

## STATE OF MINNESOTA

## SIXTY-EIGHTH SESSION - 1973

## FIFTY-SECOND DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 4, 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.	DeGroat	Johnson, D.	Miller, D.	Savelkoul
Adams, S.	Dieterich	Johnson, J.	Miller, M.	Schreiber
Andersen, R.	Dirlam	Johnson, R.	Moe	Schulz
Anderson, D.	Eckstein	Jopp	Munger	Searle
Anderson, G.	Eken	Jude	Myrah	Sherwood
Anderson, I.	Enebo	Kahn	Nelson	Sieben, H.
Becklin	Erdahl	Kelly	Newcome	Sieben, M.
Belisle	Erickson	Kempe	Niehaus	Skaar
Bell	Esau	Klaus	Norton	Smith
Bennett	Faricy	Knickerbocker	Ohnstad	Spanish
Berg	Ferderer	Kvam	Ojala	Stangeland
Berglin	Fjoslien	Laidig	Parish	Stanton
Biersdorf	Flakne	Larson	Patton	Swanson
Boland	Forsythe	LaVoy	Pavlak, R.	Tomlinson
Braun	Fudro	Lemke	Pavlak, R. L.	Ulland
Brinkman	Fugina	Lindstrom, E.	Pehler	Vanasek
Carlson, A.	Graba	Lindstrom, J.	Peterson	Vento
Carlson, B.	Graw	Lombardi	Pieper	Voss
Carlson, D.	Growe	Long	Pleasant	Weaver
Carlson, L.	Hagedorn	Mann	Prahl	Wenzel
Casserly	Hanson	McArthur	Quirin	Wigley
Cleary	Haugerud	McCarron	Resner	Wohlwend
Clifford	Heinitz	McCauley	Rice	Wolcott
Connors	Hook	McEachern	Ryan	Mr. Speaker
Culhane	Jacobs	McFarlin	St. Onge	
Cummiskey	Jaros	McMillan	Salchert	
Dahl	Johnson, C.	Menke	Sarna	

A quorum was present.

Samuelson was excused. Mueller was excused until 3:30 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. Adams, J., 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. 2121, 286, 830, 892, 1675, 1718, 1764, 1897, 2247, 1001, 1465, 1834, 1436, 1478, 1810, and 543 and S. F. Nos. 1847, 813, and 1626 have been placed in the members' files.

S. F. No. 181 and H. F. No. 176, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 176, after the enacting clause reads as follows:

"Section 1. Minnesota Statutes 1971, Section 62A.10, Subdivision 2, is amended to read:

Subd. 2. [POLICY FORMS.] No policy of group accident and health insurance may be issued or delivered in this state unless the same has been approved by the commissioner in accordance with section 62A.02, subdivisions 1 to 6. These forms shall contain the standard provisions relating and applicable to health and accident insurance in so far as they may be applicable to group accident and health insurance, and also the following provisions:

(1) [ENTIRE CONTRACT.] A provision that the policy and the application of the employer, or executive officer or trustee of any association, and the individual applications, if any, of the employees or members insured, shall constitute the entire contract between the parties, and that all statements made by the employer or any executive officer or trustee in behalf of the group to be insured, shall, in the absence of fraud, be deemed representations and not warranties, and that no such statement shall be used in defense to a claim under the policy, unless it is contained in the written application;

(2) [MASTER POLICY-CERTIFICATES.] A provision that the insurer will issue a master policy to the employer, or to the executive officer or trustee of the association; and the insurer shall also issue to the employer or to the executive officer or trustee of the association, for delivery to the employee or member who is insured under the policy, an individual certificate setting forth a statement as to the insurance protection to which he is entitled and to whom payable, together with a statement as to when and where the master policy, or a copy thereof, may be seen for inspection by the individual insured; this individual certificate may contain the names of, and insure the dependents of, the employee or member, as provided for herein;

(3) [NEW INSUREDS.] A provision that to the group or class thereof originally insured may be added, from time to time, all new employees of the employer or members of the association eligible to and applying for insurance in that group or class and covered or to be covered by the master policy(.);

(4) [BENEFITS.] *All benefits provided by the policy relating to expenses incurred for medical treatment or services of a physician shall also include chiropractic treatment and services*

*of a chiropractor to the extent that such chiropractic services and treatment are within the scope of chiropractic licensure.”;*

whereas, S. F. 181, after the enacting clause reads:

“Section 1. Subdivision 1. [APPLICABILITY.] The provisions of this section shall apply to all group policies or subscriber contracts providing payment for care in this state, which are issued or renewed after the effective date of this act by accident and health insurance companies regulated under Minnesota Statutes, Chapter 62A, and nonprofit health service plan corporations regulated under Minnesota Statutes, Chapter 62C.

Subd. 2. [CHIROPRACTIC SERVICES.] All benefits provided by any policy or contract referred to in subdivision 1, relating to expenses incurred for medical treatment or services of a physician shall also include chiropractic treatment and services of a chiropractor to the extent that the chiropractic services and treatment are within the scope of chiropractic licensure.”.

In the title of S. F. No. 181, lines 2 through 6 read “relating to insurance; group hospital and medical coverage; requiring inclusion of chiropractic services under group accident and health policies and subscriber contracts.”; whereas, in the title of H. F. No. 176, lines 2 through 6 read: “relating to insurance; requiring inclusion of chiropractic services under group accident and health insurance policies; amending Minnesota Statutes 1971, Section 62A.10, Subdivision 2.”.

#### SUSPENSION OF RULES

Sieben, H., moved that the rules be so far suspended that S. F. No. 181 be substituted for H. F. No. 176 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1881 and H. F. No. 1872, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1872, page 1, lines 21 through 30 and page 2, lines 1 through 4, read:

“Subd. 3. If the council approves the preliminary plan it may adopt, record and publish the ordinance. After the effective date of the ordinance, the council shall have jurisdiction to acquire, regulate, maintain and improve the area or areas designated as the off-street parking system, and to levy assessments on taxable properties within the central business district, whether abutting on the parking system or not, in accordance with law, and to recall and pay in full from the proceeds of any bond sale made pursuant to this act, all outstanding revenue bonds previously issued for off-street parking. In levying such assessments the city council shall determine and consider the proportionate benefits of the parking system to the various properties within the central business district.”;

whereas, S. F. No. 1881, page 1, lines 21 through 30, and page 2, lines 1 through 4, read:

"Subd. 3. If the council approves the preliminary plan it may adopt, record and publish the ordinance. After the effective date of the ordinance, the council shall have jurisdiction to acquire, regulate, maintain and improve the area or areas designated as the off-street parking system, and to levy assessments, and to recall and pay in full from the proceeds of any bond sale made pursuant to this act, all outstanding revenue bonds previously issued for off-street parking on taxable properties within the central business district, whether abutting on the parking system or not, in accordance with law. In levying such assessments the city council shall determine and consider the proportionate benefits of the parking system to the various properties within the central business district."

#### SUSPENSION OF RULES

Kvam moved that the rules be so far suspended that S. F. No. 1881 be substituted for H. F. No. 1872 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1791 and H. F. No. 1290, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Casserly moved that S. F. No. 1791 be substituted for H. F. No. 1290 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1167 and H. F. No. 1677, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Wenzel moved that S. F. No. 1167 be substituted for H. F. No. 1677 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1441 and H. F. No. 1430, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1430, page 1, lines 9 and 10, read: "law to the contrary, the town of Woodside, Polk county, is a municipality within the meaning of Minnesota Statutes,"; whereas, S. F. No. 1441, page 1, lines 9 through 11, read in part: "law to the contrary, the town of Woodside, Polk county, shall have the power of a municipality within the meaning of Minnesota Statutes,".

#### SUSPENSION OF RULES

Eken moved that the rules be so far suspended that S. F. No. 1441 be substituted for H. F. No. 1430 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 965 and H. F. No. 1034, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 965, page 4, lines 2 through 5, read in part: "*in which the monthly rent shall be \$300 or less.*"

*In any tenancy in which the monthly rent shall exceed \$300, this section may be waived by the landlord and tenant in writing.”; whereas, H. F. No. 1034 does not contain this language.*

#### SUSPENSION OF RULES

Berg moved that the rules be so far suspended that S. F. No. 965 be substituted for H. F. No. 1034 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1374 and H. F. No. 1518, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Knickerbocker moved that S. F. No. 1374 be substituted for H. F. No. 1518 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 17 and H. F. No. 768, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 17, page 1, lines 9 and 10, contain the language:

“Sec. 2. This act is effective the day following its final enactment.”;

whereas, H. F. No. 768, does not contain this language.

#### SUSPENSION OF RULES

Ojala moved that the rules be so far suspended that S. F. No. 17 be substituted for H. F. No. 768 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 746 and H. F. No. 950, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 950, page 9, line 23, reads: “(2) has violated or failed to comply with any provision”; whereas, S. F. No. 746, page 9, line 23, reads: “(2) has wilfully violated or failed to comply with any”.

H. F. No. 950, page 24, lines 24 through 26 read:

“(1) effecting transactions in a security exempted by clauses (a), (b), (c), (d), (e), (g), (h) or (j) of section 15, subdivision 1;”;

whereas, S. F. No. 746, page 24, lines 25 through 27, read:

“(1) effecting transactions in a security exempted by clauses (a), (b), (c), (g) or (h) of section 15, subdivision 1;”.

H. F. No. 950, page 35, lines 13 through 15, read: “than those designated in clause (g) during any period of 12 consecutive months, whether or not the offeror or any of the purchasers is then present in this state, if (1) the issuer”; whereas, S. F. No. 746, page 35, lines 14 and 15 read: “than those designated in

clause (g) during any period of 12 consecutive months, whether or not any of the purchasers is".

H. F. No. 950, page 49, line 1, reads: "subdivision 1 of this section more than three years after"; whereas, S. F. No. 746, page 49, line 2, reads: "subdivision 1 of this section more than one year after the".

#### SUSPENSION OF RULES

Sieben, H., moved that the rules be so far suspended that S. F. No. 746 be substituted for H. F. No. 950 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 523 and H. F. No. 279, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 279, page 1, line 18, reads: "employed by, or in a business relationship with, a seller of"; whereas, S. F. No. 523, page 1, line 18, reads: "employed by, nor in a business relationship with, a seller".

H. F. No. 279, page 1, lines 20 and 21, read in part: " "person" means an audiologist, otolaryngologist, otologist, or licensed medical doctor."; whereas, S. F. No. 523, page 1, line 20, reads: " "person" means an audiologist or licensed medical doctor."

H. F. No. 279, page 2, lines 3 through 5, contain the language "or to the sale of a replacement hearing aid to an aid already owned by a consumer."; whereas, S. F. No. 523, does not contain this language.

H. F. No. 279, page 2, lines 8 through 14 contain the language:

"Sec. 2. Adults who are legally competent may be exempted from the provisions of section 1, subdivisions 2 and 3, if they sign a waiver acknowledging that they have been provided a copy of this law printed in large typeface (at least 14-point) and that the law has been read aloud to them by the hearing aid vendor. A copy of the signed waiver will be kept on file for three years from the date of sale.";

whereas, S. F. No. 523, does not contain this language.

#### SUSPENSION OF RULES

Sieben, M., moved that the rules be so far suspended that S. F. No. 523 be substituted for H. F. No. 279 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 771 and H. F. No. 523, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 523, page 2, lines 9 through 18, read:

"Subd. 2. No lessor shall deny any mobile home park tenant the right to sell said tenant's mobile home within the park or require the tenant to remove the mobile home from the park solely on the basis of the sale thereof. The lessor may reserve the right

to approve the purchaser of said mobile home as a tenant, but such permission may not be unreasonably withheld, and the lessor shall not exact a commission or fee with respect to the price realized by the seller unless the lessor has acted as agent for the seller in the sale pursuant to a written contract.”;

whereas, S. F. No. 771, page 2, lines 9 through 11, read:

“Subd. 2. The lessor shall give the tenant at least 60 days notice in writing of any change in the terms and conditions of a lease or rental agreement.”.

H. F. No. 523, page 2, lines 27 and 28 and page 3, lines 1 and 2 read:

“Subd. 2. A fee shall not be charged to mobile home park tenant for transferring his right to a mobile home space or lot or for transferring ownership of a mobile home situated thereon.”;

whereas, S. F. No. 771, page 2, lines 20 through 28, and page 3, line 1 read:

“Subd. 2. No lessor shall deny any mobile home park tenant the right to sell said tenant's mobile home within the park or require the tenant to remove the mobile home from the park solely on the basis of the sale thereof. The lessor may reserve the right to approve the purchaser of said mobile home as a tenant, but such permission may not be unreasonably withheld, and the lessor shall not exact a commission or fee with respect to the price realized by the seller unless the lessor has acted as agent for the seller in the sale pursuant to a written contract.”.

#### SUSPENSION OF RULES

McCarron moved that the rules be so far suspended that S. F. No. 771 be substituted for H. F. No. 523 and that the House File be indefinitely postponed. The motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Mann from the Committee on Agriculture to which was referred:

S. F. No. 537, A bill for an act relating to agriculture; nurserymen's and dealer's certificates; providing penalties; amending Minnesota Statutes 1971, Sections 18.46, Subdivision 9; 18.51, Subdivision 2; and 18.52, Subdivision 5.

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

The report was adopted.

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

H. F. No. 1000, A bill for an act creating a commission on Minnesota's future; describing its duties and functions; and appropriating funds for its operation.

Reported the same back with the following amendments:

Page 4, line 11, strike "150,000" and insert in lieu thereof "140,000".

Page 4, after line 12, add the following:

"Sec. 10. Minnesota Statutes 1971, Section 4.14, is repealed."

Amend the title in line 5 thereof by adding after "operation" the following: "; repealing Minnesota Statutes 1971, Section 4.14".

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

The report was adopted.

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

H. F. No. 1779, A bill for an act relating to education; teaching practices and certification; providing a penalty; appropriating money; amending Minnesota Statutes 1971, Sections 125.04; 125.05; Subdivisions 1 and 2; 125.06; 125.08; 125.09; 125.181; 125.182; 125.183; 125.184; and 125.185.

Reported the same back with the following amendments:

Page 7, line 11, strike "13" and substitute "14".

Page 7, line 25, strike "four" and substitute "five".

Page 7, line 26, strike the comma after "1974" and insert "and" in lieu thereof.

Page 7, line 26, add a comma following "1975".

Page 7, line 27, following "and" insert "*four members shall be appointed for terms ending November 15,*".

Page 12, line 3, after "appropriated" add "*for the biennium*".

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

The report was adopted.

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

H. F. No. 1821, A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

Reported the same back with the following amendments:



Page 3, line 20, after "county" and before the period insert the following: "or designed to service areas of the state where natural geologic conditions make sanitary landfills undesirable".

Page 5, strike all of lines 14 through 19 and insert in lieu thereof the following:

"Sec. 6. [PACKAGES AND CONTAINERS; ASSISTANCE; ORDERS; REPORT.] Subdivision 1. The agency shall advise and assist industry and business within the state in providing and developing packaging and environmental protection goals of the state.

Subd. 2. The agency shall review new or revised packages or containers except when such changes involve only color, size, shape or printing. The agency shall review innovations including, but not limited to, changes in constituent materials or combinations thereof and changes in closures. When the agency determines that any new or revised package or container would constitute a solid waste disposal or environmental protection problem, the agency may, by order made after notice and hearing as provided in Minnesota Statutes, Chapter 15, and following an additional period not to exceed 30 days during which the environmental quality council may review the proposed action, prohibit the sale of the package or container in the state. Any such prohibition shall continue in effect until revoked by the agency or until the last legislative day of the next following legislative session, whichever occurs first, unless extended by law. This subdivision shall not apply to any package or container sold at retail in this state prior to final enactment of this act.

Subd. 3. The agency shall prepare guidelines identifying the types of new or revised containers and packaging that are subject to its review. Any person may submit to the agency a sample of a package or container for agency review. The agency shall review the sample, and may require the person to furnish such additional samples and information as may be necessary for it to determine the environmental or solid waste disposal problems that the container or packaging would cause. If the agency fails to issue an order prohibiting sale of a package or container within 120 days after the sample was submitted, the agency shall not prohibit it thereafter. The agency may, however, for good cause, order the 120 day period to be extended for an additional period not to exceed 30 days.

