamps.

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

Berg; Fudro; Enebo; Carlson, A.; and Salchert introduced:

H. F. No. 2447, A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16, Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a subdivision; and 23, Subdivision 5.

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

Pehler; Pavlak, R.; Johnson, D.; Lindstrom, E.; and LaVoy introduced:

H. F. No. 2448, A bill for an act relating to taxes on and measured by net income; definition of gross income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 308, A bill for an act relating to the organization and operation of the state government; creating a department of finance; a legislative audit commission and a legislative auditor; appropriating moneys; amending Minnesota Statutes 1971, Sections 6.21; 9.031; 11.10; 215.04; 215.05; 215.06; 215.07; 215.08 and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11, 12, 20 and 22; and 215.02.

The Senate has appointed as such committee Messrs. Gearty, Pillsbury, Schaaf, Milton and McCutcheon.

PATRICK E. FLAHAVEN, Secretary of 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. 2275, A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 2275, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 813 and 1626.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1847.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 813, A bill for an act relating to elections; providing for the administration of absentee ballots by the municipalities in certain instances; amending Minnesota Statutes 1971, Sections 207.03; 207.04; 207.05, Subdivisions 1 and 3; 207.06; 207.07; 207.08; 207.09; 207.10; 207.13; 207.19; 207.20, Subdivisions 1 and 2; 207.22; 207.221; 207.24; 207.28; 207.30, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Section 207.15.

The bill was read for the first time.

Laidig moved that S. F. No. 813 and H. F. No. 2035, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1626, A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

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

S. F. No. 1847, A bill for an act changing the name of the department of taxation to the department of revenue; amending Minnesota Statutes 1971, Section 270.02.

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

UNANIMOUS CONSENT

Anderson, I., requested unanimous consent to introduce a resolution. The request was granted.

Anderson, I., introduced:

House Concurrent Resolution No. 9, A house concurrent resolution providing for a joint convention of the Senate and House

of Representatives for the purpose of electing members to the Board of Regents of the University of Minnesota.

SUSPENSION OF RULES

Anderson, I., moved that the Rules of the House be so far suspended that House Concurrent Resolution No. 9 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 9

A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives for the purpose of electing members of the Board of Regents of the University of Minnesota.

Be It Resolved, by the House of Representatives of the State of Minnesota, the Senate concurring therein, that the House of Representatives and the Senate meet in joint convention on Monday, May 7, 1973, at 7:00 p.m. in the House of Representatives for the purpose of electing four members to the Board of Regents of the University of Minnesota; and

Be It Further Resolved, that the Education Committee of the Senate and the Higher Education Committee of the House of Representatives in a joint meeting be and they are hereby appointed to submit a slate of nominations and to report same at the meeting of the joint convention aforesaid.

Anderson, I., moved that House Concurrent Resolution No. 9 be now adopted.

The question was taken on the adoption of House Concurrent Resolution No. 9, and House Concurrent Resolution No. 9 was adopted.

MOTION FOR RECONSIDERATION

Kahn moved that the vote whereby H. F. No. 543 was not passed on Special Orders on May 2, 1973, be now reconsidered. The motion prevailed.

H. F. No. 543 was reported to the House.

CALL OF THE HOUSE

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

Adams, J.	Berglin	Clifford	Enebo	Fudro
Andersen, R.	Boland	Connors	Erdahl	Fugina
Anderson, D.	Braun	Culhane	Erickson	Graba
Anderson, G.	Brinkman	Cummiskey	Esau	Graw
Anderson, I.	Carlson, A.	Dahl	Faricy	Growe
Becklin	Carlson, B.	Dieterich	Ferderer	Hagedorn
Belisle	Carlson, L.	Dirlam	Fjoslien	Haugerud
Bennett	Casserly	Eckstein	Flakne	Heinitz
Berg	Cleary	Eken	Forsythe	Hook

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

Mr. Flakne 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.

