

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1973

FIFTY-THIRD DAY

SAINT PAUL, MINNESOTA, SATURDAY, MAY 5, 1973

The House convened at 10:30 a.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.	Moe	Schreiber
Adams, S.	Dieterich	Johnson, R.	Mueller	Schulz
Andersen, R.	Dirlam	Jopp	Munger	Searle
Anderson, D.	Eckstein	Jude	Myrah	Sherwood
Anderson, G.	Eken	Kahn	Nelson	Sieben, H.
Anderson, I.	Enebo	Kelly	Newcome	Sieben, M.
Becklin	Erdahl	Kempe	Niehaus	Skaar
Belisle	Erickson	Klaus	Norton	Smith
Bell	Esau	Knickerbocker	Ohnstad	Spanish
Bennett	Faricy	Kvam	Ojala	Stangeland
Berg	Ferderer	Laidig	Parish	Stanton
Berglin	Fjoslien	Larson	Patton	Swanson
Biersdorf	Flakne	LaVoy	Pavlak, R.	Tomlinson
Boland	Forsythe	Lemke	Pavlak, R. L.	Ulland
Braun	Fudro	Lindstrom, E.	Pehler	Vanasek
Brinkman	Fugina	Lindstrom, J.	Peterson	Vento
Carlson, A.	Graba	Lombardi	Pieper	Voss
Carlson, B.	Graw	Long	Pleasant	Weaver
Carlson, D.	Grove	Mann	Prahl	Wenzel
Carlson, L.	Hagedorn	McArthur	Quirin	Wigley
Casserly	Hanson	McCarron	Resner	Wohlwend
Cleary	Haugerud	McEachern	Rice	Wolcott
Clifford	Heinitz	McFarlin	Ryan	Mr. Speaker
Connors	Hook	McMillan	St. Onge	
Culhane	Jacobs	Menke	Salchert	
Cummiskey	Jaros	Miller, D.	Sarna	
Dahl	Johnson, C.	Miller, M.	Savelkoul	

A quorum was present.

McCauley and Samuelson were excused. Johnson, J., was excused until 2:10 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. DeGroat, 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. 1355, 636, 923, 1000, 1581, 972, 1779, and 1821 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

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

S. F. No. 1341, A bill for an act relating to local improvements; special assessments for certain services, including alley maintenance; amending Minnesota Statutes 1971, Section 429.101, Subdivision 1.

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

The report was adopted.

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

S. F. No. 1463, A bill for an act relating to municipalities; local improvements and special assessments; providing for separate sidewalk benefiting districts.

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

The report was adopted.

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

H. F. No. 1489, A bill for an act relating to education; providing for establishment and operation of cooperative centers by independent school districts.

Reported the same back with the following amendments:

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

"Section 1. [INDEPENDENT SCHOOL DISTRICTS; VOCATIONAL OR COOPERATIVE CENTERS.] Subdivision 1. [ESTABLISHMENT.] Notwithstanding any law or other provision to the contrary, two or more independent school districts may enter into an agreement to establish a cooperative center to provide for vocational education and other educational services upon the vote of a majority of the full membership of each of the boards of the districts entering into the agreement. When a resolution approving such action has been adopted by the board of a district, the resolution shall be published once in a newspaper of general circulation in the district. If a petition for referendum on the question of said district entering into such agreement, containing signatures of qualified voters of said district

equal to five percent of the number of voters at the last annual school election, is filed with the clerk of the board within 60 days after publication of such resolution, the board shall not enter into the agreement until the question of whether the district shall enter into the agreement has been submitted to the voters of the district at a special election. Said election shall be conducted and canvassed in accordance with Minnesota Statutes, Section 123.32. If a majority of the total number of votes cast on the question within said district is in favor of the proposition, the board may thereupon enter into an agreement to establish the center for purposes herein described.

Subd. 2. [NAME; FISCAL AGENT.] A public corporation so created shall be known as (insert name) cooperative center no. and shall have an identification number assigned pursuant to Minnesota Statutes, Section 123.03.

Subd. 3. [GOVERNING BOARD.] (a) The center shall be operated by a center board of not less than five members which shall consist of members from school boards of each of the participating school districts within the center, appointed by their respective school boards. Each participating school district shall have at least one member on the board. The board shall choose an administrative officer to direct board activities who shall serve as an ex officio member of the board but shall not have a vote.

(b) The terms of office of the first members of the board shall be determined by lot as follows: one-third of the members for one year, one-third for two years, and the remainder for three years, all terms to expire on June 30 of the appropriate year. Thereafter the terms shall be for three years commencing on July 1 of each year. If a vacancy occurs on the center board, it shall be filled by the appointing school board. A person appointed to the center board shall qualify as a board member by filing with the chairman a written certificate of appointment from his school board.

(c) The first meeting of a center board shall be at a time mutually agreed upon by board members. At such meeting, the center board shall choose its officers and conduct such other organizational business as may be necessary. Thereafter the center board shall meet on the first Saturday of July of each year or as soon thereafter as practicable pursuant to notice sent to all center board members by the chief executive officer of the center.

(d) The officers of the center board shall be a chairman, vice-chairman, clerk and treasurer, no two of whom when possible shall be from the same school district. The chairman shall preside at all meetings of the center board except in his absence the vice-chairman shall preside. The clerk shall keep a complete record of the minutes of each meeting and the treasurer shall be the custodian of the funds of said center. Insofar as applicable, Min-

nesota Statutes, Sections 123.33 and 123.34, shall apply to the board and officers of the center.

(e) Each participating school district shall have equal voting power with at least one vote. A majority of the center board shall be a quorum. Any motion other than adjournment shall pass only upon receiving a majority of the votes of the entire center board.

Subd. 4. [POWERS AND DUTIES.] (a) The center board shall have the general charge of the business of the center and the ownership of facilities. Where applicable, Minnesota Statutes, Section 123.36, shall apply. The center board may not issue bonds in its behalf. Each participating district shall issue its bonds for the purpose of acquisition and betterment of center facilities in the amount certified by the board to such participation district in accordance with Minnesota Statutes, Chapter 475.

(b) The center board (1) shall furnish vocational offerings to every eligible person residing in any participating district and (2) may provide special education for the handicapped and disadvantaged.

(c) The center board shall certify to each participating district, the amount of necessary funds assessed to such district as its proportionate share required for the conduct of the educational programs, payment of indebtedness, and all other proper expenses of the center.

(d) The center board shall employ and contract with necessary qualified teachers and administrators and may discharge the same for cause pursuant to section 125.12. The board may employ and discharge other necessary employees and may contract for other services deemed necessary. Employees of the center board shall have all the rights and benefits they would have if employed by a participating district.

(e) The center board shall provide an educational program for high school and adult vocational phases of instruction. The high school phase of its educational program shall be offered as a component of the comprehensive curriculum offered by each of the participating school districts. Graduation shall be from the student's resident high school district. Insofar as applicable, Minnesota Statutes, Section 123.35 to 123.40, shall apply.

(f) The center board may prescribe rates of tuition for attendance in its programs by adults and nonmember district secondary students.

Subd. 5. [FINANCING.] (a) Any center board established pursuant to this act is a public corporation and agency and may receive and disburse federal, state, and local funds made available to it. No participating school district shall have any additional individual liability for the debts or obligations of the center except that assessment which has been certified as its proportionate share in accordance with subdivision 5 (b) and subdivision 4 (a) and (c). A member of the center board shall have such liability as is applicable to a member of an indepen-

dent school district board. Any property, real or personal, acquired or owned by the center board for its purposes shall be exempt from taxation by the state or any of its political subdivisions.

(b) The center board may, in each year, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred, assess and certify to each participating school district its proportionate share of any and all expenses: Such share shall be based upon (1) the total enrollment of each member district as it relates to the total enrollments in all districts or (2) a uniform mill levy among all member districts. Each participating district shall remit its assessment to the center board within 30 days after receipt. The assessments shall be paid within the maximum levy limitations of each participating district.

Subd. 6. [STATE BOARD APPROVAL.] Prior to the commencement of the operation of any center the agreement entered into by participating districts shall be approved by the state board of education.

Subd. 7. [LAWS GOVERNING INDEPENDENT SCHOOL DISTRICT APPLICABLE.] As of the effective date of the creation of any center as contained in the agreement establishing such center, the organization, operation, maintenance, and conduct of the affairs of such center shall be governed by the general laws relating to independent school districts of the state unless provided otherwise herein or by statute passed hereafter.

Subd. 8. [ADDITION AND WITHDRAWAL OF DISTRICTS.] Upon approval by the majority vote of a school board, of the center board, and of the state board of education, an adjoining school district may become a member in the center and be governed by the provisions of this act and the agreement in effect.

Any participating district may withdraw from the center and from the agreement in effect upon mutual consent of a majority vote of the full board membership of such participating school district desiring withdrawal and according to provisions within the agreement establishing the center. Upon receipt of such withdrawal resolution, the center board shall file a certified copy of its resolution reciting the necessary facts with the county auditors of the counties affected. Such withdrawal shall become effective at the end of the next following school year but such withdrawal shall not affect the continued liability of the withdrawing district for bonded indebtedness it incurred prior to the effective withdrawal date.

Subd. 9. [EXISTING CENTERS.] Centers approved by the state board of education prior to enactment of this act shall be subject to its provisions except section 1, subdivision 1. Changes necessary in center agreements operating under Minnesota Statutes, Section 471.59, shall be completed within six

months after the effective date of this act and filed with the state board by the administrator of each existing center.”.

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. 1936, A bill for an act relating to education; the establishment of a pilot educational service area in southwest and west central Minnesota to provide educational services and programs on a regional basis; appropriating money therefor.

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

The report was adopted.

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

H. F. No. 2281, A bill for an act relating to Independent School District No. 709, St. Louis county; the payment of the net salary or wages of the employees; authorizing the “direct deposit” of said sums in a bank account in the name of the individual employee of the school district.