Subd. 4. The agency's report to the legislature on progress on abatement of land pollution required by Minnesota Statutes, Section 116.10, shall be supplemented by annual recommendations concerning problems relating to solid waste generation and suggested remedies, including but not limited to the prohibition of the sale or use of any package or container.

Subd. 5. [NON-SEVERABILITY.] The provisions of this section shall not be severable. If any provision of this section is found to be void for any reason, the remaining provisions of the section shall be void also."

Page 6, line 16, after the period insert the following: "Not less than 90 percent of the money appropriated by this section shall be spent for grants-in-aid as specified in section 3 of this act."

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

The report was adopted.

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

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, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

Reported the same back with the following amendments:

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

"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) *not to exceed \$65 per pupil unit and not to exceed 10 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 successor 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 1973-74 and \$820 in 1974-75.*

((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 years. 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 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, Sections 123.76 to 123.79 with respect to private 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:

**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 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 (MAY) *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 sub-*

*mitted 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 \$788 PER PUPIL UNIT MAY LEVY AN ADDITIONAL AMOUNT PER PUPIL UNIT WHICH IS EQUAL TO OR LESS THAN \$38 PER PUPIL UNIT PLUS THE DIFFERENCE BETWEEN SAID SUM AND \$788 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, 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 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 ele-

mentary, 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 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 by striking the title in its entirety and substituting in lieu thereof the following:

"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.

The report was adopted.

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

H. F. No. 1028, A bill for an act relating to education; issuance of teachers certificates; amending Minnesota Statutes 1971, Chapter 125, by adding a section; repealing Minnesota Statutes 1971, Section 125.05, Subdivision 2.

Reported the same back with the following amendments:

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

"Section 1. Any teacher who was eligible to receive a life or permanent certificate prior to July 1, 1969, in accordance with the provisions of Minnesota Statutes 1967, Section 125.07, Subdivision 2, may apply for and receive such certificate upon payment of a \$5 fee provided that the application is submitted to the department of education prior to July 1, 1974."

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

"A bill for an act relating to education; permitting certain teachers to apply for and receive life or permanent certificates."



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

The report was adopted.

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

H. F. No. 1491, A bill for an act relating to Independent School District No. 709; education; prohibition on special fees.

Reported the same back with the following amendments:

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

"Section 1. No school board may lawfully require payment of pupil fees for participating in instructional programs which are a regular part of the school day except as specifically permitted by law such as fees for behind the wheel driver education.

Sec. 2. All school districts shall furnish free to pupils all workbooks and supplementary materials or supplies which are required for use in a particular grade or class. Fees for supplies or materials which are in excess of minimum requirements for the successful completion of a class or course may be charged but the inability of a student to pay such fees shall not preclude his participation in the class or course.

Sec. 3. The charging of reasonable admission fees for extra or co-curricular activities conducted outside of the regular school day are not precluded by this act.

Sec. 4. Rental fees for school lockers or other equipment provided by the district shall not be charged but a deposit may be required for the return of locks or keys furnished by the district.

Sec. 5. Pupil's grades, periodic grade reports and diplomas may not be withheld for non-payment of fees, except those fees which are specifically permitted by law."

Further, strike all of the title and insert in lieu thereof the following:

"A bill for an act relating to education; prohibiting school boards from charging fees except in instances specifically authorized in the statutes."

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

The report was adopted.

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

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

Reported the same back with the following amendments:

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

"Section 1. Minnesota Statutes 1971, Section 276.11, is amended to read:

276.11 [WHEN TREASURER SHALL PAY FUNDS.] As soon as practical after each settlement in February, May, and October the county treasurer shall pay over to the state treasurer or the treasurer of any town, city, village, or school district, on the warrant of the county auditor, all moneys received by him arising from taxes levied and collected belonging to the state, or to such municipal corporation, or other body, and deliver up all orders and other evidences of indebtedness of such municipal corporation or other body, taking triplicate receipts therefor. He shall file one of the receipts with the county auditor, and shall return one by mail on the day of its reception to the clerk of the town, city, village, or school district to which such payment was made, who shall preserve the same in his office. The county treasurer is authorized and directed to make such partial payments of amounts collected periodically in advance of final settlements as may be practicable. Accompanying each payment to the state treasurer or treasurer of any town, city, village, or school district shall be a statement prepared by the county treasurer designating the years for which taxes included in the payment were collected and, for each year, the amount of such taxes and any penalties thereon. If the county treasurer fails to pay over such moneys to the state or to a municipal corporation or other body within (90) 15 days after settlement, interest (SHALL) thereafter (ACCRUE AT THE RATE OF 3 1/2 PERCENT PER YEAR) *earned on such funds shall be paid to units of government entitled to such funds.* Interest shall be payable upon appropriation from the general revenue fund of the county and, if not paid, may be recovered by the state, municipal corporation or other body, in a civil action."

Further, strike the title in its entirety and insert in lieu thereof the following:

"A bill for an act relating to taxation; distribution of property tax revenues by county treasurer; amending Minnesota Statutes 1971, Section 276.11."

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

The report was adopted.

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

H. F. No. 2024, A bill for an act relating to education; authorizing independent or special school districts to adopt an experimental plan of instruction for elementary and secondary pupils under certain conditions; amending Minnesota Statutes 1971, Chapter 124, by adding a section.

Reported the same back with the following amendments:

Page 1, line 24, after "*pupils*" strike "*of*" and insert "*attending*".

Page 1, line 26, strike "*length of*" and insert "*minimum number of hours class is in session during*".

Page 1, line 27, after "*provided that*" insert "*for each pupil*".

Page 1, line 28, strike "*for each pupil*".

Page 1, line 28, strike "*days nor shall*" and insert "*and*".

Page 1, line 30, after "*session*" insert "*shall not*".

Page 1, line 30, strike "*each pupil*" and insert "*secondary and 962 for elementary*".

Page 2, line 2, strike "*, upon*".

Page 2, strike line 3.

Page 2, strike line 4.

Page 2, line 5, strike "*hereby directed to furnish such board with*" and insert in lieu thereof "*shall establish*".

Page 2, line 6, strike "*computing*" and insert "*plans which has been adopted and approved pursuant to subdivision 1 by which*".

Page 2, line 6, before "*as*" insert "*can be computed consistent with the same term*".

Page 2, line 11, strike "*such*".

Page 2, line 12, after "*instruction*" insert "*pursuant to subdivision 1*".

Page 2, line 14, strike "*an independent or special*" and insert "*any*".

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

The report was adopted.

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

S. F. No. 1940, A bill for an act relating to Independent School District No. 709, St. Louis county; providing that such school district shall be subject to the same net debt limitations and have the same power to authorize obligations as are provided for other school districts in the state under certain provisions of law.

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. 1156, A bill for an act relating to the interpretation of Minnesota Statutes, definitions; defining "public member"; amending Minnesota Statutes 1971, Section 645.44, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 13, after "*never has*" strike "," and insert in lieu thereof "*been employed by or had a financial interest in,*".

With the recommendation that when so amended 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. 1228, A bill for an act relating to drugs; penalties and forfeitures for illegal possession, sale, manufacture or distribution of prohibited drugs; amending Minnesota Statutes 1971, Sections 152.15, Subdivision 2; and 152.19, Subdivision 1.

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 152.01, is amended by adding a subdivision to read:

*Subd. 17. [APPROPRIATE STATE AGENCY.] "Appropriate agency" means either the bureau of criminal apprehension, the state board of pharmacy, state highway patrol, county sheriffs and their deputies, or city police departments in municipalities containing 25,000 or more inhabitants.*

Sec. 2. Minnesota Statutes 1971, Section 152.02, Subdivision 11, is amended to read:

Subd. 11. The state board of pharmacy shall appoint an advisory council on controlled substances consisting of not more than (12) 13 members, who shall serve without compensation, to advise it in the administration of this chapter.

*Commencing July 1, 1973, six members shall be appointed for a one year term and seven members shall be appointed for a two year term. Thereafter, members shall be appointed for two year terms. Four of the members of the council shall be physicians as designated by the state board of medical examiners. One of*

the members of the council shall be a pharmacologist, one of the members of the council shall be a pharmacist, and the remainder shall be from among the following: correction or law enforcement officers, judges, representatives of drug treatment or counseling facilities, former drug abusers, education, and students. The members of the council shall select a chairman from among their membership, who may call meetings of the council when deemed appropriate, and shall call meetings of the council when requested to do so by any four members of the council.

Sec. 3. Minnesota Statutes 1971, Section 152.02, Subdivision 12, is amended to read:

*Subd. 12. If any substance is designated, rescheduled, or deleted as a controlled substance under federal law and notice thereof is given to the state board of pharmacy, the state board of pharmacy shall similarly control the substance under this act after the expiration of 30 days from publication in the federal register of a final order designating a substance as a controlled substance or rescheduling or deleting a substance. Such order shall be filed pursuant to Minnesota Statutes, Section 15.0413. If within that 30 day period, the state board of pharmacy objects to inclusion, rescheduling, or deletion, it shall publish the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the state board of pharmacy shall publish its decision, which shall be subject to the provisions of Minnesota Statutes 1971, Chapter 15.*

In exercising the authority granted by Laws 1971, Chapter 937, the state board of pharmacy shall be subject to the provisions of Minnesota Statutes 1969, Chapter 15. The state board of pharmacy shall provide copies of any proposed rule under Laws 1971, Chapter 937, to the advisory council on controlled substances at least 30 days prior to any hearing required by Minnesota Statutes 1969, Section 15.0412, Subdivision 4. The state board of pharmacy shall consider the recommendations of the advisory council on controlled substances, which may be made prior to or at the hearing.

Sec. 4. Minnesota Statutes 1971, Section 152.02, Subdivision 13, is amended to read:

**Subd. 13.** The state board of pharmacy and the advisory council on controlled substances shall study the implementation of Laws 1971, Chapter 937 in relation to the problems of drug abuse in Minnesota and shall report to the legislature *annually* on or before December 1, (1972,) their recommendations concerning amendments to Laws 1971, Chapter 937.

Sec. 5. Minnesota Statutes 1971, Section 152.09, Subdivision 2, is amended to read:

**Subd. 2.** It shall be unlawful for any person to procure, attempt to procure, possess or have in his control a controlled substance by any of the following means:

- (1) fraud, deceit, misrepresentation or subterfuge;

(2) using a false name or giving false credit;

(3) falsely assuming the title of, or falsely representing any person to be, a manufacturer, wholesaler, pharmacist, physician, doctor of osteopathy licensed to practice medicine, dentist, *podiatrist*, veterinarian, or other authorized person for the purpose of obtaining a controlled substance.

Sec. 6. Minnesota Statutes 1971, Section 152.101, Subdivision 2, is amended to read:

Subd. 2. This section shall not apply to a licensed doctor of medicine, a doctor of osteopathy duly licensed to practice medicine, a licensed doctor of dentistry, *a licensed doctor of podiatry*, or licensed doctor of veterinary medicine in the course of his professional practice, unless such practitioner regularly engages in dispensing any such drugs to his patients for which the patients are charged, either separately or together with charges for other professional services.

Sec. 7. Minnesota Statutes 1971, Section 152.11, is amended to read:

152.11 [WRITTEN OR ORAL PRESCRIPTIONS, REQUISITES.] Subdivision 1. No person may dispense a controlled substance included in Schedule II of section 152.02 without a prescription written by a doctor of medicine, a doctor of osteopathy licensed to practice medicine, a doctor of dental surgery, a doctor of dental medicine, *a doctor of podiatry*, or a doctor of veterinary medicine, lawfully practicing his profession in this state. Provided that in emergency situations, as authorized by federal law, such drug may be dispensed upon oral prescription reduced promptly to writing and filed by the pharmacist. Such prescriptions shall be retained in conformity with section 152.101. No prescription for a Schedule II substance may be refilled.

For the purposes of Laws 1971, Chapter 937, a written prescription or oral prescription, which shall be reduced to writing, for a controlled substance in Schedules II, III, IV or V is void unless (1) it is written in ink and contains the name and address of the person for whose use it is intended; (2) it states the amount of the controlled substance to be compounded or dispensed, with directions for its use; (3) if a written prescription, it contains the signature, address and federal registry number of the prescriber and a designation of the branch of the healing art pursued by the prescriber; and if an oral prescription, the name and address of the prescriber and a designation of his branch of the healing art; and (4) it shows the date when signed by the prescriber, or the date of acceptance in the pharmacy if an oral prescription. Every licensed pharmacist who compounds any such prescription shall retain such prescription in a file for a period of not less than two years, open to inspection by any officer of the state, county, or municipal government, whose duty it is to aid and assist with the enforcement of this chapter. Every such pharmacist shall distinctly label the con-

tainer with the directions contained in the prescription for the use thereof.

Subd. 2. No person may dispense a controlled substance included in Schedules III or IV of section 152.02 without a written or oral prescription from a doctor of medicine, a doctor of osteopathy licensed to practice medicine, a doctor of dental surgery, a doctor of dental medicine, *a doctor of podiatry*, or a doctor of veterinary medicine, lawfully practicing his profession in this state. Such prescription may not be dispensed or refilled except with the written or verbal consent of the prescriber, and in no event more than six months after the date on which such prescription was issued and no such prescription may be refilled more than five times.

Sec. 8. Minnesota Statutes 1971, Section 152.12, Subdivision 1, is amended to read:

152.12 [DOCTORS MAY PRESCRIBE.] Subdivision 1. A licensed doctor of medicine, a doctor of osteopathy, duly licensed to practice medicine, a doctor of dental surgery, or a doctor of dental medicine, *or a licensed doctor of podiatry*, and in the course of his professional practice only, may prescribe, administer, and dispense a controlled substance included in Schedules II through V of section 152.02, or he may cause the same to be administered by a nurse, an intern or an assistant under his direction and supervision.

Sec. 9. Minnesota Statutes 1971, Section 152.12, Subdivision 4, is amended to read:

Subd. 4. Nothing in this chapter shall prohibit the sale to, or the possession of, a controlled substance in Schedules II, III, IV or V by: Registered drug wholesalers, registered manufacturers, registered pharmacies, or any licensed hospital or other licensed institutions wherein sick and injured persons are cared for or treated, or bona fide hospitals wherein animals are treated; or by licensed pharmacists, licensed doctors of medicine, doctors of osteopathy duly licensed to practice medicine, licensed doctors of dental surgery, licensed doctors of dental medicine, *licensed doctors of podiatry*, or licensed doctors of veterinary medicine when such practitioners use controlled substances within the course of their professional practice only.

Nothing in this chapter shall prohibit the possession of a controlled substance in Schedules II, III, IV or V by an employee or agent of a registered drug wholesaler, registered manufacturer, or registered pharmacy, while acting in the course of his employment, or by a patient of a licensed doctor of medicine, a doctor of osteopathy duly licensed to practice medicine, or a licensed doctor of dental surgery, a licensed doctor of dental medicine, or by the owner of an animal for which a controlled substance has been prescribed by a licensed doctor of veterinary medicine, when such controlled substances are dispensed according to law.

Sec. 10. Minnesota Statutes 1971, Section 152.15, Subdivision 1, is amended to read:

152.15 [VIOLATIONS; PENALTIES.] Subdivision 1. Any person who violates section 152.09, subdivision 1, clause (1) with respect to:

(1) A controlled substance classified in Schedule I or II which is a narcotic drug, is guilty of a crime and upon conviction may be imprisoned for not more than 15 years or fined not more than \$25,000, or both for a first violation, and for a second or subsequent violation, upon conviction, shall be imprisoned for not less than one year nor more than 30 years or fined not more than \$50,000, or both;

(2) Any other controlled substance classified in Schedule I, II, or III, is guilty of a crime and upon conviction may be imprisoned for not more than five years, fined not more than \$15,000, or both for a first violation, and for a second or subsequent violation, upon conviction, shall be imprisoned for not less than one year nor more than ten years or fined not more than \$30,000, or both;

(3) A substance classified in Schedule IV, is guilty of a crime and upon conviction may be imprisoned for not more than three years, fined not more than \$10,000, or both for a first violation, and for a second or subsequent violation, upon conviction, shall be imprisoned for not less than six months nor more than six years or fined not more than \$20,000, or both;

(4) A substance classified in Schedule V, is guilty of a crime and upon conviction may be imprisoned for not more than one year, fined not more than \$1,000, or both;

(5) The distribution of a small amount of marijuana for no remuneration, shall be treated as provided in subdivision 2, clause ((4)) (5).