Connors moved to amend H. F. No. 543, the printed bill, as follows:

Delete everything after the enacting clause and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 617.251, is amended to read:

617.251 [SALE OF ARTICLES RELATING TO PREVENTION OF CONCEPTION OR DISEASE.] *No instruments, articles, drugs or medicines for the prevention of conception or disease may be sold, offered for sale, distributed or dispensed in or upon any government owned or operated buildings or property except pursuant to rules or regulations promulgated by the state board of health. No public elementary or secondary school shall sell, offer for sale, distribute or dispense any of the aforesaid instruments, articles, drugs or medicines to pupils therein without approval of the local school board after public hearing thereon. In no event however shall any of the aforesaid instruments, articles, drugs or medicines be sold, offered for sale, distributed or dispensed to any minor pupil or student within a public elementary or secondary school without the consent of his parent or legal guardian. (ONLY BY PERSONS OR ORGANIZATIONS RECOGNIZED AS DEALING PRIMARILY WITH HEALTH OR WELFARE).* Anyone convicted of violation of this section shall be guilty of a gross misdemeanor and punished by imprisonment not to exceed one year or by a fine of not more than \$500 or both."

Further, amend the title in the first line by deleting "repealing" and inserting in lieu thereof "amending".

The motion prevailed and the amendment was adopted.

Ojala moved to amend H. F. No. 543, the printed bill, as amended by the Connors amendment, as follows:

In Section 1, line 17, of the Connors amendment, after "a" and before "misdemeanor" strike "gross". Also in line 17, after "mis-

demeanor" and continuing through lines 18 and 19 to the period, strike "and punished by imprisonment not to exceed one year or by a fine of not more than \$500 or both".

The motion prevailed and the amendment was adopted.

Kempe moved to amend H. F. No. 543, the printed bill, as amended by the Connors amendment, as follows:

In Section 1, line 14, of the Connors amendment, after "*student*" and continuing in line 15 to "*without*" strike "*within a public elementary or secondary school*".

The motion did not prevail and the amendment was not adopted.

H. F. No. 543, A bill for an act relating to health; amending Minnesota Statutes 1971, Section 617.251.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 80, and nays 39, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Grove	Lindstrom, J.	Salchert
Adams, S.	Connors	Hagedorn	McCarron	Samuelson
Andersen, R.	Culhane	Hanson	McMillan	Savelkoul
Anderson, G.	Cummiskey	Haugerud	Menke	Schreiber
Anderson, I.	Dahl	Heinitz	Moe	Sherwood
Bennett	Dieterich	Jaros	Munger	Sieben, M.
Berg	Eckstein	Johnson, D.	Nelson	Stangeland
Berglin	Eken	Johnson, J.	Norton	Stanton
Biersdorf	Enebo	Jude	Ojala	Swanson
Boland	Faricy	Kahn	Parish	Ulland
Carlson, A.	Federer	Kelly	Pavlak, R. L.	Vanasek
Carlson, B.	Fjoslien	Knickerbocker	Pleasant	Vento
Carlson, D.	Flakne	Laidig	Quirin	Voss
Carlson, L.	Forsythe	LaVoy	Resner	Weaver
Casserly	Fugina	Lemke	Rice	Wohlwend
Cleary	Graba	Lindstrom, E.	Ryan	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Erickson	Klaus	Niehaus	Sarna
Becklin	Esau	Kvam	Ohnstad	Schulz
Belisle	Fudro	Long	Patton	Skaar
Braun	Graw	Mann	Pavlak, R.	Spanish
Brinkman	Jacobs	McArthur	Pehler	Wenzel
DeGroat	Johnson, C.	McFarlin	Peterson	Wigley
Dirlam	Jopp	Miller, M.	Pieper	Wolcott
Erdahl	Kempe	Newcome	St. Onge	

The bill was passed, as amended, and its title agreed to.

CONSENT CALENDAR

S. F. No. 1593 was reported to the House.

Fjoslien moved to amend S. F. No. 1593, the printed bill, as follows:

Page 1, line 11, strike "pheasants,".

Page 1, line 17, after the period add the following language: *"Pheasants may be taken and possessed, subject to all other provisions of chapters 97-102, only in such areas of the state and during such times between October 1 and 31, between the hours of 12 noon to sunset, as the commissioner shall prescribe."*

Anderson, G., moved to amend the Fjoslien amendment, as follows:

In line 3 of the new language in the Fjoslien amendment after the word *"between"* and before the comma strike *"October 1 and 31"* and insert in lieu thereof *"October 15 and November 15"*.