Reported the same back with the following amendments:

Page 1, line 23, strike “and provided further, that on or prior to the”.

Page 1, strike lines 24 through 30.

Page 1, line 31, strike “deposited to his account for the prior payroll period;”.

Page 2, after line 7, insert a new section to read:

“Sec. 2. Employees within any bargaining unit of the school district who are paid on a bi-weekly or monthly basis shall not be required to have their salary and wages deposited pursuant to the provisions of section 1 of this act unless and until agreed upon between the exclusive representative of the bargaining unit and the school district. All other employees shall be subject to the provisions of section 1 of this act.”.

Page 2, line 8, strike “the day following its”.

Page 2, line 9, strike “final enactment” and insert in lieu thereof “September 1, 1973”.

Renumber section 2 in sequence.

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

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

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

The report was adopted.

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

H. F. No. 1988, A bill for an act relating to manpower services; employment security information; amending Minnesota Statutes 1971, Section 268.12, Subdivision 12.

Reported the same back with the following amendments:

Page 1, line 25, strike "*or any unit of local*".

Page 1, line 26, strike "*government within the state*" and insert in lieu thereof "*or any municipal civil rights agency with enforcement powers*".

Page 2, line 7, strike "*or unit of local government*".

Page 2, line 8, strike "*within the state*" and insert in lieu thereof "*or any municipal civil rights agency*".

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.

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

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

H. F. No. 648, A bill for an act relating to agriculture; establishing a dairy products council within the department of agriculture; providing functions and authority therefor; amending

Minnesota Statutes 1971, Sections 32A.03, by adding a subdivision; 32A.05, by adding subdivisions; and 32A.09, Subdivisions 1, 2 and 6.

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 32A.06, Subdivision 2, is amended to read:

Subd. 2. [PRICE FILING.] Price schedules on any class of selected dairy products can be superseded, changed or withdrawn only on forms prescribed and furnished by the commissioner and by filing a copy thereof with the commissioner at least ten (10) full business days before the new schedule becomes effective and until that time, the old schedule shall continue in force. Any new price schedule shall (CONTINUE UNCHANGED FOR TEN FULL BUSINESS DAYS) *become effective on the first Monday of each month.* The commissioner is authorized and empowered to investigate any price for any selected dairy product on any schedule or prices filed with the commissioner which appear to be in violation of sections 32A.01 to 32A.09, 325.04, 325.06, 325.075, and acts amendatory thereof, and to suspend the effective date of any such price for a period of ten calendar days or during the period of such investigation, whichever is the lesser, and upon such suspension shall give prompt notice thereof by mail to the person filing such price schedule. If within this ten day period the commissioner fails to determine that such suspended price is invalid, it shall be presumed to be a valid price, effective at the expiration of the ten day period. If the commissioner determines the price to be invalid, he shall so advise in writing the person filing such price schedule. If the person filing a price schedule containing a price which is suspended fails or refuses upon written request of the commissioner to make available all of his records pertinent to the determination of the validity of such suspended price, the period of suspension may be extended by the commissioner for a period of ten days from the time such records are made available. All price schedules filed with the commissioner shall be confidential and shall not be disclosed unless necessary to prepare or institute legal action.

Sec. 2. Minnesota Statutes 1971, Section 32A.09, Subdivision 1, is amended to read:

32A.09 [REDDRESS FOR INJURIES.] Subdivision 1. Any person who shall be injured in his business or property by reason of anything forbidden by sections 32A.01 to 32A.09, *or the commissioner in his own name or on behalf of any such injured person,* shall be entitled to sue therefor in any court of competent jurisdiction and shall be entitled to recover three fold the damage by him sustained and the costs of suit, including reasonable attorneys fees. Any person injured or who is threatened with injury or loss by reason of anything forbidden by sections 32A.01

to 32A.09, or the commissioner in his own name or on behalf of any such injured or threatened person, shall be entitled to sue for and have injunctive relief in any court of competent jurisdiction against all persons involved in any violation or threatened violation of sections 32A.01 to 32A.09, and acts amendatory thereof, to prevent and restrain violations or threatened violations thereof without alleging or proving actual damages or that an adequate remedy at law does not exist, so that injunctive relief can be obtained promptly without awaiting injury or actual damage. Such injunctive relief shall not abridge or be in lieu of any other civil remedy provided in sections 32A.01 to 32A.09.

Sec. 3. Minnesota Statutes 1971, Section 32A.09, Subdivision 2, is amended to read:

Subd. 2. *Either the commissioner or any person entitled to bring suit under sections 32A.01 to 32A.09 may sue both in tort and for injunctive relief and may recover for all loss, damage or injury arising from the continued violation to the time of trial or hearing of such suit.*

Sec. 4. Minnesota Statutes 1971, Section 32A.09, Subdivision 6, is amended to read:

Subd. 6. The commissioner may impose a penalty upon any person licensed by the department in any of its areas of jurisdiction which in any way involve the handling, processing, distributing, and selling of selected dairy products if the person is found to be in violation of the provisions of this dairy industry unfair trade practices act.

Whenever the commissioner has reason to believe that the person has violated the act and it appears that a proceeding should be held to determine whether a penalty should be imposed the commissioner shall serve notice on such person in writing by certified mail of the charges and grounds on which a penalty is sought to be imposed and of the time and place, not less than ten days after the mailing of a notice, at which a hearing shall be held to determine whether to impose a penalty. Any person upon whom a penalty is sought to be imposed shall have full right to counsel and to produce witnesses in his behalf at the hearing. After full investigation and hearing the commissioner may upon proof of a first violation impose a penalty of not less than (\$50) \$100 nor more than (\$100) \$500 for each act in violation. However, in no event shall the penalty exceed (\$1,000) \$5,000. Upon proof of a second violation the commissioner may impose a penalty of not less than (\$100) \$500 or more than (\$500) \$3,000 for each act in violation. However, the maximum penalty imposed shall not exceed (\$5,000) \$30,000. Upon proof of a third violation the penalty provisions applicable upon proof of a second violation shall apply.

The commissioner shall by certified mail or by personal service notify the person upon whom a penalty has been imposed, setting forth the reasons for the decision. The imposition of penalty shall become effective 30 days after the mailing or service in

person of the notification unless that person complies with the provisions of section 15.0424, providing for a procedure for judicial review of the determination in the district court. (IN ADDITION TO THE PROVISIONS CONTAINED THEREIN, THE PERSON MAY PETITION TO THE DISTRICT COURT THAT THE REVIEW PROCEDURE SHALL BE BY TRIAL DE NOVO.)

Imposition of any penalties under this section shall be construed as civil and not criminal in nature.

Any amounts received by the commissioner as a result of the imposition of penalties under this provision shall be deposited with the state treasurer and shall be placed in the "dairy industry unfair trade practices account."

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

"A bill for an act relating to agriculture; amending Minnesota Statutes 1971, Sections 32A.06, Subdivision 2, and 32A.09, Subdivisions 1, 2 and 6."

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

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

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

H. F. No. 1552, A bill for an act relating to agriculture, disposal of animal carcasses by renderers and pet food processors; amending Minnesota Statutes 1971, Section 35.82, Subdivision 2, and by adding a subdivision.

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 35.82, is amended by adding a subdivision to read:

Subd. 1b. (a) The livestock sanitary board, through its secretary and executive officer, may issue a permit to the owner or operator of a pet food processing establishment or a mink rancher or a supplier of such establishment, located within the boundaries of Minnesota, to transport the carcasses of domestic animals that have died or have been killed otherwise than by being slaughtered for human consumption, over the public highways to his establishment for pet food purposes only. The permit does not allow the interstate movement of carcasses. The permit shall be valid for one year following date of issue unless revoked.

(b) The owner or operator of a pet food processing plant or mink ranch shall employ an official veterinarian. If the vet-

erinarian named in the application is accepted by the board to act as the official veterinarian, he shall be authorized by the board to act as its representative.

(c) Carcasses collected by such owners or operators under permit may be utilized for pet food or mink food purposes provided that the official veterinarian examines such carcass and in his opinion the carcass is suitable for pet food or mink food purposes.

(d) Carcasses not passed by the official veterinarian for pet food or mink food purposes shall be disposed of by a rendering plant operating under permit from the board.

(e) Provided however that the livestock sanitary board shall require such pet food processing establishment and owners and operators of mink ranches and suppliers of such establishments to conform to such rules and regulations of the board applicable to rendering plants within the state of Minnesota.

Sec. 2. Minnesota Statutes 1971, Section 35.82, Subdivision 2, is amended to read:

Subd. 2. (a) Except as provided in subdivision 1a and section 1, every person owning or having in charge any domestic animal that has died or been killed otherwise than by being slaughtered for human or animal consumption, shall as soon as reasonably possible bury the carcass thereof at least three feet deep in the ground, or cause the same to be consumed by fire; provided, however, that the livestock sanitary board, through its secretary and executive officer, may issue a permit to owners of rendering plants, located within the boundaries of Minnesota, provided such rendering plants are operated and conducted as required by law, to remove carcasses of domestic animals and fowl that have died or have been killed otherwise than by being slaughtered for human or animal consumption, over the public highways to their plants for rendering purposes in accordance with the rules and regulations adopted by the livestock sanitary board relative to transportation, rendering, and all other provisions deemed by that board to be necessary to prevent the spread of disease; and to owners of rendering plants located in any adjacent state with which a reciprocal agreement is in effect, as provided in subdivision 3.

(b) Carcasses collected by rendering plants under permit may be utilized for pet food purposes provided that the owner or operator employs an official veterinarian. If the veterinarian named in the application is accepted by the board to act as the official veterinarian, he shall be authorized by the board to act as its representative.

(c) Carcasses may be utilized for pet food purposes provided that the official veterinarian examines such carcass and in his opinion the carcass is suitable for pet food purposes. Carcasses not passed by the official veterinarian for pet food purposes shall be disposed of by rendering.