Sec. 11. Minnesota Statutes 1971, Section 152.15, Subdivision 2, is amended to read:

Subd. 2. Any person who violates section 152.09, subdivision 1, clause (2), with respect to:

(1) A controlled substance classified in Schedule I or II which is a narcotic drug, is guilty of a crime and upon conviction may be imprisoned for not more than five years or fined not more than \$5,000, or both;

(2) Any other controlled substance classified in Schedule I, II, or III, is guilty of a crime and upon conviction may be imprisoned for not more than three years, fined not more than \$3,000, or both;

(3) A substance classified in Schedule IV, is guilty of a crime and upon conviction may be imprisoned for not more than three years, fined not more than \$3,000, or both;



(4) A substance classified in Schedule V, or a small amount of marijuana is guilty of a crime and upon conviction may be imprisoned for not more than one year, fined not more than \$1,000, or both; provided, however, that any person convicted under this section of possessing a substance classified under Schedule V or a small amount of marijuana, and placed on probation may be required to take part in a drug education program as specified by the court(.);

(5) *A small amount of marijuana is guilty of a misdemeanor. A subsequent violation of this clause within one year is a misdemeanor, and a person so convicted may be required to participate in a medical evaluation. A person who is the owner of a private motor vehicle, or the driver of the motor vehicle if the owner is not present, and who possesses on his person or knowingly keeps or allows to be kept in a motor vehicle within the area of the vehicle normally occupied by the driver or passengers more than .05 ounce of marijuana is guilty of a misdemeanor. This area of the vehicle shall not include the trunk of the motor vehicle when such vehicle is equipped with a trunk or another area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passengers.*

Sec. 12. Minnesota Statutes 1971, Section 152.15, Subdivision 4, is amended to read:

Subd. 4. Any person 18 years of age or over who violates section 152.09, subdivision 1, clause (1), by distributing a controlled substance listed in Schedules I or II which is a narcotic drug to a person under 18 years of age who is at least three years his junior is punishable by the fine authorized by section 152.15, subdivision 1, clause (1), by a term of imprisonment of up to twice that authorized by section 152.15, subdivision 1, clause (1), or by both. Any person 18 years of age or over who violates section 152.09, subdivision 1, by distributing any other controlled substance listed in Schedules I, II, III, IV, and V, *except marijuana*, to a person under 18 years of age who is at least three years his junior is punishable by the fine authorized by section 152.15, subdivision 1, clauses (2), (3), or (4), by a term of imprisonment up to twice that authorized by section 152.15, subdivision 1, clauses (2), (3), or (4), or both.

Sec. 13. Minnesota Statutes 1971, Section 152.15, Subdivision 5, is amended to read:

Subd. 5. Any person convicted of a second or subsequent offense under Laws 1971, Chapter 937, except as provided in subdivision 1, clauses (1), (2), (AND) (3) and (5) may be imprisoned for a term up to twice the term otherwise authorized, fined an amount up to twice that otherwise authorized, or both.

Sec. 14. Minnesota Statutes 1971, Section 152.18, Subdivision 1, is amended to read:

152.18 [DISCHARGE AND DISMISSAL.] Subdivision 1. If any person (WHO HAS NOT PREVIOUSLY BEEN CONVICTED OF A VIOLATION OF ANY LAW OF THIS STATE

OR THE UNITED STATES RELATING TO CONTROLLED SUBSTANCES) is found guilty of a violation of section 152.09, subdivision 1, clause (2) after trial or upon a plea of guilty, the court may, without entering a judgment of guilty and with the consent of such person, defer further proceedings and place him on probation upon such reasonable conditions as it may require and for a period, not to exceed the maximum term of imprisonment provided for such violation. *The court may give the person the opportunity to attend and participate in an appropriate program of education regarding the nature and effects of alcohol and drug abuse as a stipulation of probation.* Upon violation of a condition of the probation, the court may enter an adjudication of guilt and proceed as otherwise provided. The court may, in its discretion, dismiss the proceedings against such person and discharge him from probation before the expiration of the maximum period prescribed for such person's probation. If during the period of his probation such person does not violate any of the conditions of the probation, then upon expiration of such period the court shall discharge such person and dismiss the proceedings against him. Discharge and dismissal hereunder shall be without court adjudication of guilt, but a nonpublic record thereof shall be retained by the department of public safety solely for the purpose of use by the courts in determining (WHETHER OR NOT, IN) *the merits of subsequent proceedings(,) against such person (QUALIFIES HEREUNDER).* The court shall forward a record of any discharge and dismissal hereunder to the department of public safety who shall make and maintain the nonpublic record thereof as hereinbefore provided. Such discharge or dismissal shall not be deemed a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a crime or for any other purpose. (DISCHARGE AND DISMISSAL HEREUNDER MAY OCCUR ONLY ONCE WITH RESPECT TO ANY PERSON.)

Sec. 15. Minnesota Statutes 1971, Section 152.19, Subdivision 1, is amended to read:

152.19 [FORFEITURES.] Subdivision 1. The following are subject to forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of chapter 152;

(2) All raw materials, *moneys*, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of chapter 152;

(3) All property which is used, or intended for use, as a primary container for property described in clauses (1) or (2);

(4) All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt of property described in clauses (1) or (2) having a retail value of \$100 or more, but:

(a) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless the owner or other person in charge of the conveyance is a consenting party or privy to a violation of chapter 152.

(b) No conveyance is subject to forfeiture under this section unless the owner thereof is privy to a violation of chapter 152, or that the use of the conveyance in such violation otherwise occurred with his knowledge or consent.

(c) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party unless he had knowledge of or consented to the act or omission upon which the forfeiture is based.

(d) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of chapter 152.

Sec. 16. Minnesota Statutes 1971, Section 152.19, Subdivision 3, is amended to read:

Subd. 3. (IN THE EVENT OF SEIZURE PURSUANT TO SUBDIVISION 2, PROCEEDINGS UNDER SUBDIVISION 4 SHALL BE INSTITUTED PROMPTLY.) *In the event of a conviction for a gross misdemeanor or a misdemeanor, any conveyance seized pursuant to subdivision 1, clause (4) of this section or any moneys seized pursuant to subdivision 1, clause (2) of this section, shall be returned to the person legally entitled thereto.*

Sec. 17. Minnesota Statutes 1971, Section 152.19, Subdivision 5, is amended to read:

Subd. 5. (WHEN PROPERTY IS FORFEITED UNDER LAWS 1971, CHAPTER 937, THE APPROPRIATE STATE AGENCY MAY:)

((1) RETAIN IT FOR OFFICIAL USE;)

((2) IF OTHERWISE AUTHORIZED, SELL THAT WHICH IS NOT REQUIRED TO BE DESTROYED BY LAW AND WHICH IS NOT HARMFUL TO THE PUBLIC;)

((3) REQUIRE THE COMMISSIONER OF ADMINISTRATION TO TAKE CUSTODY OF THE PROPERTY AND REMOVE IT FOR DISPOSITION IN ACCORDANCE WITH LAW; OR)

((4) FORWARD IT TO THE FEDERAL BUREAU OF NARCOTICS AND DANGEROUS DRUGS.)

*Property shall be forfeited after a conviction deemed to be a felony according to the following procedure:*

(1) *A separate complaint shall be filed against the property describing it, charging its use in the specified violation, and specifying the time and place of its unlawful use.*

(2) *If the person arrested is acquitted, the court shall dismiss the complaint against any property seized pursuant to the preceding subdivisions and order the property returned to the persons legally entitled to it.*

(3) *If after conviction the court finds that the property, or any part thereof, was used in any violation as specified in the complaint, it shall order that the property unlawfully used be sold, destroyed, or disposed of by the appropriate state agency in the following manner:*

(a) *Sell that which is not required to be destroyed by law and which is not harmful to the public;*

(b) *Require the commissioner of administration to take custody of the property and remove it for disposition in accordance with law; or*

(c) *Forward it to the federal bureau of narcotics and dangerous drugs.*

(4) *Proceeds from the sale of forfeited property, after payment of seizure, storage, and sale expenses and satisfaction of valid liens against the property, shall be forwarded to the state drug abuse authority for distribution of half of the net proceeds among licensed hospitals and licensed drug treatment facilities of this state for the care and treatment of patients with drug related physical and psychological disorders, and licensed drug analysis centers. The remaining half of net proceeds shall be returned to the appropriate state agency.*

Sec. 18. Minnesota Statutes 1971, Section 152.19, Subdivision 7, is amended to read:

Subd. 7. Species of plants from which controlled substances in Schedules I (,) and II (AND VI) may be derived which have been planted or cultivated in violation of Laws 1971, Chapter 937, or of which the owners of cultivators are unknown, or which are wild growth, may be seized and summarily forfeited to the state.

Sec. 19. Minnesota Statutes 1971, Section 153.01, Subdivision 2, is amended to read:

Subd. 2. [PODIATRY.] The word "podiatry" is held to be the diagnosis or medical, mechanical, or surgical treatment of the ailments of the human hand or foot. It shall include the fitting or recommending of appliances, devices, or shoes for the correction or relief of minor foot ailments, except the amputation of the foot, hand, toes, or fingers, or the use of anaesthetics other than local. *It shall include the prescribing or administering of any drugs or medications necessary or helpful to the practice of podiatry as defined by this subdivision, provided, however, that licensed podiatrists shall be restricted in their prescribing or administering of any drugs or medications by the limitations imposed on the scope of practice of podiatry as defined in this chapter."*

Further, amend the title as follows:

Page 1, strike lines 1 through 8, and insert in lieu thereof:

"A bill for an act relating to controlled substances; defining terms; scheduling substances and establishing rescheduling procedures; rights to prescribe and possess; penalties and forfeitures for illegal possession, sale, manufacture or distribution of prohibited drugs; amending Minnesota Statutes 1971, Sections 152.01, by adding a subdivision; 152.02, Subdivisions 11, 12, and 13; 152.09, Subdivision 2; 152.101, Subdivision 2; 152.11; 152.12, Subdivisions 1 and 4; 152.15, Subdivisions 1, 2, 4, and 5; 152.18, Subdivision 1; 152.19, Subdivisions 1, 3, 5, and 7; and 153.01, Subdivision 2."

With the recommendation that when so amended 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. 2079, A bill for an act relating to public welfare; providing for an extension of review board responsibilities and the right of a patient to treatment under the hospitalization and commitment act; amending Minnesota Statutes 1971, Sections 253A.16, Subdivision 4; and 253A.17, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 26, strike lines 28 to 32.

Page 2, strike lines 1 to 14 and insert in lieu thereof:

*"Subd. 9. Every person hospitalized or otherwise receiving services under this act shall be entitled to receive proper care and treatment, best adapted, according to contemporary professional standards, to rendering further custody, institutionalization, or other services unnecessary. To this end the head of the hospital shall devise or cause to be devised for each person so hospitalized a written program plan which shall describe in behavioral terms the case problems, and the precise goals, including the expected period of time for hospitalization, and the specific measures to be employed in the solution or easement of said problems. Each plan shall be reviewed at not less than quarterly intervals to determine progress toward the goals, and to modify the program plan as necessary. The program plan shall be devised and reviewed in each instance with the appropriate county welfare department, and with the patient. The hospital record shall attest to the program plan review. If the county welfare department or the patient does not so participate in the planning and review, the hospital record shall include reasons for non-participation and the plans for future involvement.*

*The department of public welfare shall monitor the aforementioned program plan and review process to insure compliance with the provisions of this subdivision."*

With the recommendation that when so amended 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. 2383, A bill for an act relating to public welfare; reducing the maximum age for receipt of aid to families with dependent children; amending Minnesota Statutes 1971, Section 256.12, Subdivision 14.

Reported the same back with the following amendments:

Page 1, lines 12 through 16, restore the stricken language.

Page 1, line 12, after the second word "of" and before the word "years" strike the number "19" and insert in lieu thereof "21".

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

S. F. No. 384, A bill for an act relating to hospital, boarding care homes, and nursing homes; providing for the regulation thereof; imposing certain duties on the state board of health and the commissioner of public welfare; establishing rights of patients and residents of nursing homes; requiring reports of maltreatment of nursing home patients; prescribing penalties; amending Minnesota Statutes 1971, Chapters 144, by adding sections; 154, by adding a section; 256B, by adding a section; 609, by adding a section; and 626, by adding a section; repealing Minnesota Statutes 1971, Section 144.583.

Reported the same back without recommendation.

The report was adopted.

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

S. F. No. 582, A bill for an act relating to public welfare; permitting the county attorney to initiate civil action for collection; amending Minnesota Statutes 1971, Section 252.27, by adding a subdivision.

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

The report was adopted.

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

S. F. No. 1498, A bill for an act relating to the state board of health; defining its functions; amending Minnesota Statutes 1971, Sections 144.03; and 144.05.

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

The report was adopted.

Mr. Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 226, A bill for an act relating to employment, providing that employees shall be issued written statements of employment benefits.

Reported the same back with the following amendment:

Page 1, line 9, after "employee" insert "upon request".

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

The report was adopted.

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

H. F. No. 2163, A bill for an act relating to register of deeds; fees; amending Minnesota Statutes 1971, Sections 357.18, Subdivision 1; 508.47, Subdivision 4, and 508.82.

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

H. F. No. 2165, A bill for an act authorizing the county of Anoka to establish subordinate service areas in order to provide and finance governmental services.

Reported the same back with the following amendment:

Page 2, line 6, after the word "county" insert "within which a subordinate service area is proposed".

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

The report was adopted.

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

H. F. No. 2296, A bill for an act relating to towns in the county of Anoka; conferring certain village powers; amending Laws 1963, Chapter 157, Section 1.

Reported the same back with the following amendments:

Page 1, line 16, delete "4".

Page 1, lines 28 and 29, strike ": (1)".

Page 1, line 30, delete "; and".

Page 1, line 30, after "board" insert a period.

Page 2, strike lines 1 through 4.

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

The report was adopted.

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

H. F. No. 2349, A bill for an act relating to St. Louis county; authorizing the issuance of an on-sale license for the sale of intoxicating liquor.

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

S. F. No. 996, A bill for an act relating to the village of St. Francis; making the provision of Minnesota Statutes, Section 365.18, applicable when the village council of St. Francis in Anoka county enters into a contract for provision of fire protection services.

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

The report was adopted.



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

S. F. No. 1164, A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties.

Reported the same back with the recommendation that 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. Quirin from the Committee on Governmental Operations to which was referred:

H. F. No. 2037, A bill for an act relating to political subdivisions; meetings of governing bodies open to public; providing a penalty; amending Minnesota Statutes 1971, Section 471.705.