The motion prevailed and the amendment was adopted.

A roll call was requested and properly seconded.

The question was taken on the adoption of the Fjoslien amendment, as amended, and the roll being called, there were yeas 60, and nays 63, as follows:

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, C.	Miller, D.	Samuelson
Adams, S.	Dieterich	Johnson, J.	Mueller	Savelkoul
Anderson, D.	Dirlam	Jopp	Munger	Schulz
Anderson, G.	Erdahl	Klaus	Nelson	Smith
Becklin	Erickson	Knickerbocker	Newcome	Spanish
Belisle	Esau	Kvam	Niehaus	Stangeland
Boland	Fjoslien	Laidig	Ohnstad	Stanton
Braun	Fugina	Larson	Ojala	Ulland
Carlson, A.	Graw	Lindstrom, J.	Patton	Vanasek
Carlson, D.	Hagedorn	Long	Pieper	Wenzel
Cleary	Heinitz	Mann	Resner	Wigley
Clifford	Hook	McFarlin	Ryan	Wolcott

Those who voted in the negative were:

Andersen, R.	Dahl	Jude	Myrah	Searle
Anderson, I.	Eckstein	Kahn	Norton	Sherwood
Bennett	Eken	Kempe	Pavlak, R.	Sieben, H.
Berg	Enebo	LaVoy	Pavlak, R. L.	Sieben, M.
Berglin	Faricy	Lemke	Pehler	Skaar
Biersdorf	Ferderer	Lindstrom, E.	Pleasant	Swanson
Brinkman	Forsythe	McArthur	Prahl	Vento
Carlson, B.	Fudro	McCarron	Quirin	Voss
Carlson, L.	Growe	McCauley	Rice	Weaver
Casserly	Hanson	McEachern	St. Onge	Wohlwend
Connors	Haugerud	McMillan	Salchert	Mr. Speaker
Culhane	Jaros	Menke	Sarna	
Cummiskey	Johnson, D.	Moe	Schreiber	

The motion did not prevail and the amendment, as amended, was not adopted.

S. F. No. 1593, A bill for an act relating to game and fish; seasons for taking game birds, amending Minnesota Statutes 1971, Section 100.27, Subdivision 5.

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 124, and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G. DeGroat Fjoslien Wigley

The bill was passed and its title agreed to.

MOTION TO LIFT CALL OF THE HOUSE

Cummiskey moved that the call of the House be dispensed with. The motion did not prevail.

S. F. No. 1361, A bill for an act relating to Hennepin county; removing \$10,000 limitation on revolving fund; amending Laws 1951, Chapter 556, Section 4.

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 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, A.	Eken	Hagedorn	Kvam
Adams, S.	Carlson, B.	Enebo	Hanson	Laidig
Andersen, R.	Carlson, D.	Erdahl	Haugerud	Larson
Anderson, D.	Carlson, L.	Erickson	Heinitz	LaVoy
Anderson, G.	Casserly	Esau	Hook	Lemke
Anderson, I.	Cleary	Faricy	Jacobs	Lindstrom, E.
Becklin	Clifford	Ferderer	Jaros	Lindstrom, J.
Belisle	Connors	Fjoslien	Johnson, C.	Lombardi
Bennett	Culhane	Flakne	Johnson, D.	Long
Berg	Cummiskey	Forsythe	Jopp	Mann
Berglin	Dahl	Fudro	Jude	McArthur
Biersdorf	DeGroat	Fugina	Kahn	McCarron
Boland	Dieterich	Graba	Kelly	McCauley
Braun	Dirlam	Graw	Kempe	McEachern
Brinkman	Eckstein	Growe	Knickerbocker	McFarlin

McMillan	Ohnstad	Quirin	Searle	Vanasek
Menke	Ojala	Resner	Sherwood	Vento
Miller, D.	Parish	Rice	Sieben, H.	Voss
Miller, M.	Patton	Ryan	Sieben, M.	Weaver
Moe	Pavlak, R.	St. Onge	Skaar	Wenzel
Munger	Pavlak, R. L.	Salchert	Smith	Wigley
Myrah	Pehler	Samuelson	Spanish	Wohlwend
Nelson	Peterson	Sarna	Stangeland	Wolcott
Newcome	Pieper	Savelkoul	Stanton	Mr. Speaker
Niehaus	Pleasant	Schreiber	Swanson	
Norton	Prahl	Schulz	Ulland	

Those who voted in the negative were:

Johnson, J.