(d) Any authorized employee or agent of the livestock sanitary board shall have the authority to enter upon any private or public property and to inspect the carcass of any domestic animal that has died or has been killed otherwise than by being slaughtered for human or animal consumption. Failure to dispose of the carcass of any such domestic animal within the period specified by this subdivision is a public nuisance. The livestock sanitary board may petition the district court of the county in which such carcass is located for a writ requiring the abatement of the public nuisance. A civil action so commenced shall not preclude a criminal prosecution under the provisions of this section. No person shall sell or offer to sell, or give away such a carcass of a domestic animal when the animal died or was killed otherwise than by being slaughtered for human or animal consumption, nor convey the same along any public road or upon any land not his own; unless in accordance with a special permit, as provided in this section of Minnesota Statutes; provided, however, that the carcass of a domestic animal that has died or has been killed otherwise than by being slaughtered for human or animal consumption, or parts thereof, may, be transported along any public road for a medical or scientific purpose, provided that the carcass of any such domestic animal so transported shall be enclosed in a leak proof container to prevent spillage or the dripping of liquid waste. The livestock sanitary board may adopt rules and regulations relative to the transportation of the carcass of any such domestic animal for a medical or scientific purpose, and further provided that a carcass situated on a public thoroughfare may be transported for burial or other disposition in accordance with this section. No person shall negligently or wilfully permit diseased animals owned or controlled by him to escape his control or to run at large. Every violation of any provision of this section shall be a misdemeanor.

Sec. 3. *Minnesota Statutes 1971, Section 35.82, Subdivision 1a, is repealed.*

Sec. 4. [EFFECTIVE DATE.] *This act shall take effect July 1, 1974 or as soon thereafter as the livestock sanitary board shall have promulgated all rules and regulations required by this act."*

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

"A bill for an act relating to agriculture, disposal of animal carcasses by renderers and pet food processors; amending Minnesota Statutes 1971, Section 35.82, Subdivision 2, and by adding a subdivision; repealing Minnesota Statutes 1971, Section 35.82, Subdivision 1a."

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

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

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

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

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

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

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

H. F. No. 2106, A bill for an act relating to the city of Minneapolis; authorizing the city to acquire and finance a rehabilitation and therapy health care facility as a project under the municipal industrial development act.

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

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

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

H. F. No. 2438, A bill for an act relating to the fees of the abstract clerk in Ramsey county; amending Laws 1945, Chapter 561, Section 4 as amended by Laws 1957, Chapter 855, Section 1; Laws 1965, Chapter 628, Section 2 and Laws 1969, Chapter 667, Section 1.

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

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

Mr. Adams, J., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 336, A bill for an act relating to consumer protection; restricting door to door distribution of certain items; broadening enforcement powers; providing penalties; amending Minnesota Statutes 1971, Section 325.925.

Reported the same back with the following amendments:

Page 1, line 13, after "door to door" and before the comma insert "*to residences*".

Page 1, line 13, restore the stricken language.

Page 1, line 14, restore the stricken language.

Page 1, line 16, strike "six" and insert "seven".

Page 1, line 17, after "inches" and before the comma, insert "and which contains less than one hole, one-half inch in diameter, for each twenty-five square inch area".

Page 1, line 19, after the period insert the following new language: "This subdivision shall not apply to plastic bags with an average thickness of more than .0015 of an inch."

Page 1, line 23 strike "gross".

Page 1, strike lines 24 through 31 and insert in lieu thereof a new subdivision to read as follows:

"Subd. 3. A violation of this section shall also be treated as a violation of section 325.79."

Page 2, strike lines 1 through 8.

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

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

Mr. Adams, J., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 737, A bill for an act relating to food; providing for the regulation and control of its manufacture, distribution and sale; prescribing penalties; amending Minnesota Statutes 1971, Chapter 31, by adding sections, Sections 31.01, Subdivisions 2, 3, and 4, and by adding subdivisions; 31.02; 31.04; 31.05; 31.14; and 32.021, Subdivision 2; and repealing Minnesota Statutes 1971, Sections 31.01, Subdivisions 5 and 19; 31.10; 31.11; and 31.12.

Reported the same back with the following amendments:

Page 1, line 16, after "Minnesota Statutes," delete "sections 31.01 to 31.171" and insert "Chapter 31".

Page 1, line 23, after "that" and before "federal" delete "certain".

Page 1, line 25, after "regulations," delete the rest of the language and on line 26, delete all of the language before "pursuant to state law." and insert "and such regulations shall be promulgated".

Page 5, line 18, after "treated" and before "in" delete the comma.

Page 7, line 2, after "source," delete "or" and insert "and".

Page 11, line 15, after "advertisement" delete the rest of line 15.

Page 11, delete all of lines 16 through 20 before the period.

Page 17, line 26, after "*commissioner*" and before the period, insert "*and is in addition to authority granted in sections 31.10, 31.11, and 31.12*".

Page 17, line 26, after "*regulations*" and before "*shall*" insert "*when applicable*".

Page 17, line 28, after "*federal*" and before the period, delete "*act*" and insert "*law*".

Page 18, line 5, delete "*July*" and insert "*April*".

Page 18, line 7, after "*amended*" delete the comma.

Page 18, line 8, delete "*stayed or suspended*".

Page 18, line 11, delete "*July*" and insert "*April*".

Page 18, line 13, after "*amended*" delete the comma.

Page 18, line 14, delete "*stayed or suspended*".

Page 18, line 17, delete "*July*" and insert "*April*".

Page 18, line 19, after "*amended*" delete the comma.

Page 18, line 20, delete "*stayed or suspended*".

Page 18, line 23, delete "*July*" and insert "*April*".

Page 18, line 25, after "*amended*" delete the comma.

Page 18, line 26, delete "*stayed or suspended*".

Page 19, line 1, delete "*July*" and insert "*April*".

Page 19, line 4, after "*amended*" delete "*, stayed or suspended*".

Page 19, line 17, delete "*July*" and insert "*April*".

Page 19, line 20, after "*amended*" delete "*, stayed or suspended*".

Page 19, line 24, delete "*interstate*" and insert "*intrastate*".

Page 20, line 12, delete "*July*" and insert "*April*".

Page 20, line 14, after "*to*" delete "*stay, suspend or*".

Page 22, line 26, delete "*July*" and insert "*April*".

Page 23, line 1, after "*to*" delete "*stay, suspend*".

Page 23, line 2, delete "*or*" before "*amend*".

Page 23, line 3, delete "*additional regulations or*".

Page 23, line 19, after "*31*" and before the semicolon, delete "*, subdivision 1*".

Page 23, line 22, after "*31*" and before the semicolon, delete "*, subdivision 1*".

Page 23, line 24, after "*31*", delete the comma.

Page 23, line 25, delete "*subdivision 1*".

Page 23, line 28, after "*31*," and before "*and*" delete "*subdivision 1*,".

Page 26, line 6, after "*31*" delete the comma.

Page 26, line 7, delete "*subdivision 1*".

Page 26, line 16, delete "*Subdivision 1*,".

Page 26, line 22, after "*26*" delete "*, or*".

Page 26, line 23, delete "*subdivision 2 of this section*".

Page 27, lines 2 through 28, delete all of the language.

Page 28, lines 1 through 26, delete all of the language.

Page 29, line 11, delete "*section 27*" and insert "*section 31.10 and section 27 of this act*".

Page 30, line 10, delete "*section 27*" and insert "*section 31.10 and section 27 of this act*".

Page 30, line 18, delete "*section 27*" and insert "*section 31.10 and section 27 of this act*".

Page 30, line 23, delete "*section 27*" and insert "*section 31.10 and section 27 of this act*".

Page 34, line 19, delete "*cause to be*".

Page 34, line 20, delete the word "*disseminated*" and insert "*disseminate*".

Page 34, line 20, after "*such*" and before "*information*" insert "*substantiated*".

Page 34, line 20, delete "*the*" and insert "*he*".

Page 34, line 21, delete "*commissioner*".

Page 35, line 23, delete "*Sections*" and insert "*Section*".

Page 35, line 24, after "*19*" and before "*are*" delete "*; 31.10; 31.11; and 31.12*".

Further amend the title as follows:

Lines 12 and 13, delete all of the language except the period and insert "*Section 31.01, Subdivisions 5 and 19*".

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

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

Mr. Adams, J., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1812, A bill for an act relating to intoxicating liquor; identification of purchaser.

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

The report was adopted and 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. 1630, A bill for an act relating to Hennepin county; retirement of county employees; amending Laws 1965, Chapter 855, Section 15, Subdivision 1.

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

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1341 and 1463 were read for the second time.

INTRODUCTION OF BILLS

Cummiskey, Vanasek, McEachern, Menke, and Kelly introduced:

H. F. No. 2458, A bill for an act relating to the membership of municipalities and other political subdivisions in state and national associations; amending Minnesota Statutes 1971, Section 471.96, Subdivision 1.

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

Hook introduced:

H. F. No. 2459, A bill for an act relating to pollution of the air by odors; amending Minnesota Statutes 1971, Section 116B.02, Subdivision 5.

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

Esau, Mann, Klaus, Niehaus, and Wigley introduced:

H. F. No. 2460, A bill for an act relating to elections; disclosure of campaign contributions; providing a penalty.

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

Hook; Schulz; Larson; Miller, D.; and Lombardi introduced:

H. F. No. 2461, A bill for an act relating to state government; regulating credit union and labor organization payroll deductions; amending Minnesota Statutes 1971, Section 10.39, Subdivision 1.

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

Hook introduced:

H. F. No. 2462, A bill for an act relating to criminal trials; providing for dismissal if trial not commenced within 90 days of arraignment; providing for extensions.

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

Hook introduced:

H. F. No. 2463, A bill for an act relating to courts; venue change in civil actions; amending Minnesota Statutes 1971, Section 542.10.