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 471.705, is amended to read:

471.705 [MEETINGS OF GOVERNING BODIES; OPEN TO PUBLIC.] *Subdivision 1.* Except as otherwise expressly provided by (LAW,) statute, all meetings, including executive sessions of any state agency, board, commission or department, except of the board of pardons, the adult corrections commission and the youth conservation commission; (OF) and the governing body of any school district however organized, unorganized territory, county, city, village, town or borough and of any committee, subcommittee, board, department or commission thereof, shall be open to the public. The votes of the members of such state agency, board, commission or department or of such governing body, committee, subcommittee, board, department or commission on any action taken in a meeting herein required to be open to the public shall be recorded in a journal kept for that purpose, which journal shall be open to the public. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims and amounts fixed by statute. *This section shall not apply to any state agency, board, commission or department when exercising quasi-judicial functions involving disciplinary proceedings.*

*Subd. 2.* Any person who violates subdivision 1 shall be subject to personal liability in the form of a civil penalty in the amount not to exceed \$100 for a single occurrence. An action to enforce this penalty may be brought by any person in any court of competent jurisdiction where the administrative office of the

*governing body is located. Upon a third violation by the same person connected with the same governing body, such person shall forfeit any further right to serve on such governing body or in any other capacity with such public body for a period of time equal to the term of office such person was then serving. The court determining the merits of any action in connection with any alleged third violation shall receive competent, relevant evidence in connection therewith and, upon finding as to the occurrence of a separate third violation, unrelated to the previous violations, issue its order declaring the position vacant and notify the appointing authority or clerk of the governing body. As soon as practicable thereafter the appointing authority or governing body shall fill the position as in the case of any other vacancy.*

Sec. 2. *Minnesota Statutes 1971, Section 10.41 is repealed.*

Sec. 3. [CITATION.] *This act may be cited as the "Minnesota Open Meeting Law".*

Sec. 4. [EFFECTIVE DATE.] *The effective date of this act is January 1, 1974."*

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

*"A bill for an act relating to meetings of state agencies and governing bodies open to public; providing a penalty; amending Minnesota Statutes 1971, Section 471.705; repealing Minnesota Statutes 1971, Section 10.41."*

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.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 1000, 1779, and 1821 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. Nos. 181, 1881, 1791, 1167, 1441, 965, 1374, 17, 746, 523, 771, 537, 1626, 1940, 1156, 384, 582, 1498, 996, and 1164 were read for the second time.

## INTRODUCTION OF BILLS

Munger; Norton; Anderson, I.; McFarlin; and Searle introduced:

H. F. No. 2449, A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1971, Section 116.18, Subdivisions 1 and 4.

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

Lombardi introduced:

H. F. No. 2450, A bill for an act relating to the claim of the police department of the village of Lino Lakes; arising from time and costs incurred in pursuing escapees of the Minnesota reception and diagnostic center in Lino Lakes; appropriating money for the payment thereof.

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

Ferderer; Hanson; Sieben, H.; Mann; and Lombardi introduced:

H. F. No. 2451, A bill for an act relating to commerce; requiring creditors to furnish an annual statement of credit charges paid; providing penalties.

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

MacArthur, Hook, Pleasant, Schreiber, and Knickerbocker introduced:

H. F. No. 2452, A bill for an act relating to elections; regulating the position of names on ballots; amending Minnesota Statutes 1971, Section 203.34, Subdivision 1; and repealing Minnesota Statutes 1971, Section 203.33, Subdivision 3.

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

Skaar, Samuelson, Long, and Rice introduced:

H. F. No. 2453, A bill for an act relating to unemployment compensation; changing the method of computing the contributions of newly covered employers; amending Minnesota Statutes 1971, Section 268.06, Subdivision 3a.

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

Hanson and Dieterich introduced:

H. F. No. 2454, A bill for an act relating to the fire department relief association of the village of Falcon Heights; providing certain benefits for volunteer firemen and their survivors; amending Laws 1969, Chapter 526, Sections 5; 6; and 7; and by adding a section; repealing Laws 1969, Chapter 526, Section 2.

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

Samuelson; Swanson; McCauley; Johnson, D.; and McCarron introduced:

H. F. No. 2455, A bill for an act relating to public health; authorizing the state board of health to prescribe fees for certain services provided by the board; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

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

Clifford and Heinitz introduced:

H. F. No. 2456, A bill for an act relating to health; establishment and continuation of health maintenance organizations; providing for regulation of health maintenance organizations by the commissioner of insurance and the state board of health; providing penalties; amending Minnesota Statutes 1971, Sections 43.42; 60B.02; and 62C.01, Subdivision 3.

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

Kahn; Bennett; Andersen, R.; Hanson; and Vanasek introduced:

H. F. No. 2457, A bill for an act relating to highway traffic regulations; vehicle lighting; time of display of lighted lamps; amending Minnesota Statutes 1971, Section 169.48.

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 942, A bill for an act relating to natural resources; providing state recognition and implementation of the Lower St. Croix River Act of 1972; prescribing powers and duties of state and local governments in relation thereto; amending Minnesota Statutes 1971, Chapter 104, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

### CONCURRENCE AND REPASSAGE

Sieben, M., moved that the House concur in the Senate amendments to H. F. No. 942 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 942, A bill for an act relating to natural resources; providing state recognition and implementation of the Lower St. Croix River Act of 1972; prescribing powers and duties of state and local governments in relation thereto; amending Minnesota Statutes 1971, Chapter 104, by adding a section.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 110, and nays 12, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	DeGroat	Esau	Ohnstad	Spanish
Becklin	Erdahl	Klaus	Pieper	
Carlson, D.	Erickson	Niehaus		

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

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 160, A bill for an act relating to public health; dating of perishable foods; providing a penalty.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. North; Keefe, S.; and Knutson have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Connors moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 160. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 733, A bill for an act relating to drivers; licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes 1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.13, Subdivision 5; and 171.18, repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Purfeerst, Thorup and McCutcheon have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Schulz moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 733. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 488, A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Doty, Conzemius and Kirchner have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

LaVoy moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members

of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 488. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 118, A bill for an act relating to commerce; home solicitation sales; permitting buyers and lessees of personal property or services to cancel agreements under certain circumstances; and prescribing penalties.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Lewis, Borden and Bang have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, M., moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 118. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 211, A bill for an act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Dunn, Chmielewski, Ueland, Lord and Kleinbaum have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Stangeland moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 211. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2166, A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Arnold; Willet; Ogdahl; Hansen, Mel and Doty have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2166. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to:

S. F. No. 2167, A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders; dairymen's, horticultural and poultry association and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 373.23.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Arnold; Willet; Ogdahl; Hansen, Mel and Doty have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 5 members of the House to meet with a like committee appointed



by the Senate on the disagreeing votes of the two Houses on S. F. No. 2167. The motion prevailed.

### CONSENT CALENDAR

S. F. No. 1955 was reported to the House.

There being no objection, S. F. No. 1955 was laid over for one day.

S. F. No. 641, A bill for an act relating to the land exchange review board; extending the duration of the board; amending Laws 1967, Chapter 909, Section 2, 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 132, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 2189, A bill for an act authorizing the conveyance of certain state lands in Cass county to the village of Walker, Minnesota.

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 132, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2353, A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans for a detention center or centers.

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

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

Those who voted in the affirmative were:

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

Searle	Skaar	Stanton	Vanasek	Wigley
Sherwood	Smith	Swanson	Vento	Wohlwend
Sieben, H.	Spanish	Tomlinson	Voss	Wolcott
Sieben, M.	Stangeland	Ulland	Wenzel	Mr. Speaker

The bill was passed and its title agreed to.

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

Fugina moved that S. F. No. 122 be laid over until Monday, May 7, 1973. The motion prevailed.

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

Laidig moved to amend H. F. No. 972, the printed bill, as follows:

Page 1, line 7, after "of", strike "*one or more*".

Page 2, line 12, after "nominees", strike "*to the board of county commissioners*".

The motion prevailed and the amendment was adopted.

H. F. No. 972, A bill for an act relating to public welfare; selection of county board members; amending Minnesota Statutes 1971, Section 393.01, Subdivision 2.

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 132, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1559, A bill for an act relating to the metropolitan sewer board and the federal water pollution control act amendments of 1972; amending Minnesota Statutes 1971, Chapter 473C, by adding a section; and Section 473C.15, 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 106, and nays 21, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Becklin	DeGroat	Jopp	Ohnstad	Wigley
Bennett	Erdahl	Klaus	Pavlak, R. L.	
Biersdorf	Erickson	Long	Pieper	
Braun	Esau	McCauley	Pleasant	
Carlson, D.	Johnson, R.	Niehaus	Schulz	

The bill was passed and its title agreed to.

H. F. No. 2247 was reported to the House.

Ferderer moved that H. F. No. 2247 be laid over for one day. The motion prevailed.

S. F. No. 1343, A bill for an act relating to licensing of motor vehicles; authorizing use of farm trucks in certain situations without affecting license status.

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 131, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, D.	Becklin	Bennett	Biersdorf
Adams, S.	Anderson, G.	Belisle	Berg	Boland
Andersen, R.	Anderson, I.	Bell	Berglin	Braun

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

The bill was passed and its title agreed to.

S. F. No. 1401, A bill for an act relating to state employment; service workers; employment above quotas or complement; amending Minnesota Statutes 1971, Section 43.17, by adding a subdivision; 16.173; repealing Minnesota Statutes 1971, Section 43.17, Subdivision 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 130, and nays 1, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Jaros	McMillan	Salchert
Adams, S.	DeGroat	Johnson, D.	Menke	Sarna
Andersen, R.	Dieterich	Johnson, J.	Miller, D.	Savelkoul
Anderson, D.	Dirlam	Johnson, R.	Miller, M.	Schreiber
Anderson, G.	Eckstein	Jopp	Munger	Schulz
Anderson, I.	Eken	Jude	Myrah	Searle
Becklin	Enebo	Kahn	Nelson	Sherwood
Belisle	Erdahl	Kelly	Newcome	Sieben, H.
Bell	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	Pavlak, R.	Swanson
Brinkman	Fudro	Lemke	Pavlak, R. L.	Tomlinson
Carlson, A.	Fugina	Lindstrom, E.	Pehler	Ulland
Carlson, B.	Graba	Lindstrom, J.	Peterson	Vanasek
Carlson, D.	Graw	Lombardi	Pieper	Vento
Carlson, L.	Growe	Long	Pleasant	Voss
Casserly	Hagedorn	Mann	Prahl	Weaver
Cleary	Hanson	McArthur	Quirin	Wenzel
Clifford	Haugerud	McCarron	Resner	Wigley
Connors	Heinitz	McCauley	Rice	Wohlwend
Culhane	Hook	McEachern	Ryan	Wolcott
Cummiskey	Jacobs	McFarlin	St. Onge	Mr. Speaker

Those who voted in the negative were:

Johnson, C.

The bill was passed and its title agreed to.

#### MOTION FOR RECONSIDERATION

Pehler moved that the vote whereby H. F. No. 1539 was not passed on Special Orders on May 2, 1973, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion by Pehler and the roll being called, there were yeas 74, and nays 55, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed.

H. F. No. 1539 was reported to the House.

Pehler moved that H. F. No. 1539 be returned to the end of General Orders. The motion prevailed.

#### CALENDAR

S. F. No. 1377, A bill for an act relating to motor vehicle carriers; regulating the issuance of permits to local cartage carriers; authorizing the transfer of such permits under certain conditions; amending Minnesota Statutes 1971, Section 221.296, Subdivision 4, and by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Carlson, D.	Fjoslien	Kvam	Savelkoul
Belisle	Clifford	Johnson, J.	Lindstrom, E.	Ulland

The bill was passed and its title agreed to.

### SPECIAL ORDERS

S. F. No. 1678, A bill for an act relating to education; authorizing school districts to become members of certain nonprofit corporations; amending Minnesota Statutes 1971, Section 123.33, by adding subdivisions.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 225

May 1, 1973

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

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 225, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 225 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Chapter 465, is amended by adding a section to read:

[465.72] [MUNICIPAL CORPORATION; SEVERANCE PAY.] *Except as may otherwise be provided in Laws 1959, Chapter 690, as amended, all counties, cities, villages, boroughs, townships and school districts are hereby authorized and empowered to pay severance pay to all of its employees and to establish, prescribe and promulgate provisions, rules and regulations for the payment of such severance pay upon leaving employment prior to the normal retirement date. Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid over a period not to exceed five years from termination of employment. In the event that a terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate. In no event shall severance pay provided for an employee leaving employment exceed an amount equivalent to 100 days pay.*

Sec. 2. [REPEALER.] *Laws 1965, Chapters 621 and 690 are repealed.*



Sec. 3. [EFFECTIVE DATE.] *This act shall become effective July 1, 1973."*

Further, amend the title in line 5, after "section" by inserting "; repealing Laws 1965, Chapters 621 and 690".

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: DOUGLAS ST. ONGE, JOHN E. BOLAND, and RAY O. PLEASANT.

Senate Conferees: JERALD C. ANDERSON, JACK KLEINBAUM, and J. ROBERT STASSEN.

St. Onge moved that the report of the Conference Committee on H. F. No. 225 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 225, A bill for an act relating to municipalities; powers; providing for severance pay to employees; amending Minnesota Statutes 1971, Chapter 465, by adding a section.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Becklin	Johnson, J.	Lindstrom, E.	Myrah	Wohlwend
Erickson	Larson	Long	Stangeland	

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

## CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. No. 2437.

H. F. No. 2437 was reported to the House.

## CALL OF THE HOUSE

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

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

Mr. Anderson, D., 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.

Carlson, D., was excused for the remainder of today's session.

Carlson, A., moved to amend H. F. No. 2437, the printed bill, as follows:

Page 19, line 10, delete "1,732,408" and insert in lieu thereof "1,748,408". Further in line 10, delete "1,761,986" and insert in lieu thereof "1,777,986".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Carlson, A., amendment.

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

The roll being called, there were yeas 28, and nays 102, as follows:

Those who voted in the affirmative were:

Belisle	Esau	Johnson, R.	McCauley	Pieper
Bennett	Ferderer	Knickerbocker	McMillan	Skaar
Carlson, A.	Fjoslien	Laidig	Mueller	Ulland
Cleary	Forsythe	Larson	Myrah	Weaver
Clifford	Heinitz	Lombardi	Newcome	
Dirlam	Hook	Long	Pavlak, R. L.	

Those who voted in the negative were:

Adams, J.	DeGroat	Jude	Niehaus	Searle
Adams, S.	Dieterich	Kahn	Norton	Sherwood
Andersen, R.	Eckstein	Kelly	Ohnstad	Sieben, H.
Anderson, D.	Eken	Kempe	Ojala	Sieben, M.
Anderson, G.	Enebo	Klaus	Parish	Smith
Anderson, I.	Erdahl	Kvam	Patton	Spanish
Becklin	Erickson	LaVoy	Pavlak, R.	Stangeland
Bell	Faricy	Lemke	Pehler	Stanton
Berg	Fudro	Lindstrom, E.	Peterson	Swanson
Berglin	Fugina	Lindstrom, J.	Pleasant	Tomlinson
Biersdorf	Graba	Mann	Prahl	Vanasek
Boland	Graw	McArthur	Quirin	Vento
Braun	Grove	McCarron	Resner	Voss
Brinkman	Hagedorn	McEachern	Rice	Wenzel
Carlson, B.	Hanson	McFarlin	Ryan	Wigley
Carlson, L.	Haugerud	Menke	St. Onge	Wohlwend
Casserly	Jacobs	Miller, D.	Salchert	Wolcott
Connors	Jaros	Miller, M.	Sarna	Mr. Speaker
Culhane	Johnson, C.	Moe	Savelkoul	
Cummiskey	Johnson, D.	Munger	Schreiber	
Dahl	Johnson, J.	Nelson	Schulz	

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

Dirlam moved to amend House File No. 2437, the printed bill, as follows:

Page 20, line 10, strike "1,105,000" and insert "1,360,000"; and strike "1,300,000" and insert "1,600,000".

Page 20, line 11, strike "532,000" where it appears twice, and insert "560,000" in both places.

Page 20, line 12, strike "418,000" and insert "440,000"; and strike "456,000" and insert "480,000".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Dirlam amendment.

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

The roll being called, there were yeas 52, and nays 78, as follows:

Those who voted in the affirmative were:

Andersen, R.	Biersdorf	Dirlam	Fjoslien	Heinitz
Becklin	Carlson, A.	Erdahl	Flakne	Hook
Belisle	Cleary	Erickson	Forsythe	Johnson, J.
Bell	Clifford	Esau	Graw	Johnson, R.
Bennett	DeGroat	Ferderer	Hagedorn	Jopp

Klaus	Lombardi	Myrah	Pleasant	Weaver
Knickerbocker	Long	Newcome	Savelkoul	Wigley
Kvam	McArthur	Niehaus	Schreiber	Wohlwend
Laidig	McCauley	Ohnstad	Skaar	
Larson	McFarlin	Pavlak, R. L.	Stangeland	
Lindstrom, E.	Mueller	Pieper	Ulland	

Those who voted in the negative were:

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

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

Pavlak, R. L., moved to amend H. F. No. 2437, the printed bill, as follows:

Page 18, line 12, after the word "direct," and before the word "in", insert "the disposal or use of taconite tailings,".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Pavlak, R. L., amendment.