The bill was passed and its title agreed to.

S. F. No. 1925, A bill for an act relating to Pipestone county; fees of registered abstractors who are county employees; repealing Laws 1971, Chapter 439.

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

The bill was passed and its title agreed to.

S. F. No. 1182, A bill for an act relating to county government, providing for county licensing bureaus.

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 72, and nays 33, as follows:

Those who voted in the affirmative were:

Adams, J.	Cummiskey	Johnson, D.	McCauley	Skaar
Adams, S.	Dieterich	Johnson, J.	McFarlin	Smith
Andersen, R.	Dirlam	Jopp	Munger	Stangeland
Anderson, G.	Erdahl	Jude	Myrah	Stanton
Anderson, I.	Erickson	Kahn	Newcome	Swanson
Becklin	Esau	Kelly	Ohnstad	Ulland
Belisle	Ferderer	Klaus	Ojala	Voss
Berg	Fjoslien	Knickerbocker	Pavlak, R. L.	Weaver
Carlson, A.	Forsythe	Kvam	Peterson	Wenzel
Carlson, L.	Fugina	Larson	Pieper	Wigley
Casserly	Graw	Lindstrom, E.	Pleasant	Wohlwend
Cleary	Haugerud	Lindstrom, J.	Rice	Mr. Speaker
Clifford	Heinitz	Lombardi	Ryan	
Connors	Hook	McArthur	Schreiber	
Culhane	Jacobs	McCarron	Sieben, H.	

Those who voted in the negative were:

Anderson, D.	Eckstein	Hanson	Miller, M.	Salchert
Biersdorf	Eken	Johnson, C.	Niehaus	Samuelson
Boland	Enebo	Kempe	Patton	Schulz
Braun	Faricy	LaVoy	Pavlak, R.	Vento
Brinkman	Flakne	Lemke	Pehler	Wolcott
Carlson, D.	Graba	McEachern	Prahl	
DeGroat	Hagedorn	McMillan	St. Onge	

The bill was passed and its title agreed to.

H. F. No. 2164, A bill for an act relating to the town of White, St. Louis county; authorizing an increase in the salaries of clerk, assessor and treasurer.

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 94, and nays 20, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kelly	Nelson	Sarna
Andersen, R.	Enebo	Kempe	Newcome	Savelkoul
Anderson, G.	Faricy	Klaus	Norton	Sherwood
Anderson, I.	Ferderer	Knickerbocker	Ojala	Sieben, H.
Belisle	Flakne	LaVoy	Parish	Sieben, M.
Bennett	Fudro	Lemke	Patton	Spanish
Berg	Fugina	Lindstrom, J.	Pavlak, R.	Stangeland
Berglin	Graba	Mann	Pehler	Stanton
Boland	Growe	McArthur	Peterson	Swanson
Brinkman	Hagedorn	McCarron	Pieper	Ulland
Carlson, A.	Hanson	McCauley	Pleasant	Vanasek
Carlson, B.	Haugerud	McEachern	Prahl	Vento
Carlson, L.	Heinitz	McMillan	Quirin	Voss
Casserly	Jacobs	Menke	Resner	Weaver
Clifford	Jaros	Miller, D.	Rice	Wenzel
Connors	Johnson, D.	Miller, M.	Ryan	Wohlwend
Cummiskey	Johnson, J.	Moe	St. Onge	Wolcott
Dahl	Jude	Mueller	Salchert	Mr. Speaker
Dieterich	Kahn	Myrah	Samuelson	

Those who voted in the negative were:

Adams, S.	Eckstein	Graw	Kvam	Niehaus
Anderson, D.	Erdahl	Hook	Lindstrom, E.	Ohnstad
DeGroat	Erickson	Johnson, C.	Lombardi	Skaar
Dirlam	Esau	Jopp	Long	Wigley

The bill was passed and its title agreed to.