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

Miller, D.; Salchert; and Anderson, G., introduced:

H. F. No. 2464, A bill for an act relating to public transit; prohibiting public transit authorities from transporting school children on a regular contract basis.

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 that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 672, A bill for an act relating to natural resources; preservation and management of wild and scenic rivers; establishing a system of classifications of such rivers as wild, scenic, or recreational; providing policies and standards for administration thereof.

The Senate has repassed said bill, in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1125 and 2277.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 1252.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1231, 1522, 1523, 1623, 1643, 1782, 1797, and 2035.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1930, 2148, 2165, 2320, 2338, 2350, and 2121.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 830, 750, 1302, and 1480.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration Senate File No. 750:

S. F. No. 750, A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

Eken moved that the House accede to the request of the Senate for the return of S. F. No. 750 for further consideration by the Senate. The motion prevailed.

FIRST READING OF SENATE BILLS

S. F. No. 830, A bill for an act relating to taxation; exempting certain sales of advertising material from sales tax; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

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

S. F. No. 1302, A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

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

S. F. No. 1480, A bill for an act relating to meetings of state agencies and of governing bodies open to public; providing a penalty; amending Minnesota Statutes 1971, Section 471.705; repealing Minnesota Statutes 1971, Section 10.41.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1252, A bill for an act relating to state parks; establishing the St. Croix Wild River state park in Chisago county; appropriating money; amending Minnesota Statutes 1971, Sections 85.012, Subdivision 1; and 85.021, by adding a subdivision.

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

S. F. No. 1930, A bill for an act relating to municipal housing and redevelopment authorities; rehabilitation loans and grants; amending Minnesota Statutes 1971, Sections 462.445 by adding a subdivision; and 462.581.

The bill was read for the first time.

Berglin moved that S. F. No. 1930 and H. F. No. 1737, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2148, A bill for an act relating to Independent School District No. 625; amending Laws 1969, Chapter 911, Section 2, as amended.

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

S. F. No. 2165, A bill for an act relating to the city of Red Lake Falls; determination of financial requirements for the firemen's relief fund.

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

S. F. No. 2320, A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property under certain conditions; authorizing the expenditure of county road and bridge funds for the construction and maintenance of bicycle paths on roads under county jurisdiction; amending Laws 1971, Chapter 950, Sections 2, by adding a subdivision; and 7.

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

S. F. No. 2338, A bill for an act relating to the appropriations by the county of Ramsey for the plans and designs of an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

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

S. F. No. 2350, A bill for an act relating to the county of Ramsey; providing for the retirement of employees thereof; providing certain benefits therefor; and authorizing the levy of certain taxes; amending Laws 1963, Chapter 852, Section 3, as amended.

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

S. F. No. 2121, A bill for an act relating to the city of Minneapolis; authorizing the city to acquire and finance a rehabilitation and therapy health care facility as a project under the municipal industrial development act.

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

S. F. No. 1231, A bill for an act relating to planning commissions of certain counties and municipalities, and their controls; amending Minnesota Statutes 1971, Sections 394.25, by adding a subdivision; and 462.352, Subdivision 10.

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

S. F. No. 1522, A bill for an act relating to elections; providing for financial disclosures by candidates for Congress; amending Minnesota Statutes 1971, Section 211.20, by adding a subdivision.

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

S. F. No. 1523, A bill for an act relating to motor vehicles; registration and taxation; registrar of motor vehicles; amending Minnesota Statutes 1971, Section 168.325, Subdivision 1.

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

S. F. No. 1623, A bill for an act relating to privacy of communications; amending Minnesota Statutes 1971, Section 626A.05, Subdivision 2.

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

S. F. No. 1643, A bill for an act relating to the city of St. Louis Park; authorizing the city council to establish special assessment districts.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

S. F. No. 1782, A bill for an act relating to the county of McLeod; tax levy for road and bridge purposes.

The bill was read for the first time.

Mueller moved that S. F. No. 1782 and H. F. No. 1252, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1797, A bill for an act relating to Ramsey county; establishing a commission for the study of local government; prescribing duties and obligations; providing for report by the commission to the legislature; appropriating money.

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

S. F. No. 2035, A bill for an act relating to the city of Saint Paul; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

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, Faricy moved that the Rule therein be suspended and an urgency be declared so that S. F. No. 2035 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Faricy moved that the Rules of the House be so far suspended that S. F. No. 2035 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.

S. F. No. 2035, A bill for an act relating to the city of Saint Paul; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

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 125, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

FIRST READING OF SENATE BILLS, Continued

S. F. No. 1125, A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1971, Section 626.851.

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

S. F. No. 2277, A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

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

CONSENT CALENDAR

S. F. No. 1955, A bill for an act directing conveyance of certain property by the state to the village of Crosby, Crow Wing county.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1881, A bill for an act relating to the city of Hutchinson; authorizing the city to acquire and develop an off-street parking area to serve the central business district, and to issue bonds therefor.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 126, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Fugina

The bill was passed and its title agreed to.

S. F. No. 1791, A bill for an act relating to motor vehicles; prohibiting tampering with odometers and the altering of mileage measurements thereof; prescribing penalties.

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

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

Those who voted in the affirmative were:

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

Rice	Schreiber	Skaar	Tomlinson	Wenzel
Ryan	Schulz	Smith	Ulland	Wigley
St. Onge	Searle	Spanish	Vanasek	Wohlwend
Salchert	Sherwood	Stangeland	Vento	Wolcott
Sarna	Sieben, H.	Stanton	Voss	Mr. Speaker
Savelkoul	Sieben, M.	Swanson	Weaver	

The bill was passed and its title agreed to.

S. F. No. 1167, A bill for an act relating to workmen's compensation, medical treatment; specifically including doctors of osteopathy and their services within certain definitions; amending Minnesota Statutes 1971, Section 176.135, 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 129, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1441, A bill for an act conferring certain powers relating to improvements of roads and streets and assessments therefor on the town of Woodside, Polk county.

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

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 until Thursday, May 10, 1973. The motion prevailed.

H. F. No. 1810 was reported to the House.

Cummiskey moved that H. F. No. 1810 be laid over until Tuesday, May 8, 1973. The motion prevailed.

H. F. No. 1834 was reported to the House.

McCarron moved to amend H. F. No. 1834, the printed bill, as follows:

Page 2, after line 35 insert the following:

"Sec. 3. Minnesota Statutes 1971, Chapter 12, is amended by adding a section to read:

[12.39]. [INFORMATION] Subdivision 1. All suppliers of energy sources shall file with the Governor any information pertaining to the supply and distribution of energy sources to be used within the state which is requested by the Governor. The information shall be furnished within the times specified by the Governor.

Subd. 2. For the six-month periods beginning on April 1 and October 1 of each year, all energy suppliers shall file a statement which indicates any anticipated decrease of energy sources which he will supply to the state for that six-month period. The statement shall be filed at least six months prior to the beginning of

any reporting period. If at any time subsequent to filing the statement, the supplier receives any additional information affecting the accuracy of the statement, he shall amend the statement within 15 days of receiving the information. Included in the statement shall be an explanation of the causes for the decrease or changes in distribution patterns.

Subd. 3. A dealer or large contract purchaser who believes that a distributor has violated the provisions of this act with regard to his transactions with the distributor may submit a written claim to the public service commission. The attorney general shall investigate each claim and shall have the power to conduct a hearing, to subpoena records of distribution and to administer oaths. If the public service commission determines that a distributor has violated this act, the public service commission shall submit its evidence to the county attorney in the county in which the distributor has his principle office.

Subd. 4. In addition to any criminal proceeding authorized by this act, the attorney general or any person aggrieved by a violation of this act may proceed against the person responsible for the violation by means of injunction in the district court in the manner prescribed by law.

Sec. 4. Minnesota Statutes 1971, Chapter 12, is amended by adding a section to read:

[12.40] Subdivision 1. [PENALTY.] Any person violating the provisions of section 3, subdivision 2, shall be guilty of a gross misdemeanor.”.

Further amend the title on page 1, line 1, after “emergency;” insert “providing a penalty;”.

Page 1, line 2, strike “a section” and insert “sections”.

The motion prevailed and the amendment was adopted.

Objection having been made by ten members, H. F. No. 1834, as amended, was returned to General Orders.

S. F. No. 147 was reported to the House.

Braun moved that S. F. No. 147 be laid over for one day. The motion prevailed.

S. F. No. 170, A bill for an act relating to real estate; qualifications of advisory commission members; amending Minnesota Statutes 1971, Section 82.125, Subdivision 1.

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

The bill was passed and its title agreed to.

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

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

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 2, as follows:

Those who voted in the affirmative were:

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

Swanson	Vanasek	Weaver	Wohlwend	Mr. Speaker
Tomlinson	Vento	Wenzel	Wolcott	
Ulland	Voss	Wigley		

Those who voted in the negative were:

Pieper Schreiber

The bill was passed and its title agreed to.

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

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 125, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Prahl

The bill was passed and its title agreed to.

There being no objection S. F. No. 1165 was laid over for one day.

S. F. No. 1319, A bill for an act relating to the state civil service; extending the appointment of unskilled labor service from five months to seven months; amending Minnesota Statutes 1971, Section 43.09, Subdivision 3.