Smith moved that those not voting be excused from voting. The motion did not prevail.

The roll being called, there were yeas 47, and nays 84, as follows:

Those who voted in the affirmative were:

Andersen, R.	Dirlam	Hook	McCauley	Sherwood
Becklin	Erdahl	Johnson, J.	Mueller	Skaar
Belisle	Erickson	Johnson, R.	Myrah	Stangeland
Bell	Esau	Jopp	Newcome	Ulland
Bennett	Ferderer	Kvam	Ohnstad	Weaver
Biersdorf	Fjoslien	Laidig	Pavlak, R. L.	Wigley
Carlson, A.	Flakne	Larson	Pieper	Wohlwend
Cleary	Forsythe	Lindstrom, E.	Pleasant	
Clifford	Hagedorn	Lombardi	Savelkoul	
DeGroat	Heinitz	Long	Schulz	

Those who voted in the negative were:

Adams, J.	Braun	Dahl	Graba	Johnson, D.
Adams, S.	Brinkman	Dieterich	Graw	Jude
Anderson, D.	Carlson, B.	Eckstein	Growe	Kahn
Anderson, G.	Carlson, L.	Eken	Hanson	Kelly
Anderson, I.	Casserly	Enebo	Haugerud	Kempe
Berg	Connors	Faricy	Jacobs	Klaus
Berglin	Culhane	Fudro	Jaros	Knickerbocker
Boland	Cummiskey	Fugina	Johnson, C.	LaVoy

Lemke	Miller, D.	Patton	St. Onge	Stanton
Lindstrom, J.	Miller, M.	Pavlak, R.	Salchert	Swanson
Mann	Moe	Pehler	Sarna	Tomlinson
McArthur	Munger	Peterson	Schreiber	Vanasek
McCarron	Nelson	Prahl	Searle	Vento
McEachern	Niehaus	Quirin	Sieben, H.	Voss
McFarlin	Norton	Resner	Sieben, M.	Wenzel
McMillan	Ojala	Rice	Smith	Mr. Speaker
Menke	Parish	Ryan	Spanish	

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

Wigley moved to amend H. F. No. 2437, the printed bill, as follows:

Page 29, after line 28, add a new section as follows:

"Sec. 23. Tuition for students attending state colleges and state junior colleges shall not exceed the amount charged per student during the 1972-73 school year. This section shall expire June 30, 1975."

A roll call was requested and properly seconded.

The question was taken on the adoption of the Wigley amendment.

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

The roll being called, there were yeas 46, and nays 77, as follows:

Those who voted in the affirmative were:

Andersen, R.	Dirlam	Klaus	Mueller	Skaar
Becklin	Esau	Knickerbocker	Myrah	Stangeland
Belisle	Ferderer	Kvam	Newcome	Ulland
Bell	Fjoslien	Laidig	Ohnstad	Weaver
Bennett	Flakne	Larson	Pavlak, R. L.	Wigley
Biersdorf	Forsythe	Lindstrom, E.	Pieper	Wohlwend
Carlson, A.	Heinitz	Lombardi	Pleasant	
Cleary	Hook	Long	Prahl	
Clifford	Johnson, J.	McArthur	Savelkoul	
DeGroat	Jopp	McCauley	Schreiber	

Those who voted in the negative were:

Adams, J.	Dieterich	Jaros	Moe	Sherwood
Adams, S.	Eckstein	Johnson, D.	Munger	Sieben, H.
Anderson, D.	Eken	Jude	Nelson	Sieben, M.
Anderson, G.	Enebo	Kahn	Niehaus	Smith
Anderson, I.	Erdahl	Kelly	Norton	Spanish
Berg	Erickson	Kempe	Ojala	Stanton
Berglin	Faricy	LaVoy	Parish	Swanson
Boland	Fudro	Lemke	Pavlak, R.	Tomlinson
Braun	Fugina	Mann	Peterson	Vento
Brinkman	Graba	McCarron	Quirin	Voss
Carlson, B.	Graw	McEachern	Resner	Wenzel
Carlson, L.	Grove	McFarlin	Rice	Wolcott
Casserly	Hagedorn	McMillan	Ryan	Mr. Speaker
Connors	Hanson	Menke	Salchert	
Culhane	Haugerud	Miller, D.	Schulz	
Dahl	Jacobs	Miller, M.	Searle	

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

Hook moved to amend H. F. No. 2437, the printed bill, as follows:

Page 29, after line 28, add a new section as follows:

"Sec. 23. If the board of regents of the university of Minnesota increases the amount of tuition charged per student over the amount charged during the 1972-73 school year, any additional moneys raised by this increase shall not be used for salary or administrative expenses."

A roll call was requested and properly seconded.

The question was taken on the adoption of the Hook amendment and the roll being called, there were yeas 48, and nays 84, as follows:

Those who voted in the affirmative were:

Adams, S.	DeGroat	Heinitz	Lombardi	Pleasant
Andersen, R.	Dirham	Hook	Long	Savelkoul
Becklin	Erdahl	Johnson, J.	McArthur	Schreiber
Belisle	Erickson	Johnson, R.	McCauley	Skaar
Bennett	Esau	Jopp	Mueller	Stangeland
Biersdorf	Ferderer	Knickerbocker	Myrah	Ulland
Carlson, A.	Fjoslien	Kvam	Newcome	Weaver
Cleary	Flakne	Laidig	Ohnstad	Wigley
Clifford	Graw	Larson	Pavlak, R. L.	
Culhane	Hagedorn	Lindstrom, E.	Pieper	

Those who voted in the negative were:

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

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

H. F. No. 2437, A bill for an act relating to the organization and operations of state government; imposing regulations for junior college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to libraries, junior colleges, higher education coordinating commission, and moneys for medical education; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the

funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

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 132, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

There being no objection the order of business reverted to Messages from the Senate.

## MESSAGES FROM THE SENATE

The following message was received from the Senate.

Mr. Speaker:

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

S. F. No. 2417, A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; pro-

viding penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 2417, A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

The bill was read for the first time.

### SUSPENSION OF RULES

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Norton moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2417 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Norton moved that the rules of the House be so far suspended that S. F. No. 2417 be given its second and third readings and be placed upon its final passage. The motion prevailed.

The bill was read for the second time.

Norton moved to amend S. F. No. 2417, the printed bill, as follows:

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

"Section 1. EXPENSES OF STATE GOVERNMENT APPROPRIATIONS. Except as herein otherwise specifically provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1973", "1974", and "1975", wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1973, June 30, 1974, and June 30, 1975, respectively.



**APPROPRIATIONS**  
Available for the Year  
Ending June 30,

1974                      1975

\$                              \$

**Sec. 2. THE LEGISLATURE**

**Subdivision 1. For the Senate**

Salaries, supplies and expense .....	3,000,000	3,200,000
--------------------------------------	-----------	-----------

**Subd. 2. For the House of Representatives**

Salaries, supplies and expense .....	3,900,000	5,900,000
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The above appropriations include funds for the standing committees of the senate and house of representatives.

The above appropriations include funds for printing and binding.

The state senate and house of representatives may, as needed, utilize the services of the state printer.

In the above appropriations are included amounts for legislators' per diem living expenses (as distinguished from compensation) in the amount paid to members in the 68th session and in such additional amount as may be determined by the 69th session.

Subd. 3. Legislative Service Commission .....	177,360
-----------------------------------------------	---------

Subd. 4. State Claims Commission ..	18,000
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Subd. 5. Legislative Buildings Commission .....	80,000
-------------------------------------------------	--------

Subd. 6. Indian Affairs Commission	62,500	62,500
------------------------------------	--------	--------

This appropriation includes funds for payment of the expenses of the delegate to the Indian Council meeting.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 7. Legislative Retirement Study Commission .....	130,000
--------------------------------------------------------	---------

Subd. 8. Mississippi River Parkway Commission .....	5,000	5,000
-----------------------------------------------------	-------	-------

1974

1975

\$

\$

This amount is appropriated from the trunk highway fund.

Subd. 9. General Contingent Account	600,000	350,000
-------------------------------------	---------	---------

Should the appropriations for either year be insufficient, then the appropriation for the other year shall be available therefor.

Subd. 10. Game and Fish Contingent Account	100,000	
--------------------------------------------	---------	--

This appropriation is from the game and fish fund for the purpose of supplementing any requirements of the department of natural resources for activities which are financed from the game and fish fund.

Subd. 11. Motor Vehicle Contingent Account	25,000	
--------------------------------------------	--------	--

This appropriation is from the highway user tax distribution fund for the purpose of supplementing any requirements of the department of public safety, motor vehicle services section, for salaries, supplies, and expense.

Subd. 12. Criminal Justice Contingent Account	800,000	800,000
-----------------------------------------------	---------	---------

This appropriation is available to provide additional matching funds for the various state agencies and local government for programs qualifying under the safe streets and omnibus crime control act of 1968, as amended.

The above funds shall not be available until the criminal justice state plan has been reviewed by the senate committee on finance and the house committee on appropriations. At least 30 days before action by the legislative advisory committee, the commission shall submit the individual project requests to the respective committees for review.

Subd. 13. Postage Contingent Account	250,000	
--------------------------------------	---------	--

To be used by the commissioner of administration in supplementing the ap-

	1974	1975
	\$	\$
appropriations made for supplies and expense to the various state departments and agencies for any postage rate increases during the biennium ending June 30, 1975, where sufficient appropriations have not been made available therefor.		

Of the above amount \$125,000 is appropriated from the highway user tax distribution fund for the motor vehicle section of the department of public safety.

Subd. 14. Traffic Safety Contingent Account .....	50,000	
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This appropriation is from the trunk highway fund for the purpose of supplementing any requirements of the department of public safety for traffic safety programs.

The appropriations in subdivisions 9 through 14 shall be expended with the approval of the governor after consultation with the legislative advisory committee.

Any unexpended balances remaining in subdivisions 10 through 14 the first year shall not cancel but shall be available for the second year of the biennium.

### Sec. 3. GOVERNOR

Subdivision 1. Salaries, supplies, and expense .....	489,500	492,500
------------------------------------------------------	---------	---------

If the commissioner of public safety assigns a highway patrol officer as a personal aide to the governor below the rank of sergeant, such officer shall receive the rank and pay of a sergeant while on such assignment.

Subd. 2. Personal expenses connected with office .....	15,000	15,000
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Subd. 3. Governor's portrait .....		2,000
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Subd. 4. Upper Great Lakes Regional Commission—state share .....	71,000	71,000
------------------------------------------------------------------	--------	--------

The appropriations in subdivision 4 shall cancel if the federal support for the program is withdrawn.

	1974	1975
	\$	\$
Subd. 5. Great Lakes Basin Commission—state share .....	26,000	18,000
Subd. 6. Upper Mississippi River Basin Commission—state share .....	30,000	30,000
Subd. 7. Missouri River Basin Commission .....		
	1973	
mission .....	\$3,950	8,200

#### Sec. 4. STATE PLANNING AGENCY

Subdivision 1. Salaries, supplies and expense .....	651,768	650,997
-----------------------------------------------------	---------	---------

The amount that may be expended from state funds for each subprogram or activity is as follows:

##### State Policy Development Subprogram

Issue Analysis .....	\$42,847	\$42,847
State, Local, Regional ..	22,359	22,359
Development Planning ..	16,316	16,316

##### Program Review and Coordination Subprogram

Federal Aid Review .....	21,228	21,228
State Program Review ..	13,572	13,572

##### Planning Technical Assistance Subprogram

Planning Information ..	16,312	16,312
Planning, Organization and Manpower Development .....	13,572	13,572

##### Functional Area Planning Subprogram

Comprehensive Health Planning .....	78,909	78,909
Developmental Disabilities .....	17,531	17,531
Environmental Planning ..	47,192	47,192
Transportation Planning ..	44,065	44,065
Human Resources Planning .....	21,184	21,184

	1974	1975
	\$	\$
Developmental Disabilities Grants . . . . .	-0-      -0-	
Technical Assistance Subprogram		
Planning Grant Administration . . . . .	33,930    33,930	
Planning and Management Technical Assistance . . . . .	34,800    34,800	
Local/Regional Training Assistance . . . . .	57,192    57,192	
Administration Activity Subprogram		
Administration . . . . .	170,729    169,988	

The state planning director may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The state auditor shall establish a single control account for the items listed in this section. The state planning agency shall maintain individual control accounts for the items listed in this section.

When instructed by the state planning agency to perform planning work, state agencies will be expected to use existing staff.

Subd. 2. Grants for Regional Development Commissions . . . . .	400,000	400,000
----------------------------------------------------------------	---------	---------

\$400,000 each year for state support of regional development commissions is appropriated to the state planning agency on a proportional basis so that no regional development commission receives more funds in one year than the amount would be if all regional development commissions were organized.

Notwithstanding the provisions of Minnesota Statutes 462.396, the state planning officer may make available financial state assistance to regional development commissions for the fiscal years 1974 and 1975.

	1974	1975
	\$	\$
<b>Sec. 5. GOVERNOR'S COMMISSION ON CRIME PREVENTION AND CONTROL</b> .....	62,222	73,333
<b>Sec. 6. GOVERNOR'S COMMISSION ON EMPLOYMENT OF HANDICAPPED PERSONS</b> .....	51,513	51,863
<b>Sec. 7. LIEUTENANT GOVERNOR</b>		
Subdivision 1. Salary and expenses .....	145,100	145,100
Subd. 2. Personal expenses of lieutenant governor .....	2,000	2,000
<b>Sec. 8. STATE AUDITOR</b>		
Subdivision 1. Salaries .....	510,795	510,795
Approved Complement—49		
Subd. 2. Supplies and expense .....	120,400	122,100
Provided that the auditor's biennial report shall be printed in summary form notwithstanding any law to the contrary.		
Subd. 3. Statewide accounting system .....	1,016,046	824,206
Subd. 4. Contributory share of public employees retirement association for legislative members .....	1973 \$204	
<b>Sec. 9. STATE TREASURER</b>		
Subdivision 1. Salaries .....	223,370	223,370
Approved Complement—23		
Subd. 2. Supplies and expense .....	85,082	82,501
<b>Sec. 10. PUBLIC EXAMINER</b>		
Subdivision 1. Salaries .....	463,754	463,754
Approved Complement—38		
Subd. 2. Supplies and expense .....	70,360	74,305
Subd. 3. Public examiner revolving fund .....	1,866.78	

This appropriation is to restore to the public examiner revolving fund the amount not recoverable from an audit made of the Montevideo housing and re-development authority.

	1974	1975
	\$	\$
The appropriations in this section provide complement and related expenses to perform for the legislature a post audit function upon request from the appropriate committees of the legislature.		

#### Sec. 11. DEPARTMENT OF TAXATION

Subdivision 1. Salaries .....	8,841,089	8,841,089
Approved Complement—919		
Subd. 2. Supplies and expense .....	3,519,131	3,523,629

The above appropriation includes expenses for collection of rural cooperative electric taxes. Taxes retained by department are to be deposited in the general fund.

The appropriations made by this section include sufficient moneys to carry out the ore estimate and classification functions previously performed by the university of Minnesota.

#### Sec. 12. TAX COURT

Subdivision 1. Salaries .....	43,361	43,361
Subd. 2. Supplies and expense .....	8,777	8,483

#### Sec. 13. ATTORNEY GENERAL

Subdivision 1. Salaries .....	788,747	811,947
Approved Complement—45		
Subd. 2. Supplies and expense .....	167,745	139,820
Subd. 3. Special Contingent Appropriation .....	60,000	

This appropriation shall not be available for paying the costs of special legal, accounting, and investigative personnel retained in cases arising under Minnesota Statutes 1971, Section 501.12 hereafter filed unless the attorney general shall decide in such a case that all the beneficiaries are not adequately represented, or that there is a likelihood that the purpose of the trust may be frustrated without his intervention and that the state has a substantial interest in carrying out the purpose of the trust.