H. F. No. 1104 was reported to the House.

McFarlin moved that H. F. No. 1104 be laid over until Monday, May 7, 1973. The motion prevailed.

H. F. No. 937 was reported to the House.

LaVoy moved that H. F. No. 937 be returned to the end of General Orders. The motion prevailed.

MOTION TO LIFT CALL OF THE HOUSE

Ulland moved that the call of the House be dispensed with. The motion did not prevail.

H. F. No. 2050, A bill for an act relating to Aitkin county; authorizing issuance of additional on-sale intoxicating liquor licenses.

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 109, and nays 15, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	DeGroat	Esau	Klaus	Ohnstad
Becklin	Erdahl	Hook	Kvam	Sarna
Carlson, D.	Erickson	Johnson, J.	Long	Skaar

The bill was passed and its title agreed to.

H. F. No. 2353 was reported to the House.

There being no objection, H. F. No. 2353 was laid over for one day.

H. F. No. 2360 was reported to the House.

Objection having been made by ten members, H. F. No. 2360 was returned to General Orders.

S. F. No. 122 was reported to the House.

Fugina moved that S. F. No. 122 be laid over for one day. The motion prevailed.

S. F. No. 690 was reported to the House.

Lindstrom, J., moved that S. F. No. 690 be laid over until Monday, May 7, 1973. The motion prevailed.

H. F. No. 2308, A bill for an act relating to the city of Saint Paul; providing for the contracting out to a private party of the operation and management of the parking ramps and other parking facilities owned by the city which are located within or adjacent to the city's civic center and auditorium; amending Laws 1967, Chapter 459, Section 4, as amended.

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

The bill was passed and its title agreed to.

H. F. No. 1577, A bill for an act relating to the state board of electricity; compensation; amending Minnesota Statutes 1971, Section 326.241, Subdivision 3.

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 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Lindstrom, E.

The bill was passed and its title agreed to.

H. F. No. 972 was reported to the House.

Laidig moved that H. F. No. 972 be laid over for one day. The motion prevailed.

MOTION FOR RECONSIDERATION

Haugerud moved that the vote whereby S. F. No. 1182 was passed on the Consent Calendar today be now reconsidered. The motion prevailed.

S. F. No. 1182 was reported to the House.

Quirin moved to amend S. F. No. 1182, the printed bill, as follows:

Page 4, after line 11, add a new section to read:

"Sec. 7. All such offices must maintain open hours to best serve the public's need and must include a minimum of five and

one-half days per week. Two of these days shall include a minimum of three hours after 5:00 p.m.”.

The motion prevailed and the amendment was adopted.

S. F. No. 1182, A bill for an act relating to county government, providing for county licensing bureaus.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 71, and nays 48, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Johnson, J.	Miller, D.	Sieben, M.
Adams, S.	Cummiskey	Jopp	Miller, M.	Smith
Andersen, R.	Dieterich	Jude	Moe	Spanish
Anderson, I.	Faricy	Kahn	Myrah	Stangeland
Belisle	Ferderer	Kelly	Nelson	Ulland
Bennett	Flakne	Klaus	Newcome	Vento
Berg	Forsythe	Knickerbocker	Norton	Voss
Berglin	Graw	Laidig	Pavlak, R. L.	Weaver
Boland	Grove	Larson	Peterson	Wigley
Carlson, A.	Hagedorn	Lindstrom, J.	Pieper	Wohlwend
Carlson, L.	Hanson	Lombardi	Prahl	Mr. Speaker
Cassery	Haugerud	McArthur	Quirin	
Cleary	Heinitz	McFarlin	Resner	
Clifford	Hook	McMillan	Ryan	
Connors	Jacobs	Menke	Sieben, H.	