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

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

Those who voted in the affirmative were:

Adams, J.	DeGroat	Johnson, R.	Moe	Savelkoul
Adams, S.	Dieterich	Jopp	Mueller	Schreiber
Andersen, R.	Dirlam	Jude	Munger	Schulz
Anderson, D.	Eckstein	Kahn	Myrah	Searle
Anderson, G.	Eken	Kelly	Nelson	Sherwood
Anderson, I.	Enebo	Kempe	Newcome	Sieben, H.
Becklin	Erdahl	Klaus	Niehaus	Sieben, M.
Belisle	Erickson	Knickerbocker	Norton	Skaar
Bennett	Esau	Kvam	Ohnstad	Smith
Berg	Faricy	Laidig	Ojala	Spanish
Berglin	Flakne	Larson	Parish	Stangeland
Biersdorf	Forsythe	LaVoy	Patton	Stanton
Boland	Fudro	Lemke	Pavlak, R.	Swanson
Braun	Fugina	Lindstrom, E.	Pavlak, R. L.	Tomlinson
Brinkman	Graba	Lindstrom, J.	Pehler	Ulland
Carlson, A.	Graw	Lombardi	Peterson	Vanasek
Carlson, B.	Grove	Long	Pieper	Vento
Carlson, D.	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	

The bill was passed and its title agreed to.

MOTION FOR RECONSIDERATION

Salchert moved that the vote whereby H. F. No. 1634 was not passed, as amended, on Special Orders on May 3, 1973 be now reconsidered. The motion prevailed.

Salchert moved that H. F. No. 1634, as amended, be re-referred to the Committee on Judiciary. The motion prevailed.

CALENDAR

S. F. No. 181, A bill for an act relating to insurance; group hospital and medical coverage; requiring inclusion of chiropractic services under group accident and health policies and subscriber contracts.

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 99, and nays 24, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Dirlam	Flakne	Heinitz
Adams, S.	Carlson, B.	Eckstein	Fudro	Jacobs
Anderson, D.	Carlson, L.	Eken	Fugina	Jaros
Anderson, G.	Casserly	Enebo	Graba	Johnson, C.
Anderson, I.	Connors	Erdahl	Graw	Johnson, D.
Berg	Culhane	Erickson	Grove	Johnson, R.
Berglin	Cummiskey	Esau	Hagedorn	Jopp
Biersdorf	Dahl	Faricy	Hanson	Jude
Boland	Dieterich	Ferderer	Haugerud	Kelly

Kempe	Miller, D.	Parish	Ryan	Swanson
Klaus	Miller, M.	Patton	St. Onge	Tomlinson
Larson	Moe	Pavlak, R.	Schreiber	Vanasek
LaVoy	Munger	Pavlak, R. L.	Schulz	Vento
Lemke	Myrah	Pehler	Sherwood	Voss
Long	Nelson	Peterson	Sieben, H.	Wenzel
Mann	Newcome	Pieper	Sieben, M.	Wigley
McCarron	Niehaus	Prahl	Skaar	Wohlwend
McEachern	Norton	Quirin	Spanish	Wolcott
McMillan	Ohnstad	Resner	Stangeland	Mr. Speaker
Menke	Ojala	Rice	Stanton	

Those who voted in the negative were:

Andersen, R.	Carlson, D.	Kahn	Lombardi	Searle
Becklin	Cleary	Knickerbocker	McArthur	Smith
Belisle	Clifford	Laidig	McFarlin	Ulland
Braun	Forsythe	Lindstrom, E.	Salchert	Weaver
Carlson, A.	Hook	Lindstrom, J.	Savelkoul	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of H. F. No. 2121.

H. F. No. 2121 was reported to the House.

Weaver moved to amend H. F. No. 2121, the printed bill, as follows:

Page 2, line 26, restore the stricken language.

Page 2, line 27, before "BONDED" insert "*one-half the*".

Page 2, line 27, restore the stricken "BONDED INDEBTED-NESS".

Page 2, line 27, delete "45" and insert in lieu thereof "55".

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

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

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

Mr. Lindstrom, E., 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.

The question was taken on the adoption of the Weaver amendment and the roll being called, there were yeas 55, and nays 76, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Hagedorn moved to amend H. F. No. 2121, the printed bill, as follows:

Page 5, after line 26, add a new section to read:

"Sec. 2. Minnesota Statutes 1971, Section 290.09, Subdivision 24, is amended to read:

Subd. 24. [ADDITIONAL INVESTMENT CREDIT DEDUCTIONS.] (a) The basis of any property placed in service before January 1, 1964, which base was reduced in accor-

dance with the provisions of Laws 1963, Chapter 236, shall as of the first day of the taxpayer's first taxable year which begins after December 31, 1963, be increased by an amount equal to the reduction permitted under the aforesaid chapter 236.

(b) In the case of a taxpayer receiving a tax credit under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1970, there shall be allowed, in the year in which the federal credit is first allowed, an additional deduction equal to the amount of such credit; provided, however, if any taxpayer disposes of property described in section 38 of the Internal Revenue Code of 1954, as amended through December 31, (1970) 1972 under such circumstances that under the provisions of section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1970, there is an increase in the taxpayer's federal tax liability the amount of such increase shall be an addition to the taxpayer's Minnesota income in the year in which the property is disposed of."

Renumber the remaining section.

Further, amend the title, line 8, after "290.081;" insert "290.09, Subdivision 24;".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Hagedorn amendment and the roll being called, there were yeas 55, and nays 76, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Savelkoul moved to amend H. F. No. 2121, the printed bill, as follows:

Page 45, line 9, strike "twenty" and insert in lieu thereof "eighty".

Page 45, line 23, strike "20" and insert in lieu thereof "80".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Savelkoul amendment and the roll being called, there were yeas 51, and nays 80, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

DeGroat offered an amendment to H. F. No. 2121.

POINT OF ORDER

Pavlak, R., raised a point of order pursuant to Rule 45c. The Speaker ruled the point of order well taken.

Dirlam moved to amend H. F. No. 2121, the printed bill, as follows:

Page 3, strike Article II in its entirety and renumber the remaining articles accordingly.

A roll call was requested and properly seconded.

The question was taken on the adoption of the Dirlam amendment and the roll being called, there were yeas 52, and nays 79, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Graw moved to amend H. F. No. 2121, the printed bill, as follows:

Page 4, line 10, strike "\$120" and insert in lieu thereof "\$150".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Graw amendment and the roll being called, there were yeas 52, and nays 79, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, J.	DeGroat	Jude	Munger	Sarna
Anderson, G.	Dieterich	Kahn	Nelson	Schulz
Anderson, I.	Eckstein	Kelly	Norton	Sherwood
Bell	Eken	Kempe	Ojala	Sieben, H.
Berg	Enebo	LaVoy	Parish	Sieben, M.
Berglin	Faricy	Lenke	Patton	Smith
Boland	Fudro	Lindstrom, J.	Pavlak, R.	Spanish
Braun	Fugina	Mann	Pehler	Stanton
Brinkman	Graba	McArthur	Peterson	Swanson
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	

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

Knickerbocker moved to amend H. F. No. 2121, the printed bill, as follows:

Page 4, after line 11, add the following new sections:

"Sec. 3. Minnesota Statutes 1971, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source.

For each of the taxable years beginning after December 31, 1960 and ending prior to January 1, 1971, the term "gross income" in its application to individuals, estates, and trusts, shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through December 31, 1970 for the applicable taxable year, with the modifications specified in this section.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any such other state exempt from federal income taxes under the Internal Revenue Code of 1954, as amended through December 31, 1970;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under chapter 290, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for such reimbursed expenditure resulted in a tax benefit;

(6) Losses which do not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses, and including any such nonassignable losses which occur prior to the time the individual becomes a resident of the state of Minnesota;

(7) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for such previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year; and

(8) In the case of a move from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income.

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes,

the modification shall be limited to fifty per centum of such portion of the gain;

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of such securities but includible in gross income for federal income tax purposes;

(4) Income which does not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20;

(5) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses;

(6) If included in federal adjusted gross income, the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether such amount is received as a refund or credited to another taxable year's income tax liability;

(7) The amount of any pension or benefit received from the United States or from the state of Minnesota, or any of its subdivisions, which is excluded from gross income under the provisions of section 290.08, subdivision 6; and

(8) The amount of compensation for personal services in the armed forces of the United States or the United Nations which is excluded from gross income under the provisions of section 290.65 (.) ; and

(9) *The portion of property taxes received in rental payments by the owners of apartments or any other rental unit or units, which are not deductible to the owners by reason of the provisions of Minnesota Statutes, Section 290.09, Subdivision 4.*

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, as amended through December 31, 1970 or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954 as amended through December 31, 1970 but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from such corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of such stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of

1954, as amended through December 31, 1970 but has not elected under section 290.972 of this chapter and said corporation is liquidated or the individual shareholder disposes of his stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, such shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954, as amended through December 31, 1970 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, as amended through December 31, 1970, in the event and to the extent that such reserve is distributed to shareholders such distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that such amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act. If a husband and wife have filed a joint federal income tax return and separate Minnesota income tax returns for the same taxable period, amounts received as refunds on account of federal income taxes paid shall be included in gross income in the same ratio as the deductions for federal income taxes were claimed in the separate Minnesota tax returns.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1(2) in computing Minnesota inheritance tax liability shall not be allowed as a deduction in computing the taxable income of the estate unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have such amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions

allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954, as amended through December 31, 1970 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

Sec. 4. Minnesota Statutes 1971, Section 290.09, Subdivision 4, is amended to read:

Subd. 4. [TAXES.] Taxes paid or accrued within the taxable year, except (a) income or franchise taxes imposed by this chapter; (b) taxes assessed against local benefits of a kind deemed in law to increase the value of the property assessed; (c) inheritance, gift and estate taxes except as provided in section 290.077, subdivision 4; (d) cigarette and tobacco products excise tax imposed on the consumer; (e) that part of Minnesota property taxes for which a credit or refund is claimed and allowed under section 290.0603; and (f) federal income taxes, by corporations, national and state banks except as provided in section 290.18. Income taxes permitted to be deducted hereunder shall, regardless of the methods of accounting employed, be deductible only in the taxable year in which paid. Taxes imposed upon a shareholder's interest in a corporation which are paid by the corporation without reimbursement from the shareholder shall be deductible only by such corporation. *Property taxes otherwise deductible under this subdivision, upon apartments or any other rental unit or units, used by their occupants as full time residences, shall not be deductible to the owner of the property but shall be deductible to the occupants on a proportional basis. The commissioner shall establish rules and regulations to effectuate this act and shall provide forms and a means for notification to renters of the provisions affecting them.*

Sec. 5. [TAX OPTION.] *Renters shall have the option of taking the amount of credit offset against tax as provided in section 290.983, subdivision 1 or itemizing that portion of rent paid as real estate taxes as personal deductions on state or federal income tax returns. If such deduction shall be denied under the terms of the United States Internal Revenue Code, then sections 3, 4 and 5 shall be null and void and of no effect."*

Renumber the remaining sections accordingly.