1974

1975

\$

\$

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

#### Subd. 4. Minnesota Peace Officers Training Board

(a) Salaries .....	49,379	49,525
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#### Approved Complement—4

(b) Supplies and expense .....	23,715	23,067
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(c) Reimbursements to local government .....	300,000	300,000
----------------------------------------------	---------	---------

Reimbursement for costs of substitute local protection while officers attend regular training courses.

If the 68th legislature passes a bill establishing a dedicated account to finance reimbursements to local government, this appropriation shall cancel.

Any unexpended balance in the milk and dairy investigation account on June 30, 1973, shall not cancel but shall be available for the biennium beginning July 1, 1973.

#### Sec. 14. DISTRICT COURT

To be disbursed by the state auditor.

#### Subdivision 1. Salaries, supplies and

1973

expense .....	\$54,221	2,100,000	2,100,000
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Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.

#### Sec. 15. RETIRED SUPREME AND DISTRICT COURT JUDGES AND COMMISSIONERS

To be disbursed by the state

1973

auditor .....	\$71,436	379,000	379,000
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Should the appropriation for either year be insufficient, then the appropri-



	1974	1975
	\$	\$
ation for the other year shall be available therefor.		

This appropriation shall be used for the payment of salaries, retirement benefits, and survivorship benefits to retired supreme and district court judges, commissioners and widows of supreme and district court judges.

#### Sec. 16. SUPREME COURT

Subdivision 1. Salaries .....	672,975	672,975
Subd. 2. Supplies and expense .....	183,555	183,555
Subd. 3. Publishing Minnesota reports, fees for original jurisdiction cases, and supreme court counsel .....	36,000	37,500
Subd. 4. Supreme Court Contingent .....	5,000	
Subd. 5. Commission of Judicial Standards .....	10,000	

Any unexpended balances remaining in subdivisions 3, 4 and 5 the first year shall not cancel but shall be available for the second year of the biennium.

#### Sec. 17. JUDICIAL COUNCIL .....

4,950

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

#### Sec. 18. PUBLIC DEFENDER

Subdivision 1. Salaries, supplies and expense .....	230,379	233,323
-----------------------------------------------------	---------	---------

Provided however that no portion of the funds appropriated shall be used for the defense of misdemeanors unless the city or county public defender, if any, shall refuse or be unable to defend and then only by order of the court.

Subd. 2. To provide civil legal services and to develop and explain grievance procedures to the prison inmate .....	100,000	
---------------------------------------------------------------------------------------------------------------------	---------	--

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

1974

1975

\$

\$

This appropriation shall be reduced by an amount equal to the receipt of any federal grant in excess of \$60,000 for the biennium.

### Sec. 19. REVISOR OF STATUTES

Subdivision 1. Salaries .....	217,992	217,992
Subd. 2. Supplies and expense .....	50,366	50,331
Subd. 3. Bill Drafting Salaries and Expenses .....	600,000	

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 4. Printing Regular Session Laws—bound volume .....		75,000
-----------------------------------------------------------	--	--------

These laws may be published and printed in the same manner as prescribed by Minnesota Statutes 648.41, Subdivision 2.

### Sec. 20. DEPARTMENT OF ADMINISTRATION

Subdivision 1. Salaries, supplies and expense .....	8,005,569	8,093,606
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#### Approved Complement—

Of the amounts provided in subdivision 1, \$11,424 each year is appropriated from the game and fish fund and \$576 each year is appropriated from the state airports fund.

The department of administration shall be solely responsible for architectural services for the state college system except for dormitory food service, student union and campus master planning.

The amounts that may be expended from the above appropriations for each program are as follows:

Budget Services .. \$	294,400	\$ 320,876
Management Services .....	687,204	614,825
General Services ..	6,655,183	6,792,694

1974

1975

		\$	\$
General Support	\$368,782	\$365,211	

The commissioner of administration may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives. The state auditor shall establish a single control account for the items listed in this subdivision. The department of administration shall maintain individual control accounts for the items listed in this subdivision.

The commissioner of administration shall submit to the senate finance committee and the house appropriations committee, not later than November 1, 1974, a detailed report of each management study made, recommendations made as a result of each study and changes instituted because of each study.

Any moneys appropriated for the salaries of state employees whose duties it is to perform cleaning services in and for state buildings shall be used by the commissioner of administration to contract and pay for such services if he determines that the contract method is more economical than having such services performed by state employees.

The commissioner of administration shall review and analyze fees collected by state departments and agencies. The commissioner shall prepare a report on those fees in which the cost of the collections of the fee appears excessive in relation to the amount of the fee collected. The report shall be submitted on or before November 15, 1974, to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Notwithstanding any law to the contrary, the department of administration shall appraise and establish rental rates for all living accommodations provided by the state for its employees.

1974

1975

\$

\$

The commissioner of administration shall deposit in the state treasury and credit to the general fund all money collected from private tenants as rent from space in the capitol square building.

The commissioner of administration is directed to negotiate with the university of Minnesota for the purpose of contracting for the university to provide building maintenance and security for the department of health building.

The commissioner of administration may lease portions of state owned buildings in the capitol complex, the capitol square building, and at 1246 University Avenue, St. Paul, Minnesota, to state departments and agencies and charge rent therefor on the basis of space occupied, and, notwithstanding the provisions of any law to the contrary, all moneys collected as rents shall be deposited in the state treasury and credited to the general fund.

The position of administrator of the employees merit award system may be in the classified or unclassified service.

In the case of payrolls which are financed in whole or in part with federal funds, that portion of the cost of payroll preparation which is chargeable to federal funds shall be reimbursed to the department of administration from such federal funds, and such amounts as are necessary are hereby appropriated from such funds for that purpose. The cost of preparing payrolls for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the department of administration from such appropriations or dedicated receipt accounts and such amounts as are necessary are hereby appropriated from such appropriations and accounts for that purpose.

In the case of state departments, agencies, and institutions which are financed in whole or in part with federal funds,

	1974	1975
	\$	\$
that portion of the cost of collecting social security contributions which is chargeable to federal funds shall be reimbursed from federal funds, and such amounts as are necessary are appropriated from such funds for that purpose.		

The cost of collecting employees' social security contributions and the state's matching share for reimbursement to the U.S. Secretary of Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from such appropriations or dedicated receipt accounts, and such amounts as are necessary are appropriated from such appropriations and accounts for that purpose.

Subd. 2. University/State Information System .....	350,000	
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

#### Sec. 21. BOARD OF INVESTMENT

Subdivision 1. Salaries, supplies, and expense .....	359,904	358,159
------------------------------------------------------	---------	---------

Approved Complement—17

Notwithstanding any other law to the contrary, the board of investment may lease or purchase a duplicating machine.

#### Sec. 22. SECRETARY OF STATE

Subdivision 1. Salaries .....	187,672	187,672
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Approved Complement—20

Subd. 2. Supplies and expense .....	57,129	50,313
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Subd. 3. Printing Legislative Manual .....		90,922
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Notwithstanding any other law to the contrary, the appropriation in this subdivision shall be available until the legislative manual is printed and distributed.

	1974	1975
	\$	\$
Subd. 4. Publishing Constitutional Amendments .....		18,180
Subd. 5. Election Expense and Nomination Fees .....	36,005	27,180
Sec. 23. DEPARTMENT OF CIVIL SERVICE		
Subdivision 1. Salaries .....	664,818	664,818
Approved Complement—1974 - 71		
1975 - 64		

The director is requested to report to the committee on finance of the senate and the committee on appropriations of the house the progress made in pilot job clarification projects for the purpose of determining whether the program should be financed in fiscal year 1975.

Subd. 2. Supplies and expense .....	168,706	141,839
Subd. 3. Management and Personnel Training Program		
Salaries, supplies and expense .....	253,984	248,316

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

#### Sec. 24. MUNICIPAL COMMISSION

Salaries, supplies and expense .....	78,616	78,626
Approved Complement—3		

#### Sec. 25. MILITARY AFFAIRS

Subdivision 1. Salaries .....	1,316,521	1,319,831
Approved Complement—1974 - 177		
1975 - 178		

Plus such additional personnel as may be financed entirely from federal funds for the period federal funds are available.

Subd. 2. Supplies and expense .....	811,895	844,285
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Notwithstanding any other provision of this act or any other law, the appro-

	1974	1975
	\$	\$

priations made in this section shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts.

#### Sec. 26. DEPARTMENT OF COMMERCE

Subdivision 1. Salaries .....	1,973,490	1,976,869
Approved Complement—168		
Subd. 2. Supplies and expense .....	321,729	313,774

#### Sec. 27. PUBLIC SERVICE

Subdivision 1. Administration, motor bus, truck, weights and measures, and local grain warehouse.

(a) Salaries .....	1,409,003	1,409,003
Approved Complement—127		
(b) Supplies and expense .....	376,494	281,465
Subd. 2. Grain Inspection		
(a) Salaries .....	2,184,088	2,184,088
(b) Supplies and expense .....	175,000	175,000
(c) Overtime .....	300,000	300,000

The department of public service is directed to adjust its schedule of fees before the end of each fiscal year to provide that the initial charge made for services to be rendered during the next fiscal year shall be sufficient to provide an income during the latter fiscal year equal to the amount of the expenditures for that year for salaries, overtime, expenses, which shall include without limitation an amount for state retirement and social security contributions. If the income from the fees provided for herein during any fiscal year shall be more than 103 percent of such expenditures for that year, the department in adjusting its schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure less the amount of such excess over 103 percent of the expenditures first referred to herein. If the income from

1974

1975

\$

\$

the fees provided for herein during any fiscal year shall be less than the expenditures for that year, the department in adjusting its schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of such expenditure for the latter year plus the amount of the difference between the expenditure for the year first referred to herein and the total income from such fees during that year, and plus 3 percent of the total expenditure for both the latter and the first year referred to herein. Such schedule of fees shall provide that any elevator, mill, or other department business requesting the weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by such employee shall be credited against the charge made therefor. Such minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. Excess fees earned over hours charged shall be carried forward from month to month during any one fiscal year. When deemed necessary by the department, a charge for actual overtime costs may be made.

#### Sec. 28. LABOR AND INDUSTRY

Subdivision 1. Salaries .....	1,996,539	2,048,750
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Approved Complement—215

Subd. 2. Supplies and expense .....	386,458	404,609
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#### Sec. 29. LIQUOR CONTROL

Subdivision 1. Salaries .....	315,872	300,000
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Approved Complement—28

Subd. 2. Supplies and expense .....	62,823	55,000
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#### Sec. 30. BUREAU OF MEDIATION SERVICES

Subdivision 1. Salaries .....	383,898	383,898
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Approved Complement—26

Subd. 2. Supplies and expense .....	91,407	86,732
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	1974	1975
	\$	\$
<b>Sec. 31. DEPARTMENT OF ECONOMIC DEVELOPMENT</b>		
Subdivision 1. Salaries, supplies and expense .....	940,773	942,273

**Approved Complement—39**

Not more than one research project may be undertaken. The commissioner shall report to the next legislative session specific reports for research projects for the next biennium.

Subd. 2. Advertising and publications .....	300,000	300,000
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Not more than \$30,000 each year may be expended for promotional expenses.

Subd. 3. Regional matching .....	165,000	165,000
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Subd. 4. Port Authority of Duluth ..	80,000	80,000
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These amounts are appropriated to the port authority of Duluth, organized under Minnesota Statutes 1971, Section 458.09 to 458.19, and shall be used for the promotion of seaway trade after consultation with the department of economic development.

The port authority of Duluth shall file a report of activities financed by this appropriation with the legislature on or before November 1, 1974.

**Sec. 32. DEPARTMENT OF  
AERONAUTICS**

Subdivision 1. Salaries .....	398,271	398,271
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**Approved Complement—32**

Subd. 2. Supplies and expense .....	88,260	92,300
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Subd. 3. Aeronautics proceedings ..	7,500	7,500
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This amount is available for the employment of consultants, expert witness fees, preparation of exhibits and other costs pertaining to aeronautics proceedings.

Subd. 4. Aeronautics safety and education .....	15,500	15,500
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	1974	1975
Subd. 5. Airport construction and improvements	\$	\$
(a) Key system airports	2,380,000	
(b) Secondary system airports	1,142,500	
(c) State landing strips	1,301,430	

The appropriation in subdivision 5 is to be expended only for grants-in-aid programs.

## Revised Local Participation Plan

Notwithstanding the provisions of MSA 360.305, subdivision 4 (2) to the contrary, local participation on eligible state/local projects shall be as follows:

- a. Capital improvements and planning—all systems.

Local participation shall not be less than one-fifth.

- b. Land acquisition—all systems.**

Local participation shall not be less than one-third.

- c. Maintenance.**

The state shall provide two-thirds of maintenance and operation costs not to exceed a maximum of \$25,000 on key system airports; \$10,000 on intermediate system airports; and \$2,500 on landing strips.

The commissioner of aeronautics may transfer unexpended balances between the above items with the approval of the governor after consultation with the legislative advisory committee.

Subd. 6. Navigational Aids . . . . .	428,000
Subd. 7. Striping airport runways . . . . .	48,150

Reimbursements from municipalities for striping runways shall be deposited in the state airport fund.

Subd. 8. Construction and maintenance of state owned airports . . . . .	1,310,302
-------------------------------------------------------------------------	-----------

Any unexpended balance remaining in subdivisions 5 through 8 the first year

	1974	1975
shall not cancel but shall be available for the second year of the biennium.	\$	\$

The commissioner of aeronautics is directed to complete the construction of the state owned airports at Thief River Falls and Orr contingent upon the acceptance of the respective communities to resume their previous ownership and operation. All equipment shall be provided in accordance with the formula herein provided.

No additional airports shall be established or acquired by the state during the 1973-75 biennium.

The amounts appropriated by this section are from the state airport fund.

### Sec. 33. DEPARTMENT OF AGRICULTURE

Subdivision 1. Salaries, supplies and expense .....	2,323,115	2,331,248
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The amounts that may be expended from the above appropriations for each program are as follows:

Marketing Services and Marketing Development .....	\$302,974	\$304,339
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Food and Livestock Regulation and Supervision .....	735,582	737,350
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Development and Protection of Agricultural Resources	727,509	728,709
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General Support ...	557,050	560,850
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The commissioner of agriculture may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives. The auditor shall establish a single control account for the items listed in this section. The department of agriculture shall maintain individual control accounts for the items listed in this section.

Any butter purchased may be sold if marketable under the laws of this state.

1974

1975

\$

\$

The standing appropriation made by Laws 1963, Chapter 832, Section 4, in the sum of \$75,000 per biennium for the administration and enforcement of Minnesota Statutes 1971, Chapter 33, is rescinded and shall no longer be of any force and effect.

The fees for services performed in market and produce inspection shall be reviewed and, if necessary, adjusted each six months to the end that such fees shall insofar as it is practicable cover the cost of the services rendered. All moneys collected by authority of Minnesota Statutes 1971, Section 21.53, and all balances now on hand received from such source are appropriated for the purpose of carrying out the provisions of Minnesota Statutes 1971, Section 21.47 to 21.58. All moneys collected by authority of Minnesota Statutes 1971, Section 27.07, for services rendered pursuant to written contracts are appropriated for the purpose of carrying out the provisions of Minnesota Statutes 1971, Chapter 27, and the moneys so collected and appropriated shall be in addition to and not in substitution for the sums appropriated in this section. All funds, sums of money or other resources paid or furnished to the department of agriculture, dairy and food, by the federal government shall be credited to and become a part of the appropriations provided for in this section, and all such funds, sums of money or other resources so credited to the appropriations shall be in addition to and not in substitution for any sum appropriated or otherwise made available by this section. Provided that the fees for services performed for poultry breeding and inspection shall be fixed by the commissioner of administration at the beginning of each fiscal year and reviewed and adjusted, if necessary, at the end of each six month period in order that the fees prescribed shall insofar as practicable cover the cost of all services rendered.

The department of agriculture shall submit a semi-annual report on the col-

1974

1975

\$

\$

lection of all license and inspection fees to the committee on finance of the senate and the committee on appropriations of the house of representatives. The first report shall be submitted on or before February 15, 1974.

Notwithstanding any law to the contrary, the person hired to promote market development shall be in the unclassified service and shall work only at promoting market development.