Those who voted in the negative were:

Anderson, D.	Eken	Johnson, D.	Niehaus	Sarna
Anderson, G.	Enebo	Kempe	Ohnstad	Schulz
Becklin	Erdahl	Kvam	Parish	Searle
Biersdorf	Erickson	LaVoy	Patton	Sherwood
Braun	Esau	Lemke	Paviak, R.	Skaar
Brinkman	Fjoslien	Lindstrom, E.	Pehler	Swanson
Carlson, D.	Fudro	Long	Pleasant	Wenzel
DeGroat	Fugina	Mann	Rice	Wolcott
Dirlam	Graba	McCarron	Salchert	
Eckstein	Johnson, C.	McEachern	Samuelson	

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

H. F. No. 1436 was reported to the House.

McArthur moved to amend H. F. No. 1436, the printed bill, as follows:

Page 1, line 1, in the headnotes, after “CENTER” strike “AND” and insert a comma in lieu thereof. Continuing in line 1, after “ROBBINSDALE” insert “AND BROOKLYN PARK”.

The motion prevailed and the amendment was adopted.

H. F. No. 1436, A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 122, and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Andersen, R. Growe Ohnstad

The bill was passed, as amended, and its title agreed to.

H. F. No. 2166, A bill for an act relating to Anoka county; authorizing issuance of bonds for county park acquisition and development.

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 127, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, D.	Esau	Jaros	Lindstrom, J.
Adams, S.	Carlson, L.	Faricy	Johnson, C.	Long
Andersen, R.	Casserly	Ferderer	Johnson, D.	Mann
Anderson, D.	Cleary	Fjoslien	Johnson, J.	McArthur
Anderson, G.	Clifford	Flakne	Jopp	McCarron
Anderson, I.	Connors	Forsythe	Jude	McCauley
Becklin	Culhane	Fudro	Kahn	McEachern
Belisle	Cummiskey	Fugina	Kelly	McFarlin
Bennett	Dahl	Graba	Kempe	McMillan
Berg	DeGroat	Graw	Klaus	Menke
Berglin	Dieterich	Growe	Knickerbocker	Miller, D.
Biersdorf	Dirlam	Hagedorn	Kvam	Miller, M.
Boland	Eckstein	Hanson	Laidig	Moe
Braun	Eken	Haugerud	Larson	Munger
Brinkman	Enebo	Heinitz	LaVoy	Newcome
Carlson, A.	Erdahl	Hook	Lemke	Niehaus
Carlson, B.	Erickson	Jacobs	Lindstrom, E.	Norton

Ohnstad	Pleasant	Sarna	Smith	Weaver
Ojala	Prahl	Savelkoul	Spanish	Wenzel
Parish	Quirin	Schreiber	Stangeland	Wigley
Patton	Resner	Schulz	Stanton	Wohlwend
Pavlak, R.	Rice	Searle	Swanson	Wolcott
Pavlak, R. L.	Ryan	Sherwood	Ulland	Mr. Speaker
Pehler	St. Onge	Sieben, H.	Vanasek	
Peterson	Salchert	Sieben, M.	Vento	
Pieper	Samuelson	Skaar	Voss	

The bill was passed and its title agreed to.

S. F. No. 1042, A bill for an act relating to courts; setting times for general terms in ninth judicial district, western area; amending Minnesota Statutes 1971, Section 484.17, Subdivisions 11, 12, 13, 14, 15, 16, 17, and 18.

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 129, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 103, A bill for an act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

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 126, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule No. 13, Kahn reported the progress of S. F. No. 765 now in Conference Committee.

Pursuant to Joint Rule No. 13, St. Onge reported the progress of H. F. No. 225 now in Conference Committee.

CALENDAR

S. F. No. 1622, A bill for an act relating to bonds; increasing the fee for filing and mailing of notice; amending Minnesota Statutes 1971, Section 574.32.

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 121, and nays 2, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Culhane Ohnstad

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. Nos. 2365 and 1355.

H. F. No. 2365 was reported to the House.

Faricy moved to amend H. F. No. 2365, the printed bill, as follows:

Page 13, line 34, strike "cigarette tax apportionment fund and the liquor tax apportionment" and insert in lieu thereof "general".