Further amend the title after "287.12;" by adding "290.01, subdivision 20;" and after "290.081;" and before "290.17;" by inserting "290.09, subdivision 4;"

A roll call was requested and properly seconded.

The question was taken on the adoption of the Knickerbocker amendment and the roll being called, there were yeas 51, and nays 80, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Newcome moved to amend H. F. No. 2121, the printed bill, as follows:

Page 4 and 5, strike Article IV in its entirety and renumber the remaining articles accordingly.

A roll call was requested and properly seconded.

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

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

The roll being called, there were yeas 55, and nays 71, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Adams, S., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 7, line 9 strike "as well as any".

Page 7, strike line 10.

Page 7, line 11, strike "*tachable units used in producing a direct effect upon the product,*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Adams, S., amendment and the roll being called, there were yeas 54, and nays 78, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, J.	Connors	Hanson	Mann	Patton
Anderson, G.	Culhane	Haugerud	McCarron	Pavlak, R.
Anderson, I.	Cummiskey	Jacobs	McEachern	Pehler
Bell	Dahl	Jaros	McMillan	Peterson
Bennett	Dieterich	Johnson, C.	Menke	Prahl
Berg	Eckstein	Johnson, D.	Miller, D.	Quirin
Berglin	Eken	Jude	Miller, M.	Resner
Boland	Enebo	Kahn	Moe	Rice
Braun	Faricy	Kelly	Munger	Ryan
Brinkman	Fudro	Kempe	Nelson	St. Onge
Carlson, B.	Fugina	LaVoy	Norton	Salchert
Carlson, L.	Graba	Lemke	Ojala	Sarna
Casserly	Growe	Lindstrom, J.	Parish	Schulz

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

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

Adams, S., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 7, line 17, strike "regularly issued".

Page 7, line 18, strike "at average intervals not exceeding three months, and any such publication".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Adams, S., amendment and the roll being called, there were yeas 55, and nays 77, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Dirlam moved to amend H. F. No. 2121, the printed bill, as follows:

Page 12 and 13, strike Article XII in its entirety and renumber the remaining articles accordingly.

A roll call was requested and properly seconded.

The question was taken on the adoption of the Dirlam amendment and the roll being called, there were yeas 56, and nays 76, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Lindstrom, E., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 20, line 3, after "*remarried*," strike "*and*".

Page 20, line 8, strike "." and insert "; and".

Page 20, after line 8, insert the following:

"(c) Who has a gross income as defined in section 290.01, subdivision 20, of \$12,000 or less for the year preceding the year in which the taxes are due and payable."

A roll call was requested and properly seconded.

The question was taken on the adoption of the Lindstrom, E., amendment and the roll being called, there were yeas 55, and nays 77, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

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

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

Laidig moved to amend H. F. No. 2121, the printed bill, as follows:

Page 20, line 3, after "remarried;" strike "and".

Page 20, line 8, strike "." and insert "; and".

Page 20, after line 8, insert the following:

"(c) Who has a gross income as defined in section 290.01, subdivision 20, of \$25,000 or less for the year preceding the year in which the taxes are due and payable."

A roll call was requested and properly seconded.

The question was taken on the adoption of the Laidig amendment and the roll being called, there were yeas 56, and nays 76, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Adams, S., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 21, after line 29, add a new Sec. 2 to read as follows:

"Sec. 2. Minnesota Statutes 1971, Section 290.37, Subdivision 1, is amended to read:

290.37 [PERSONS REQUIRED TO MAKE RETURNS.] Subdivision 1. [PERSONS MAKING RETURNS.] The following persons shall make a return for each taxable year, or fractional part thereof where permitted or required by law:

(a) A single individual with respect to his own taxable net income if that exceeds an amount on which a tax at the rates herein provided would exceed the specified credits allowed, or if his gross income exceeds \$1,000.

(b) A married individual if his own taxable net income or the combined taxable net income of himself and his spouse exceeds an amount on which a tax at the rates herein provided would exceed the specified credits allowed, or if his gross income or the combined gross income of himself and his spouse exceeds \$1,800.

(c) An unmarried individual who has attained the age of 65 before the close of the taxable year with respect to his own taxable net income if that exceeds an amount on which a tax at the rates herein provided would exceed the specified credits allowed or if his gross income exceeds \$1,900.

(d) A married individual living with husband or wife where one has attained the age of 65 before the close of the individual's taxable year if his own taxable net income or the combined taxable net income of himself and his spouse exceeds an amount on which a tax at the rates herein provided would exceed the specified credits allowed or if his gross income or the combined gross income of himself and his spouse exceeds \$2,400.

(e) A married individual living with husband or wife and both spouse have attained the age of 65 if his own taxable net income or the combined taxable net income of himself and his spouse exceeds an amount on which a tax at the rates herein provided would exceed the specified credits allowed or if his gross income or the combined gross income of himself and his spouse exceeds \$2,900.

(f) An unmarried individual who is blind at the close of the taxable year with respect to his own taxable net income if that exceeds an amount on which a tax at the rates herein provided would exceed the specified credits allowed or if his gross income exceeds \$1,900.

(g) A married individual living with husband or wife and one is blind at the close of the taxable year with respect to his own taxable net income or the combined taxable net income of himself and his spouse exceeds an amount on which a tax at the rates herein provided would exceed the specified credits allowed or if his gross income or the combined gross income of himself and his spouse exceeds \$2,500.

(h) A married individual living with husband or wife where both are blind at the close of the taxable year with respect to his own taxable net income or the combined taxable net income of himself and his spouse exceeds an amount on which a tax at the rates herein provided would exceed the specified credits allowed or if his gross income or the combined gross income of himself and his spouse exceeds \$3,100.

(i) The executor or administrator of the estate of a decedent with respect to the taxable net income of such decedent for that part of the taxable year during which he was alive if such taxable net income exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed, or if such decedent's gross income for the aforesaid period exceeds \$750.

(j) The executor or administrator of the estate of a decedent with respect to the taxable net income of such estate if that exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed, or if such estate's gross income exceeds \$750.

(k) The trustee or other fiduciary of property held in trust with respect to the taxable net income of such trust if that exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed, or if the gross income of such trust exceeds \$750, if in either case such trust belongs to the class of taxable persons.

(l) The guardian of an infant or other incompetent person with respect to such infant's or other person's taxable net income if that exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed, or if the gross income of such infant or other incompetent person exceeds \$1,000.

(m) Every corporation with respect to its taxable net income if in excess of (\$500) \$1,000, or if its gross income exceeds (\$5,000) \$250,000. The return in this case shall be signed by an officer of the corporation.

(n) The receivers, trustees in bankruptcy, or assignees operating the business or property of a taxpayer with respect to the taxable net income of such taxpayer if that exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed (or, if the taxpayer is a corporation, if the taxable net income exceeds \$500), or if such taxpayer's gross income exceeds \$5,000.

Such return shall (a) be verified or contain a written declaration that it is made under the penalties of criminal liability for wilfully making a false return, and (b) shall contain a confession of judgment for the amount of the tax shown due thereon to the extent not timely paid.

For purposes of (a) through (n) the term "gross income" shall mean gross income as defined in section 61 of the Internal Revenue Code of 1954, as amended through December 31, 1970, modified and adjusted in accordance with the provisions of sections 290.08, 290.17 and 290.65."

Further amend the title, line 9, after "Subdivision 2;" and before "290.982" insert "290.37, Subdivision 1".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Adams, S., amendment and the roll being called, there were yeas 57, and nays 75, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, J.	Culhane	Hanson	Lindstrom, J.	Ojala
Anderson, G.	Cummiskey	Haugerud	Mann	Parish
Anderson, I.	Dahl	Jacobs	McCarron	Patton
Berg	Dieterich	Jaros	McEachern	Pavlak, R.
Berglin	Eckstein	Johnson, C.	McMillan	Pehler
Boland	Eken	Johnson, D.	Menke	Peterson
Braun	Enebo	Jude	Miller, D.	Prahl
Brinkman	Faricy	Kahn	Miller, M.	Quirin
Carlson, B.	Fudro	Kelly	Moe	Resner
Carlson, L.	Fugina	Kempe	Munger	Rice
Casserly	Graba	LaVoy	Nelson	Ryan
Connors	Growe	Lemke	Norton	St. Onge

Salchert	Sieben, H.	Spanish	Tomlinson	Voss
Sarna	Sieben, M.	Stanton	Vanasek	Wenzel
Sherwood	Smith	Swanson	Vento	Mr. Speaker

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

Adams, S., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 21, line 31, strike "1972" and insert "1973".

A roll call was requested and properly seconded.

Mann was excused for the remainder of today's session.

The question was taken on the adoption of the Adams, S., amendment and the roll being called, there were yeas 58, and nays 74, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Schreiber moved to amend H. F. No. 2121, the printed bill, as follows:

Page 25, line 20, strike "the proportion that the dollar"; strike line 21; and in line 22 strike "villages, boroughs and towns in the seven named counties" and insert the following: "*a proportion equal to the arithmetic average of (a) the proportion that the dollar amount of the levy of each payable in 1974 bears to*

the dollar amount of the levies of all cities, villages, boroughs and towns in the seven named counties and (b) the proportion that the number of persons residing in each such municipality bears to the number of persons residing in all such municipalities'.