#### Sec. 34. DEPARTMENT OF PUBLIC SAFETY

There is appropriated to the commissioner of public safety the following amounts for the following purposes, said amounts to be under the control of and to be expended by direction of the commissioner of public safety.

Subdivision 1. Salaries .....	15,283,864	15,301,959
Approved Complement—1974 - 1,388		
1975 - 1,389		

Of the amounts provided in this subdivision 1, \$11,605,614 for the first year and \$11,611,909 for the second year is appropriated from the trunk highway fund for traffic safety programs.

\$1,456,227 each year is appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

\$2,222,023 the first year and \$2,233,823 the second year are appropriated from the general fund.

The above approved complement includes a total of 121 for the bureau of criminal apprehension and a total of 504 for all unclassified patrol officers and supervisors of the highway patrol. These respective complements shall not be exceeded during the biennium. Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of admin-

1974

1975

\$

\$

istration, between the various units and divisions within this subdivision, providing that the above complement restrictions are not exceeded in the indicated units. If the personnel in the above restricted complements are transferred to other units or divisions of the department, the above complements shall be reduced accordingly.

No new highway patrol supervisory positions shall be established.

The legislature recommends that the commissioner of public safety merge the fire marshal division with the bureau of criminal apprehension to reduce administrative costs and to improve the investigational capability in the arson area.

Subd. 2. Weight Scale and Motor Vehicle Inspection

319,157

319,157

The personnel involved in the support of the weight scale and spot motor vehicle inspection programs shall be provided by the department of highways. This appropriation is from the trunk highway fund.

Subd. 3. Supplies and expense

8,460,863

8,590,523

Of the amounts provided in subdivision 3, \$5,856,817 for the first year and \$5,804,432 for the second year are appropriated from the trunk highway fund for traffic safety programs.

\$1,557,740 for the first year and \$1,478,132 for the second year are appropriated from the highway user tax distribution fund for administration of motor vehicle laws.

\$1,046,306 for the first year and \$1,307,959 for the second year are appropriated from the general fund.

The state auditor is directed to transfer on a quarterly basis the appropriation made from the trunk highway fund in subdivisions 1, 2, and 3.

Subd. 4. Sheriffs Teletype Operations

325,266

325,266

	1974	1975
	\$	\$
Approved Complement—14		
Subd. 5. Police schools		
(a) Supplies and expense .....	121,138	124,039

Of the amounts provided in subdivision 5, \$11,709 for the first year and \$11,829 for the second year are appropriated from the trunk highway fund for highway safety activities.

Subd. 6. License plates

(a) Salaries .....	162,412	162,412
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Approved Complement—12

(b) Supplies and expense .....	1,362,175	1,332,175
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The amounts provided in subdivision 6, items a and b, are appropriated from the highway user tax distribution fund.

Subd. 7. Fire Services—Advisory Council .....	7,500	7,500
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Subd. 8. State Aids for Air Warning .....	30,000	30,000
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The department of public safety is authorized to make grants in aid to local political subdivisions, to provide for up to 25 percent of the cost of air warning systems.

## Sec. 35. DEPARTMENT OF NATURAL RESOURCES

There is appropriated to the commissioner of natural resources the following amounts for the purposes so stipulated in this section and as indicated in the workpapers of the committee on finance of the senate and the committee on appropriations of the house of representatives.

23,829,379 22,051,628

Approved Complement—1,200

The amount that may be expended from these funds for each program is as follows:

Protection and Development of Land,  
Water and Wildlife Resources

\$13,099,563 \$11,365,424

	1974	1975
	\$	\$
Public Use of Recreational Resources		
	\$4,274,132	\$4,267,582
Economic Distribution and Utilization of Public and Private Resources		
	1,967,047	1,954,226
General Support and Management Ser- vices		
	4,488,637	4,464,396

The commissioner of natural resources may transfer unexpended balances among the above programs. Such transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The state auditor shall establish a single control account for the items listed in this section. The department of natural resources shall maintain individual control accounts for the items listed in this section.

Of the amounts herein provided, \$11,587,204 for the first year and \$11,544,966 for the second year are appropriated from the general fund; \$11,692,175 for the first year and \$9,956,662 for the second year are appropriated from the game and fish fund; and \$550,000 each year is appropriated from the wildlife acquisition account.

The appropriations in this section include \$1,658,000 in the first year which is appropriated from the game and fish fund for the remodeling and reconstruction of the French River and Lanesboro hatchery facilities which shall be available until expended or the projects are completed or abandoned.

In addition to the amounts herein appropriated, all monies credited to the game and fish fund under Minnesota Statutes 1971, Section 296.421, Subdivision 4, are appropriated to the commissioner of natural resources for the acquisition, improvement, development and



	1974	1975
	\$	\$
maintenance of sites for public access to public waters and for lake improvement.		

The appropriations in this section include sufficient monies for payment in lieu of taxes on local units of government on wetlands for wildlife habitat.

The department may publish not more than six issues of the conservation volunteer during each fiscal year.

No overtime shall be paid to enforcement officers or enforcement officer pilots.

The commissioner of natural resources shall submit financial reports of the actual and anticipated expenditures of his department to the committee on finance of the senate and the committee on appropriations of the house of representatives. Such reports shall be structured on an activity basis and shall include all monies under the control of the commissioner and such additional information as may be requested by the committees to which the reports are made. The first report shall be submitted not later than February 15, 1974, and thereafter such reports shall be made on a quarterly basis.

#### Sec. 36. MINNESOTA WATER RESOURCES BOARD

Salaries, supplies and expense .....	55,274	54,726
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All hearings of the water resources board shall be solely in the performance of expressed statutory duties.

#### Sec. 37. POLLUTION CONTROL AGENCY

Subdivision 1. Salaries, supplies and expense .....	1,684,730	1,820,722
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Approved Complement—153

Subd. 2. Additional special studies .....	140,000
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The agency is authorized and directed to negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or

1974

1975

\$

\$

obtaining any grants of assistance in the completion of these studies.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Health will continue to render such staff services as agency may require from time to time through health's division of environmental health, and health is to be reimbursed from this appropriation for the cost thereof.

On or before June 30, 1973, agency through its executive director will make and submit to the governor for approval an interdepartmental agreement, but if agency and health do not so agree at the time required, the matters to be covered by the agreement will be determined by executive order. The matters so to be covered by agreement or order are: (1) adequate exchange between agency and health of information in the health aspects of the work of each; (2) staff services and facilities required by agency to be furnished by health; (3) basis of reimbursement to health for services and facilities to agency. This agreement may be modified from time to time by agency and health with approval of the governor, and by executive order if the arrangement is effected by order, and the agreement or order, as the case may be, will be followed by the authorities involved in disbursing this appropriation.

The amounts provided in subdivisions 1 and 2, are sufficient to fulfill all duties imposed upon the agency by the 1973 legislature.

Prior to the holding of any public hearings, the purpose for which being the establishment of odor control regulations which would apply to agriculture, the agency shall notify the appropriate committees of the legislature.

Subd. 3. Automobile recycling .....	800,000	800,000
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	1974	1975
	\$	\$
<b>Sec. 38. LIVESTOCK SANITARY BOARD</b>		
Subdivision 1. Salaries .....	516,756	541,317
Approved Complement—48		
Subd. 2. Supplies and expense .....	198,438	233,605
Subd. 3. Indemnities .....	100,000	
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
No payment for less than \$1 for indemnities may be made.		
Subd. 4. Field Laboratories .....	67,000	67,000
For the operation of field laboratories for the testing of poultry, including turkeys, for pullorum and other diseases.		
Subd. 5. Contingent account .....	150,000	
The funds appropriated in subdivision 5 shall be transferred to the various accounts of the livestock sanitary board at the request of the executive secretary of the board. Upon receipt of the request, the commissioner of administration shall certify to the state auditor the amounts to be transferred and the accounts into which the funds shall be transferred. Funds so transferred are hereby appropriated.		
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.		
<b>Sec. 39. HUMAN RIGHTS</b>		
Salaries, supplies and expense .....	436,458	434,321
Approved Complement—34		
<b>Sec. 40. WAR VETERANS AFFAIRS</b>		
Subdivision 1. Salaries .....	371,931	371,931
Approved Complement—41		
Subd. 2. Supplies and expense .....	67,072	68,783

	1974	1975
	\$	\$
Subd. 3. Veterans relief fund .....	910,000	960,000

The Minnesota public relief advisory committee is hereby continued for the purposes of this subdivision.

None of the funds appropriated in this subdivision shall be transferred for the use of veterans' rest camps.

Subd. 4. War veterans and war orphans education aid .....	40,000	45,000
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To be expended pursuant to Minnesota Statutes 1971, Section 197.75.

Subd. 5. Headstones, markers, and sockets for soldiers and sailors graves ..	10,000	
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Any unexpended balances remaining in subdivisions 3 through 5 the first year shall not cancel but shall be available for the second year of the biennium.

#### Sec. 41. STATE LAW LIBRARY

Subdivision 1. Salaries .....	88,624	88,624
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##### Approved Complement—8

Subd. 2. Supplies and expense .....	58,945	60,558
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Subd. 3. Books and binding .....	120,000	
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

#### Sec. 42. STATE ZOOLOGICAL BOARD

Salaries, supplies and expense .....	168,179	324,006
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#### Sec. 43. NATURAL RESOURCES ACCELERATION

Subdivision 1. Minnesota resources commission together with any sums received as grants-in-aid from federal sources and any sums granted by private sources to carry out the purposes of the commission. Such moneys shall be available to the commission until expended. . .	150,000	
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The commission during the 1973-75 biennium shall review the work programs and progress reports required under sub-

	1974	1975
	\$	\$
division 14 of this section and report their findings and recommendations to the committee on finance for the senate and the committee on appropriations for the house of representatives. The commission may prepare in cooperation with the committees on taxes a report to the 69th session of the legislature regarding payment in lieu of taxes on state and federally owned lands. The commission may also prepare a report to the 69th session of the legislature pertaining to the recodification and simplification of the laws and statutes pertaining to the Minnesota outdoor recreation and resource commission and the Minnesota resources commission.		

Subd. 2. Department of Administration

a. Acquisition of state recreation lands and trails .....	2,000,000
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To be expended in accordance with the purposes and criteria of the Minnesota outdoor recreation act of 1973 if approved by the legislature and/or according to the priorities established in project 80. These funds shall only be expended for lands within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild, scenic and recreational rivers, state scientific and natural areas, and the Sand Dunes state forest.

b. Acquisition of land-memorial hardwood forest .....	350,000
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c. Acquisition of scenic easements—Lower St. Croix recreational riverway ..	275,000
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d. Acquisition of spawning areas ...	50,000
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e. Acquisition of key deer yards ...	30,000
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f. Topographic mapping—final appropriation .....	785,000
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g. Grants-in-aid to local units of government .....	2,750,000
-----------------------------------------------------	-----------

Not more than \$55,000 may be expended for professional services in ad-

1974

1975

\$

\$

ministration of the grants-in-aid to state and local units of government.

This appropriation or 50 percent of the local share if federal matching funds are used is to pay up to 50 percent of the total cost of long term lease, acquisition and development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23 as amended by Laws 1969, Chapter 1139, Subdivision 7, g.

Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.

The state office of local and urban affairs will administer the natural resources and land and water grants-in-aid to local units of government.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee.

h. Grants-in-aid for regional recreational and natural areas ..... 4,000,000

The state office of local and urban affairs will administer the natural resources and land and water grants-in-aid programs to local units of government and public educational institutions.

Not more than \$25,000 may be expended for professional services in administration of grants-in-aid for this program.

This appropriation is available to pay up to 100 percent of the local share for acquisition and lease of land for recreation areas, natural areas and open space serving a regional need to counties, local units of government, special units of government and public educational institutions authorized to acquire, maintain and operate recreational and natural areas; provided that the state share shall not exceed 75 percent of the total acquisition for any project.

Priorities for use of funds will be given to projects eligible for federal

	1974	1975
	\$	\$
funding and which are consistent with priorities established by regional recreation and open space plans.		
i. Iron range interpretive center . . .	500,000	
This money is available when there is evidence that other financing shall be available to complete the project.		
Subd. 3. Clearwater County		
First and second lake recreation project . . . . .	10,000	
Subd. 4. Department of Economic Development		
Innovative program funding . . . . .	50,200	
Subd. 5. Department of Education		
FFA stocking of upland game birds . .	60,000	
Subd. 6. Governor		
For the Minnesota bicentennial committee . . . . .	200,000	
Subd. 7. Department of Health		
a. Abandoned well location and sealing . . . . .	10,600	
b. Ground water quality program . .	86,240	
Subd. 8. Minnesota Historical Society		
a. Fort Snelling restoration . . . . .	1,071,500	
b. Historic sites program . . . . .	345,000	
Site engineering . . . . .	\$ 35,000	
Historic site interpretation . .	100,000	
Historic archaeology . . . . .	60,000	
Regional research libraries . .	50,000	
Curriculum materials on Minnesota history . . . . .	25,000	
Traveling historical exhibits	50,000	
Map restoration . . . . .	25,000	
c. Grand Mound interpretive center .	150,000	
The Minnesota historical society is hereby authorized to establish and col-		

1974

1975

\$

\$

lect such fees as it may deem reasonable for admission to the state-owned sites under its control. All such fees that are collected from the operation of these state-owned sites shall be deposited in and for the benefit of the general fund.

The Minnesota historical society is exempted from the competitive bidding procedures of Minnesota Statutes 1971, Chapter 16.07 in its completion of these projects.

The appropriations made in subdivision 8 of this section shall be subject to the allotment and encumbrance provisions of Minnesota Statutes 1971, Chapter 16.

#### Subd. 9. Department of Natural Resources

##### a. State land recreation development 3,400,000

To be expended in accordance with the provisions of the Minnesota outdoor recreation act of 1973 if approved by the legislature and/or in accordance with the recommendations of project 80. These funds shall only be expended for development within the authorized or designated boundaries of state parks, state recreation areas, state monuments, state waysides, state trails, state wild, scenic and recreational rivers and state scientific and natural areas.

Of the above amount, \$1,900,000 is appropriated from the state parks development account.

The commissioner of natural resources will review the proposed expenditures from this appropriation against priorities established by project 80 in consultation with the legislative buildings commission or its successor.

b. Interpretive services program . . . . .	134,800
c. Spawning land development . . . . .	50,000
d. Operation pheasant . . . . .	200,000
e. Stream improvement . . . . .	50,000



	1974	1975
	\$	\$
f. Development of artificial spawning reefs for walleyes .....	40,000	
g. Watershed studies and reports .....	150,000	
h. Ground water surveys, sand plains areas .....	50,000	
Of the amount appropriated not less than \$40,000 shall be for grants-in-aid.		
i. Environmental review .....	37,500	
j. Remote sensing program .....	25,000	
k. Lower St. Croix river resource management plan .....	40,000	
l. Melrose dam repair project .....	100,000	

This appropriation is available to pay up to 50 percent of the total cost of repair or reconstruction.

Subd. 10. State Planning Agency

a. State land use planning .....	380,000
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The study is to be done in cooperation with the affected state agencies and coordinated with local units of government and regional commissions.

b. Voyageur park peripheral area plan .....	75,000
c. Voyageur area soils survey .....	40,000
d. Land use control and protection St. Louis and Koochiching county .....	60,000

Subd. 11. State College Board

Southwest college regional environmental program .....	50,000
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Subd. 12. Regents of the University of Minnesota

a. Prehistoric archaeology .....	45,600
b. Limnological research—final appropriation .....	35,000
c. Energy extraction from solid wastes .....	90,000

Subd. 13. Professional Services

a. Department of natural resources—engineering .....	276,100
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	1974	1975
	\$	\$
b. Department of administration—		
land acquisition .....	315,000	

Subd. 14. It shall be a condition of acceptance of the appropriations made by this section and specified by this subdivision that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in such form as may be determined by the Minnesota resources commission for the following projects: for the projects authorized in subdivision 2b, subdivision 2c, subdivision 4, subdivision 5, subdivision 6, subdivision 7b, subdivision 8b provided that no reports shall be required for site engineering or map restoration, subdivision 9b, subdivision 9d, subdivision 9h, subdivision 9j, subdivision 9k, subdivision 10, subdivision 11, subdivision 12b and subdivision 12c.