The motion prevailed and the amendment was adopted.

H. F. No. 2365, A bill for an act relating to claims against the state; appropriating moneys for the payment thereof.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Ferderer	Jopp	McEachern
Adams, S.	Cassery	Fjoslien	Jude	McFarlin
Andersen, R.	Cleary	Flakne	Kahn	McMillan
Anderson, D.	Clifford	Fudro	Kelly	Menke
Anderson, G.	Connors	Fugina	Kempe	Miller, D.
Anderson, I.	Culhane	Graba	Klaus	Miller, M.
Becklin	Cummiskey	Graw	Knickerbocker	Moe
Belisle	Dahl	Grove	Kvam	Mueller
Bennett	DeGroat	Hagedorn	Laidig	Munger
Berg	Dieterich	Hanson	Larson	Myrah
Berglin	Dirlam	Haugerud	Lemke	Newcome
Biersdorf	Eckstein	Heinitz	Lindstrom, E.	Niehaus
Boland	Eken	Hook	Lindstrom, J.	Norton
Braun	Enebo	Jacobs	Lombardi	Ohnstad
Brinkman	Erdahl	Jaros	Long	Ojala
Carlson, A.	Erickson	Johnson, C.	Mann	Parish
Carlson, B.	Esau	Johnson, D.	McArthur	Patton
Carlson, D.	Faricy	Johnson, J.	McCauley	Pavlak, R.

Pavlak, R. L.	Ryan	Schulz	Stangeland	Weaver
Pehler	St. Onge	Searle	Stanton	Wenzel
Peterson	Salchert	Sherwood	Swanson	Wigley
Pieper	Samuelson	Sieben, H.	Ulland	Wohlwend
Quirin	Sarna	Sieben, M.	Vanasek	Wolcott
Resner	Savelkoul	Skaar	Vento	Mr. Speaker
Rice	Schreiber	Smith	Voss	

Those who voted in the negative were:

Prahl

The bill was passed, as amended, and its title agreed to.

H. F. No. 1355 was reported to the House.

Lindstrom, J., moved to amend H. F. No. 1355, the printed bill, as follows:

Page 2, at the end of line 20 add "*Nothing in this subdivision shall apply to persons in the judicial branch.*"

Page 9, line 22, strike the new language and restore the old language.

Page 9, line 30, strike the new language and restore the old language.

The motion prevailed and the amendment was adopted.

H. F. No. 1355, A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding subdivisions; 352.116, Subdivision 1; 352.118; 352.22, Subdivision 1; 356.21, Subdivision 5; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

The bill was passed, as amended, and its title agreed to.

Larson and Ohnstad were excused for the remainder of today's session.

SPECIAL ORDERS

H. F. No. 1634 was reported to the House.

Dieterich moved to amend H. F. No. 1634, the printed bill, as follows:

Page 2, line 13, after the words "*law shall*" insert the word "*specifically*" and further, after the words "*include the*" strike the words "*specifically observed*" and insert in lieu thereof, the words "*proposed patients*".

Page 2, line 22, after the words "*evidence of*" strike the word "*observed*" and insert in lieu thereof "*the proposed patient's*"; and after the words "*shows that*" strike the words "*the person's*" and insert in lieu thereof the word "*his*".

Page 2, line 24, after the words "*necessary for*" strike the words "*the person's*" and insert in lieu thereof, the word "*his*".

Page 2, line 25, after the words "*evidence of*" strike the word "*observed*" and insert in lieu thereof the word "*his*", and further, after the words "*(i) that*" strike the words "*the person*" and insert in lieu thereof the word "*he*".

The motion prevailed and the amendment was adopted.

Dieterich moved to amend H. F. No. 1634, the printed bill, as amended, as follows:

Page 2, line 13, after "*conduct*" and before "*which*" strike "*of the proposed patient*".

The motion prevailed and the amendment was adopted.

Flakne moved that H. F. No. 1634 be re-referred to the Committee on Judiciary.

A roll call was requested and properly seconded.