A roll call was requested and properly seconded.

The question was taken on the adoption of the Schreiber amendment and the roll being called, there were yeas 49, and nays 82, as follows:

Those who voted in the affirmative were:

Adams, S.	Erdahl	Jopp	Long	Schreiber
Andersen, R.	Erickson	Jude	McArthur	Searle
Anderson, D.	Esau	Kempe	Mueller	Sieben, M.
Belisle	Graw	Klaus	Myrah	Skaar
Bell	Hagedorn	Knickerbocker	Newcome	Stangeland
Biersdorf	Heinitz	Kvam	Niehaus	Voss
Carlson, L.	Hook	Laidig	Ohnstad	Weaver
Cleary	Jacobs	Larson	Pavlak, R. L.	Wigley
Clifford	Johnson, J.	Lindstrom, E.	Pleasant	Wohlwend
Dirlam	Johnson, R.	Lombardi	Savelkoul	

Those who voted in the negative were:

Adams, J.	Dahl	Jaros	Nelson	Schulz
Anderson, G.	DeGroat	Johnson, C.	Norton	Sherwood
Anderson, I.	Dieterich	Johnson, D.	Ojala	Sieben, H.
Becklin	Eckstein	Kahn	Parish	Smith
Bennett	Eken	Kelly	Patton	Spanish
Berg	Enebo	LaVoy	Pavlak, R.	Stanton
Berglin	Faricy	Lemke	Pehler	Swanson
Boland	Ferderer	Lindstrom, J.	Peterson	Tomlinson
Braun	Fjoslien	McCarron	Pieper	Ulland
Brinkman	Flakne	McEachern	Prahl	Vanasek
Carlson, A.	Forsythe	McFarlin	Quirin	Vento
Carlson, B.	Fudro	McMillan	Resner	Wenzel
Carlson, D.	Fugina	Menke	Rice	Wolcott
Casserly	Graba	Miller, D.	Ryan	Mr. Speaker
Connors	Grove	Miller, M.	St. Onge	
Culhane	Hanson	Moe	Salchert	
Cummiskey	Haugerud	Munger	Sarna	

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

Savelkoul moved to amend H. F. No. 2121, the printed bill, as follows:

Page 28, after line 30, add a new paragraph to read as follows:

"The tax study commission is also herewith directed to focus particular attention on the effect of state levels of taxation on industrial development in our state, on jobs for our citizens, and future income from total sources of taxation with current rates of economic growth."

A roll call was requested and properly seconded.

The question was taken on the adoption of the Savelkoul amendment and the roll being called, there were yeas 57, and nays 74, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Johnson, R., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 28, after line 30, insert a new paragraph to read as follows:

"The commission is also directed to prepare a proposed constitutional amendment that would set limits on the rates of all taxes imposed on persons, corporations and property. The commission shall employ the assistance of nationally recognized economists and other persons specially qualified to advise on the effect of tax rates on the economic development and governmental functions of the state. The constitutional amendment shall permit limits on tax rates to be exceeded by laws passed by two thirds of the members of both houses of the legislature. The commission is advised to consult comparable studies in other states, in particular, California."

A roll call was requested and properly seconded.

The question was taken on the adoption of the Johnson, R., amendment and the roll call being called, there were yeas 55, and nays 76, as follows:

Those who voted in the affirmative were:

Adams, S.	Anderson, D.	Belisle	Biersdorf	Carlson, D.
Andersen, R.	Becklin	Bennett	Carlson, A.	Cleary

Clifford	Flakne	Klaus	McFarlin	Savelkoul
Culhane	Forsythe	Knickerbocker	Mueller	Schreiber
DeGroat	Graw	Kvam	Myrah	Searle
Dirlam	Hagedorn	Laidig	Newcome	Skaar
Erdahl	Heinitz	Larson	Niehaus	Stangeland
Erickson	Hook	Lindstrom, E.	Ohnstad	Weaver
Esau	Johnson, J.	Lombardi	Pavlak, R. L.	Wigley
Ferderer	Johnson, R.	Long	Pieper	Wohlwend
Fjoslien	Jopp	McArthur	Pleasant	Wolcott

Those who voted in the negative were:

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

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

Johnson, R., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 38, line 18, after the period insert the following: *"In 1973 and subsequent years the levy limit base per capita shall not be increased by any governmental subdivision pursuant to this section without approval of the electorate therein voting upon the question at a regular or special election called for that purpose; provided however, that any governmental subdivision which has not increased its levy during the years 1971 or 1972 to the extent allowable as provided in this section may in subsequent years increase its levy by the cumulative amount of such allowable increases, compounded as provided by this subdivision, without the approval of the electorate."*

A roll call was requested and properly seconded.

The question was taken on the adoption of the Johnson, R., amendment and the roll being called, there were yeas 47, and nays 84, as follows:

Those who voted in the affirmative were:

Andersen, R.	Dirlam	Heinitz	Lindstrom, E.	Savelkoul
Anderson, D.	Erdahl	Hook	Long	Searle
Becklin	Erickson	Johnson, J.	McFarlin	Skaar
Belisle	Esau	Johnson, R.	Mueller	Stangeland
Bennett	Ferderer	Jopp	Myrah	Wigley
Carlson, A.	Fjoslien	Klaus	Newcome	Wohlwend
Carlson, D.	Flakne	Knickerbocker	Niehaus	Wolcott
Cleary	Forsythe	Kvam	Ohnstad	
Clifford	Graw	Laidig	Pavlak, R. L.	
DeGroat	Hagedorn	Larson	Pieper	

Those who voted in the negative were:

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

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

Johnson, R., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 44, line 29, strike "\$.50" and insert "\$.05".

Page 44, line 33, strike "\$.50" and insert "\$.05".

A roll call was requested and properly seconded.

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

Adams, S., was excused from voting.

The roll being called, there were yeas 10, and nays 120, as follows:

Those who voted in the affirmative were:

Graw	Klaus	Lombardi	Pavlak, R. L.	Weaver
Johnson, R.	Larson	Myrah	Ulland	Wigley

Those who voted in the negative were:

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

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

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

Johnson, R., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 47, strike line 33 and insert "*may be sold as though for delinquent taxes in the same manner and with the same effect as other interests in real estate are sold for taxes.*"

Page 47, strike lines 34 through 36.

Page 48, strike lines 1 through 25.

A roll call was requested and properly seconded.

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

Adams, S., was excused from voting.

The roll being called, there were yeas 44, and nays 86, as follows:

Those who voted in the affirmative were:

Anderson, D.	Erickson	Johnson, J.	McArthur	Pleasant
Becklin	Esau	Johnson, R.	McFarlin	Savelkoul
Belisle	Ferderer	Jopp	Mueller	Searle
Biersdorf	Flakne	Klaus	Myrah	Ulland
Carlson, D.	Forsythe	Knickerbocker	Newcome	Weaver
Cleary	Graw	Kvam	Niehaus	Wigley
Clifford	Hagedorn	Larson	Ohnstad	Wohlwend
Dirlam	Heinitz	Lombardi	Pavlak, R. L.	Wolcott
Erdahl	Hook	Long	Pieper	

Those who voted in the negative were:

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

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

Lindstrom, E., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 49, after line 9, add an article to read:

"ARTICLE XXIV

Section 1. Minnesota Statutes 1971, Section 477A.02, is amended to read:

Subdivision (f). In 1974 and subsequent years each taxing district shall receive the same reimbursement it received in 1973, pursuant to subdivision (c). This reimbursement shall be paid in the same manner as detailed for 1973, pursuant to subdivision (d), in 1974 and subsequent years."

A roll call was requested and properly seconded.

The question was taken on the adoption of the Lindstrom, E., amendment and the roll being called, there were yeas 54, and nays 77, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Lindstrom, E., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 49, after line 9, add an article to read:

"ARTICLE XXIV

Section 1. An amendment to the Minnesota Constitution adding a new article is proposed to the people. If the amendment is adopted the article will read as follows:

Subdivision 1. The people may approve or reject by referendum any tax or appropriation made by law. A referendum shall be held either upon order by the legislature or upon petition signed by a least five percent of the qualified electors in each of at least one-third of the legislative representative districts. The total number of signers must be at least five percent of the qualified electors of the state. A referendum petition shall be filed with the secretary of state no later than six months after adjournment of the legislature which passed the act.

Subd. 2. An act referred to the people is in effect until suspended by petitions signed by at least 15 percent of the qualified electors in a majority of the legislative representative districts. If suspended the act shall become operative only after it is approved at an election, the result of which has been determined and declared as provided by law.

Sec. 2. The proposed amendment shall be submitted to the people at the 1974 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to provide for approval of taxes and appropriations by referenda?"

Yes.....

No.....".

Further, amend the title in line 5, after "derived;" and before "appropriating" by inserting "proposing an amendment to the Minnesota Constitution permitting referenda on taxes and appropriations;"

A roll call was requested and properly seconded.