Any unexpended balance remaining in the first year from appropriations made in this section shall not cancel but shall be available for the second year of the biennium.

#### Subd. 15. Natural Resource Federal Reimbursement Account

Reimbursements and matching funds received from the federal government for expenditures of appropriations made for the purposes described in Minnesota Statutes 1971, Chapter 86, shall the first instance be credited to a federal receipt account by the state agency receiving such reimbursements and matching funds.

Any state department or agency, including the Minnesota historical society and the university of Minnesota, who receive reimbursements for expenditures made under appropriations in this section; from Laws 1971, Section 48; from Laws 1969, Chapter 879, Section 4, Subsections 2, 3, 4, and 5; or from Laws 1969, Chapter 1139, Section 48, shall transfer such reimbursements to the natural resources reimbursement account. Funds

1974

1975

\$

\$

so transferred are appropriated for the purpose of that account. This provision shall not apply to federal aid reimbursements received under Minnesota Statutes 6.40.

Any and all federal reimbursements earned under expenditures made from appropriations for natural resources acceleration for the period from July 1, 1963 through June 30, 1969, shall be deposited to the general fund, provided that the state appropriation was used initially to finance the federal share of project costs.

There is established a maximum balance of \$500,000 to be retained for transfer from this account. At any time that the balance of the account exceeds the established maximum by an amount equal to or greater than \$100,000, the state auditor is directed to cancel the full amount of the excess to the general fund.

This appropriation is available for the purposes of land acquisition as described in subdivision 2 of this section, state land recreation development as described in subdivision 7 of this section, and acquisition and development of historic sites by the state of Minnesota, the Minnesota historical society, or the university of Minnesota, when such acquisition or development is deemed to be of an emergency or critical nature.

All requests for allocation from the account must be accompanied by a certification signed jointly by the state planning officer and the bureau of planning of the department of natural resources, showing a review of the application against the state recreation plan or project 80. Copies of such certification must be submitted to the appropriate legislative committees and commissions.

The appropriations made under the above paragraphs shall be expended with the approval of the governor after consultation with the legislative advisory committee.

	1974	1975
	\$	\$
Sec. 44. WORKMEN'S 1973		
COMPENSATION .....	\$229,794.92	

To be transferred by the state auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the following agencies in the amounts as indicated:

Administration .....	\$ 26,377.48
Agriculture .....	4,514.02
Auditor .....	260.50
Civil Service .....	196.32
Commerce .....	186.87
Economic Development ..	2,285.61
Governor's Committee on Employment of Handicapped .....	15.90
Judicial .....	6,255.55
Labor and Industry .....	5,647.87
Legislature .....	250.81
Livestock Sanitary .....	
Military Affairs .....	7,034.40
Natural Resources .....	150,233.61
Public Defender .....	5,399.60
Public Examiner .....	935.53
Public Safety .....	15,436.11
Public Service .....	4,764.94

Of the amount appropriated \$30,965.85 shall be paid from the game and fish fund.

Sec. 45. UNEMPLOYMENT	
COMPENSATION .....	476,555.09

In reimbursement of unemployment compensation benefits paid for former employees of the following:

Agriculture .....	\$ 17,543.74
Commerce .....	8,814.44

	1974	1975
	\$	\$
Economic Development	\$ 2,994.09	
Indian Affairs	1,664.00	
Natural Resources	441,496.64	
Public Service	4,042.18	

Of the amount appropriated \$120,-743.70 shall be paid from the game and fish fund.

**Sec. 46. UNOBLIGATED BALANCES.** The unobligated balance on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts for each of the state departments or divisions for which an appropriation is made herein out of the general fund are hereby cancelled into said general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1973, June 30, 1974, and June 30, 1975. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state; and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

**Sec. 47. MISAPPROPRIATION OF FUNDS.** It shall be illegal for any state officer or head of any state department or any employee thereof to use moneys appropriated by this act, or fees collected, for any other purpose than the purpose for which such moneys have been appropriated and any such act by any such person shall be cause for immediate removal from the office or position he holds with the government of the state, provided, however, that funds may be transferred to the credit of the state employees retirement fund and used for the purposes thereof as provided by law.

**Sec. 48. TRANSFER OF FUNDS, STATE AUDITOR.** The state auditor is hereby authorized and directed to transfer to the general fund in the state treasury, all moneys credited to any fund established in connection with the payment of certificates of indebtedness when the purposes for which the act authorizing such certificates have been accomplished.

**Subdivision 1.** There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$1,289,916.86 to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during the 1971-73 biennium.

There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$4,989.77 to cor-

rect an underestimate in the cost of collecting the tax on gasoline and gasoline substitutes during the 1969-71 biennium.

There is hereby transferred to the general fund, from the highway user tax distribution fund, the sum of \$46,246.71 to reimburse the general fund for functions performed by the office of the state treasurer in mailing gas tax refunds during the 1971-73 biennium.

There is hereby transferred from the general fund to the highway user tax distribution fund, the sum of \$882.74 to correct an overestimate in the cost of mailing gas tax refunds during the 1969-71 biennium.

There is hereby transferred to the general fund, from the computer services revolving fund, the sum of \$710,000.00 to reimburse the general fund for the costs of remodeling.

There is hereby transferred to the general fund the following sums to reimburse the general fund for amounts transferred out of the general contingent account for the following purposes:

a. From the state airports fund for the department of aeronautics, supplies and expense, for the year ending June 30, 1973. . . . . \$ 3,600.00

b. From the state airports fund for the department of aeronautics, striping airport runways, for the year ending June 30, 1973. . . . . 10,000.00

c. From the state airports fund for the department of aeronautics, salaries, for the year ending June 30, 1973. . . . . 8,750.00

Sec. 49. Any moneys made available to any state department or agency by this act of appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes 1971, Sections 355.50 and 352.04, Subdivision 5.

Sec. 50. Notwithstanding the provisions of any other law, state departments and agencies may, with the approval of the commissioner of administration, eliminate authorized positions and use the moneys for purchase of interdepartmental tabulating services from the department of administration, informations systems division, or for the leasing or purchase of equipment if such is found to be more economical than filling of authorized positions. Such moneys are hereby authorized to be transferred to the supplies and expense account of the department. Such moneys transferred are hereby appropriated for this purpose.

The commissioner of administration, in reviewing the proposals, shall also review the documentation presented indicating the analysis of the cost benefit and reduction of personnel or other savings or benefit that will occur with the computerization or further computerization of the systems involved in the pro-

posal. Upon implementation of the proposal, the complement shall be reduced and the indicated savings reserved and cancelled.

Sec. 51. Notwithstanding the provisions of any law to the contrary, the commissioner of administration may sell the state owned property comprising the Owatonna state school in the manner which will realize the greatest return to the state. Such a sale, however, shall be made only after advertising the sale of the property and inviting sealed bids which shall be opened at the time specified and read aloud. The sale shall be made to the highest bidder. The advertisement of such sale shall be made in local and national publications including but not limited to such publications as the Wall Street Journal and the New York Times. The state reserves the right to reject any and all bids.

Sec. 52. The commissioner of administration shall make maximum utilization of available space in state institutions and buildings by not renewing the leases of departments renting space from non-public property owners near state institutions which have available space. He shall encourage departments to lease such space from the institutions or other state agencies at a rate to be determined by the commissioner of administration. Any remodeling required shall be performed by the maintenance forces of the institution or building providing the space if at all possible. Receipts from such rentals or leases are hereby reappropriated to the department providing the space. The commissioner shall report to the 69th legislature concerning these instructions.

Sec. 53. [15.16 Subd. 5] No control of state owned lands shall be transferred between state departments without first consulting the legislative building commission, or other appropriate legislative committee or committees and obtaining a recommendation thereon. The recommendation shall be advisory only. Failure to obtain a prompt recommendation shall be deemed a negative recommendation.

Sec. 54. Notwithstanding any provisions of Minnesota Statutes 1971, Section 16.17, or Extra Session Laws 1971, Chapter 3, Section 53, or any other law to the contrary, the unencumbered balance remaining on June 30, 1973, of the \$3,480,000 appropriated by Extra Session Laws 1971, Chapter 3, Section 48, Subdivision 6 (a) (1), shall not lapse but shall remain available for expenditure for the projects specified below:

- (a) Gooseberry Falls State Park, sewage disposal
- (b) Helmer Myre, visitor center and water chlorination system
- (c) Interstate Park, sewer system
- (d) Itasca State Park, Douglas Lodge sewer system rehabilitation
- (e) Jay Cooke State Park, sewer system and water system
- (f) Lake Carlos State Park, sewer system
- (g) William O'Brien State Park, sewer lagoon

Sec. 55. Subdivision 1. The powers, duties, and responsibilities of the department of labor and industry under Minnesota Statutes, Sections 332.31 to 332.45 relating to collection agencies are hereby transferred to and imposed upon the section of consumer services in the department of commerce.

Subd. 2. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make such changes in terminology as may be required to record the powers, duties, and responsibilities which are transferred by this section.

Sec. 56. Minnesota Statutes 1971, Section 326.52, is amended to read:

326.52 [DEPOSIT OF FEES.] All fees received under sections 326.46 to 326.52 shall be (PAID) *deposited* by the department of labor and industry (TO THE STATE TREASURER, AND AN AMOUNT OF MONEY EQUAL TO THE AMOUNT SO PAID OVER BY THE DEPARTMENT TO THE TREASURER IS HEREBY APPROPRIATED, OUT OF ANY FUNDS) *to the credit of the general fund in the state treasury (NOT OTHERWISE APPROPRIATED, TO THE DEPARTMENT FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF SECTIONS 326.46 TO 326.52.)* The salaries and per diem of the inspectors and examiners hereinbefore provided, their expenses, and all incidental expenses of the department in carrying out the provisions of sections 326.46 to 326.52 shall be paid (ON ORDER OF THE DEPARTMENT FROM SUCH APPROPRIATION, BUT NO EXPENSE OR CLAIM SHALL BE INCURRED OR PAID IN EXCESS OF THE AMOUNT RECEIVED FROM THE FEES HEREIN PROVIDED) *from the appropriations made to the department of labor and industry.*

Sec. 57. [15.161]. The head of a state department or agency shall consult the legislative buildings commission or other designated appropriate legislative committee or committees before accepting any federal land or buildings thereon or any interest therein which is declared surplus by federal authorities and obtaining a recommendation thereon which shall be advisory only. Failure to obtain a recommendation thereon promptly shall be deemed a negative recommendation.

Sec. 58. Subdivision 1. Notwithstanding any provision of law to the contrary, no contract shall be awarded for the removal of rough fish except in accordance with requirements of law regarding the awarding of a contract after competitive bidding. A contractor of rough fish pursuant to this subdivision may sell or otherwise dispose of the rough fish which he acquires from the state.

Subd. 2. Minnesota Statutes 1971, Section 97.486 is repealed.

Sec. 59. The sum of \$40,000 is appropriated for the biennium ending June 30, 1975, to the department of military affairs for the St. Cloud national guard armory to be expended for blacktopping the parking lot, installing curbs, gutters, and catch basins, and providing security lighting.



Sec. 60. [ ] APPLICATIONS FOR NON-STATE FUNDS. Subdivision 1. Every department or agency of the executive branch of state government shall, prior to the submission of any application for non-state funds, submit the original of the application to the commissioner of administration. The commissioner shall promptly return the application indicating his approval or disapproval. No application for funds shall be submitted without the prior approval of the commissioner of administration. The commissioner of administration may promulgate rules, regulations, and directives to implement the provisions of this section.

Subd. 2. The provisions of this section shall not apply to the Minnesota historical society.

Subd. 3. Minnesota Statutes 1971, Section 16.165 is repealed.

Sec. 61. Subdivision 1. [16.141] [Subd. 3a] Notwithstanding any other law to the contrary, the commissioner of administration after consulting the committee on appropriations of the house of representatives and the committee on finance of the senate may waive the requirements for submitting a budget by object of expenditure for agencies and departments which are, at his direction, requesting programmatic appropriations.

Subd. 2. Subdivision 1 takes the place of Minnesota Statutes 1971, Section 16.141, Subdivision 3, which subdivision is repealed.

Sec. 62. [ ] DEPOSIT OF TAX RECEIPTS. Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Sections 290.361, 291.33, 297.13, 298.17, 298.281, 298.282, 298.32, 298.39, 298.396, 298.51, 298.64, 298.65, 340.60 and similar laws to the contrary relating to the depositing, disposition, or apportionment of tax receipts, the state auditor may provide for a single depository account for each tax or kind of taxes providing adequate information is available to determine the source and disposition or apportionment of the tax to meet statutory requirements. The auditor shall request such transfers and certifications as are necessary to meet such statutory requirements. The state auditor may issue directives to implement the provisions of this section.

Sec. 63. Minnesota Statutes 1971, Section 3.102, is amended to read:

3.102 [INTERIM LIVING EXPENSES.] Each member of the legislature shall be reimbursed for his expenses when he is required to attend meetings of standing committees, commissions, or is engaged in other legislative activity when the legislature is not in session. The amount of such reimbursement shall not exceed (\$25) \$33 per day as a per diem expense allowance for all expenses incurred except travel. He shall also be reimbursed for his travel expenses in the same amount as state employees are reimbursed for such travel.

Reimbursements to members of the legislature for out-of-state meetings or other legislative activity shall be in the same amounts as state employees are reimbursed for such out-of-state expenses.

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 64. Laws 1965, Chapter 810, Section 23, Subdivision 3, as amended by Laws 1967, Chapter 867, Section 9, is repealed.

Section 65. Subdivision 1. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers, department heads, and other individuals in the judicial and executive branches of the state government, all in the unclassified service, if such salary increases are otherwise authorized by law during the 1973 session of the legislature.

Subd. 2. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers, department heads, and other individuals in the judicial and executive branches of the state government, all in the unclassified service, if such salary increases are authorized under the provisions of Minnesota Statutes, Sections 15A.021 and 15A.12.

Subd. 3. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay increases in compensation of officers and employees of the executive branch of state government, all in the classified service, members of the state highway patrol, and non-academic employees of the university of Minnesota who are paid from state funds, if such salary increases are authorized by law during the 1973 session of the legislature.

Subd. 4. There is appropriated to the commissioner of administration from the appropriate funds in the state treasury such sums as may be necessary to pay shift differential and severance pay to employees of the state classified service, members of the highway patrol, and unclassified employees of the junior college system if such payments are authorized by law during the 1973 session of the legislature.

Subd. 5. The commissioner shall certify the necessary amounts to the state auditor, who shall transfer such amounts to the appropriate accounts. Sums so certified and transferred

are hereby appropriated. The appropriations made by this section are for the biennium beginning July 1, 1973.

Subd. 6. Any sums certified and transferred to the university of Minnesota under the provisions of subdivision 3 of this section or Minnesota Statutes, Sections 43.50, 352.04, Subdivision 5, and 355.50 shall only be used for the purpose certified. Any sum transferred that exceeds the increase cost above the amount appropriated for that purpose shall be returned and deposited in the state treasury."

Further amend by striking the title and inserting:

"A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; amending Minnesota Statutes 1971, Sections 3.102; 15.50; 326.52; repealing Minnesota Statutes 1971, Sections 16.141, Subdivision 3; 16.165, 97.486, and Laws 1965, Chapter 810, Section 23, Subdivision 3, as amended."

The motion prevailed and the amendment was adopted.

S. F. No. 2417, A bill for an act relating to the organization and operation of state government; appropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

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 9, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Belisle	Clifford	Ferderer	Niehaus	Pleasant
Cleary	Esau	Kvam	Pieper	

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

### CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of H. F. No. 995.

H. F. No. 995, A bill for an act relating to taxation; income tax exemption for volunteer fireman pensions; amending Minnesota Statutes 1971, Section 290.08, Subdivision 6.

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 131, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 733:

Schulz, Lemke, and Niehaus.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 118:

Sieben, M.; Wenzel; and Wohlwend.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 488:

LaVoy; Andersen, R.; and Johnson, D.

#### ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 10:30 a.m., Saturday, May 5, 1973. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:30 a.m., Saturday, May 5, 1973.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