The question was taken on the motion by Flakne and the roll being called, there were yeas 63, and nays 59, as follows:

Those who voted in the affirmative were :

Adams, J.	Connors	Hook	McArthur	Schreiber
Adams, S.	DeGroat	Johnson, C.	McCauley	Schulz
Andersen, R.	Dirlam	Johnson, J.	McFarlin	Searle
Anderson, D.	Eckstein	Johnson, R.	Mueller	Skaar
Anderson, G.	Eken	Jopp	Myrah	Stangeland
Becklin	Erdahl	Klaus	Newcome	Ulland
Belisle	Erickson	Knickerbocker	Niehaus	Voss
Bennett	Esau	Kvam	Norton	Weaver
Biersdorf	Flakne	Laidig	Pavlak, R. L.	Wigley
Carlson, A.	Forsythe	Larson	Pieper	Wohlwend
Carlson, D.	Graw	Lindstrom, E.	Pleasant	Wolcott
Cleary	Hagedorn	Lombardi	Ryan	
Clifford	Heinitz	Long	Salchert	

Those who voted in the negative were :

Anderson, I.	Faricy	Kahn	Munger	Sarna
Berg	Ferderer	Kelly	Ojala	Sherwood
Berglin	Fudro	Kempe	Parish	Sieben, H.
Boland	Fugina	LaVoy	Patton	Sieben, M.
Brinkman	Graba	Lemke	Pavlak, R.	Stanton
Carlson, B.	Growe	Mann	Pehler	Swanson
Casserly	Hanson	McCarron	Peterson	Tomlinson
Culhane	Haugerud	McEachern	Prahl	Vanasek
Cummiskey	Jacobs	Menke	Quirin	Vento
Dahl	Jaros	Miller, D.	Resner	Wenzel
Dieterich	Johnson, D.	Miller, M.	Rice	Mr. Speaker
Enebo	Jude	Moe	Samuelson	

The motion did not prevail.

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 third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill.

Salchert moved that those not voting be excused from voting. The motion prevailed.

The roll being called, there were yeas 61, and nays 62, as follows:

Those who voted in the affirmative were :

Anderson, I.	Faricy	Kelly	Patton	Stanton
Berg	Ferderer	Kempe	Pavlak, R.	Swanson
Berglin	Fudro	LaVoy	Pehler	Tomlinson
Boland	Fugina	Lemke	Prahl	Ulland
Brinkman	Graba	Lindstrom, J.	Quirin	Vanasek
Carlson, B.	Growe	McCarron	Resner	Vento
Casserly	Hanson	McEachern	Rice	Voss
Cleary	Haugerud	Menke	St. Onge	Wenzel
Cummiskey	Jacobs	Miller, M.	Samuelson	Mr. Speaker
Dahl	Jaros	Moe	Sarna	
Dieterich	Johnson, D.	Munger	Sherwood	
Eckstein	Jude	Ojala	Sieben, H.	
Enebo	Kahn	Parish	Sieben, M.	

Those who voted in the negative were:

Adams, J.	Culhane	Hook	McArthur	Salchert
Adams, S.	DeGroat	Johnson, C.	McCauley	Schreiber
Andersen, R.	Dirlam	Johnson, J.	McFarlin	Schulz
Anderson, D.	Eken	Johnson, R.	Mueller	Searle
Anderson, G.	Erdahl	Jopp	Myrah	Skaar
Becklin	Erickson	Klaus	Newcome	Stangeland
Belisle	Esau	Knickerbocker	Niehaus	Weaver
Bennett	Fjoslien	Kvam	Norton	Wigley
Biersdorf	Flakne	Laidig	Pavlak, R. L.	Wohlwend
Carlson, A.	Forsythe	Lindstrom, E.	Peterson	Wolcott
Carlson, D.	Graw	Lombardi	Pieper	
Clifford	Hagedorn	Long	Pleasant	
Connors	Heinitz	Mann	Ryan	

The bill, as amended, was not passed.

There being no objection, S. F. No. 1678, substituted today for H. F. No. 1658, was continued on Special Orders, immediately following the Calendar, for Friday, May 4, 1973.

ADJOURNMENT

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Friday, May 4, 1973.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