The question was taken on the adoption of the Lindstrom, E., amendment and the roll being called, there were yeas 55, and nays 76, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, J.	Bell	Boland	Carlson, B.	Connors
Anderson, G.	Berg	Braun	Carlson, L.	Culhane
Anderson, I.	Berglin	Brinkman	Casserly	Cummiskey

Dahl	Jaros	Miller, D.	Quirin	Stanton
Dieterich	Johnson, C.	Miller, M.	Resner	Swanson
Eckstein	Johnson, D.	Moe	Rice	Tomlinson
Eken	Jude	Munger	Ryan	Ulland
Enebo	Kahn	Nelson	St. Onge	Vanasek
Faricy	Kelly	Norton	Salchert	Vento
Fudro	LaVoy	Ojala	Sarna	Voss
Fugina	Lemke	Parish	Schulz	Wenzel
Graba	Lindstrom, J.	Patton	Sherwood	Mr. Speaker
Growe	McCarron	Pavlak, R.	Sieben, H.	
Hanson	McEachern	Pehler	Sieben, M.	
Haugerud	McMillan	Peterson	Smith	
Jacobs	Menke	Prahl	Spanish	

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

Savelkoul moved to amend H. F. No. 2121, the printed bill, as follows:

Page 21, line 29, after "\$300" insert "; except for those corporations having 10 shareholders or less who passed at least 100 percent of their net earnings or profits through to individuals during the taxable year in which the return was filed, the minimum tax payable shall be not less than \$20".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Savelkoul amendment and the roll being called, there were yeas 54, and nays 77, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Johnson, R., moved to amend H. F. No. 2121, the printed bill, as follows:

Strike Article I in its entirety and insert a new Article I as follows:

"ARTICLE I

Section 1. [GENERAL ASSISTANCE ACT; DECLARATION OF POLICY; CITATION.] *Subdivision 1. The objectives of sections 1 to 30 are to provide a sound administrative structure for public assistance programs; to maximize the use of federal funds for public assistance purposes; to provide property tax relief; and to provide an integrated public assistance program for all persons in the state without adequate income or resources to maintain a subsistence reasonably compatible with decency and health.*

It is hereby declared to be the policy of this state that persons unable to provide for themselves and not otherwise provided for by law, who meet the eligibility requirements of this act and do not refuse suitable employment, shall be entitled to receive such grants of general assistance and such services as may be necessary to maintain a subsistence reasonably compatible with decency and health. The furnishing of such assistance and services is a matter of public concern and a necessity in promoting the public health and welfare.

A principal objective in providing general assistance and services shall be to aid those persons who can be helped to become self-supporting or to attain self-care. To achieve this aim, the commissioner shall establish minimum standards of assistance for general assistance. The standard for cash payments to recipients shall be, as to shelter, 100 percent, and as to other budgetary items, 50 percent, of those established for the federally aided assistance programs; provided, however, that no general assistance payment shall exceed an amount, which when computed for the time period for which it is made, exceeds the equivalent on a weekly basis of 40 times the hourly federal minimum wage prevailing when the payment is made; and provided further that persons receiving general relief on the effective date of this act shall continue to be eligible therefor. In order to maximize the use of federal funds, the commissioner shall promulgate regulations, to the extent permitted by federal law for eligibility for the emergency assistance program, under the terms of this act for general assistance. The commissioner shall provide by regulation for the eligibility for general assistance of persons with seasonal income, and may attribute seasonal income to other periods not in excess of one year from receipt by an applicant or recipient. The strengthening and preservation of the family unit shall be a principal consideration in the administration of this act and all general assistance policies shall be formulated and administered so as to further this objective.

Subd. 2. Sections 1 to 30 may be cited as the general assistance act.

Sec. 2. [DEFINITIONS.] Subdivision 1. The terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. "Commissioner" means the commissioner of public welfare or his designee.

Subd. 3. "Department" means the department of public welfare.

Subd. 4. "General assistance" means cash payments to persons unable to provide themselves with a reasonable subsistence compatible with decency and health and who are not otherwise provided for under the laws of this state or the United States. It shall include cash payments for goods, shelter, fuel, food, clothing, light, necessary household supplies, and personal need items. General assistance shall not include payments for foster care, child welfare services, medical, dental, hospitalization, nursing care, drugs, or medical supplies. It is the intent of this act that these items be provided by local agencies in accordance with programs in effect at the time of the passage of this act. Vendor payments may be made only as provided for in sections 9 and 11.

Subd. 5. "Family" means two or more individuals who are related by blood, marriage or adoption, who are living in a place or residence maintained by one or more of them as his or their own home, and at least one of whom is a child who is not married to another of such individuals and is in the care of or dependent upon another of such individuals.

Subd. 6. "Child" means an individual who is under the age of 18, or under the age of 19 and a student regularly attending a school, college, or university of a course of vocational or technical training designed to prepare him for gainful employment.

Subd. 7. "Childless couple" means two individuals who are related by marriage and who are living in a place of residence maintained by them as their own home.

Subd. 8. "Income" means earned and unearned income reduced by amounts paid or withheld for federal and state personal income taxes and federal social security taxes.

Subd. 9. "Earned income" means remuneration for services performed as an employee, and net earnings from self-employment.

Subd. 10. "Unearned income" means all other income including any payments received as an annuity, retirement or disability benefit, including veteran's or workmen's compensation; old age, survivors and disability insurance; railroad retirement benefits; unemployment benefits; and benefits under any federally aided categorical assistance program, supplementary security income, or family assistance program; rents, dividends, interest and

royalties; and support and alimony payments except that such payments may not be considered as available to meet the needs of any person other than the person for whose benefit they are received, unless that person is under a legal duty to support another family member.

Subd. 11. "State aid" means state aid to local agencies for general assistance expenditures as provided for in this act.

Subd. 12. "Local agency" means the county welfare boards in the several counties of the state except that it may also include any multicounty welfare boards or departments where those have been established in accordance with law.

Sec. 3. [RESPONSIBILITY TO PROVIDE GENERAL ASSISTANCE.] Subdivision 1. Every local agency shall provide general assistance to persons residing within its jurisdiction who meet the need requirements of this act. General assistance shall be administered according to law and rules and regulations promulgated by the commissioner pursuant to the provisions of this act.

Subd. 2. State aid shall be paid to local agencies for 100 percent of all general assistance grants up to the standards of section 1, subdivision 1, according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance at a standard higher than that established by the commissioner, without reference to the standards of sec. 1, subd. 1.

Sec. 4. [DUTIES OF THE COMMISSIONER.] In addition to any other duties imposed by law, the commissioner shall:

(1) Supervise the administration of general assistance by local agencies as provided in this act;

(2) Promulgate uniform rules and regulations consistent with law for carrying out and enforcing the provisions of this act to the end that general assistance may be administered as uniformly as possible throughout the state; rules and regulations shall be furnished immediately to all local agencies and other interested persons; in promulgating rules and regulations, the provisions of Minnesota Statutes, Chapter 15, shall apply;

(3) Allocate moneys appropriated for general assistance to local agencies as provided in this act;

(4) Accept and supervise the disbursement of any funds that may be provided by the federal government or from other sources for use in this state for general assistance;

(5) Cooperate with other agencies including any agency of the United States or of another state in all matters concerning the powers and duties of the commissioner under this act;

(6) Cooperate to the fullest extent with other public agencies empowered by law to provide vocational training, rehabilitation, or similar services;

(7) Gather and study current information and report at least annually to the governor and legislature on the nature and need for general assistance, the amounts expended under the supervision of each local agency, and the activities of each local agency and publish such reports for the information of the public;

(8) Report at least annually to the governor and legislature the cost of living in the various counties and metropolitan areas as related to the standards of assistance and the amounts expended for assistance, and make this information available to the public.

Sec. 5. [ELIGIBILITY FOR GENERAL ASSISTANCE.] Each person or family whose income and resources are less than the standard of assistance established by the commissioner shall be eligible for and entitled to general assistance; provided that no individual shall be eligible for general assistance if he is eligible for any of the following federally aided assistance programs: emergency assistance, aid to families with dependent children, supplemental security income for the aged, blind, or disabled; or any successor to the above.

Sec. 6. [AMOUNT OF ASSISTANCE.] Subdivision 1. General assistance shall be granted in such an amount that when added to the nonexempt income actually available to the individual or family, the total amount equals the applicable standard of assistance established by the commissioner for general assistance.

Subd. 2. Notwithstanding the provisions of subdivision 1 of this section, a grant of general assistance may be made to an eligible individual or family for one or more items encompassed within the definition of general assistance where the applicant or recipient requests temporary assistance not exceeding 30 days and an emergency situation appears to exist if the individual is ineligible for the federally aided program of emergency assistance.

Sec. 7. [TIME OF PAYMENT OF ASSISTANCE.] An applicant for general assistance shall be deemed presumptively eligible if his sworn application on its face demonstrates that he is within the eligibility criteria established by this act and any applicable rules and regulations of the commissioner. General assistance shall be immediately granted to such presumptively eligible applicant without the necessity of first securing action by the board of the local agency.

If upon verification and due investigation it appears that the applicant swore falsely and such false information materially affected his eligibility for general assistance or the amount of his general assistance grant, the local agency shall refer the matter to the county attorney. The county attorney may commence a criminal prosecution or a civil action for the recovery of any general assistance wrongfully received, or both.

Sec. 8. [EXCLUSION FROM RESOURCES.] Subdivision 1. *In determining eligibility of a family or individual there shall be excluded the following resources:*

(1) *Property which does not exceed that permitted under the federally aided assistance program known as aid to families with dependent children; provided, however, that the commissioner may provide by rule and regulation more restrictive eligibility standards and levels of payment for general assistance if it is determined that funds available are not adequate to meet projected need; and*

(2) *Other property, including real or personal property used as a home, which has been determined, in accordance with and subject to limitations contained in rules and regulations promulgated by the commissioner, to be essential to the family or individual as a means of self-support or self-care or which is producing income that is being used for the support of the individual or family. The commissioner shall further provide by rule and regulation for those situations in which property may be retained by the family or individual where there is a reasonable probability that in the foreseeable future the property will be used for the self-support of the individual or family.*

Subd. 2. *Notwithstanding any other provisions of this act, the commissioner shall provide by rule and regulation for the exclusion of property from the determination of eligibility for general assistance when it appears likely that the need for general assistance will not exceed 30 days and an undue hardship would be imposed on an individual or family by the forced disposal of such property.*

Sec. 9. [FORM OF PAYMENT; VENDOR PAYMENTS.] Subdivision 1. *All grants of general assistance shall be paid in cash and with such frequency as the commissioner shall determine. The commissioner may provide by rule and regulation for the making of general assistance payments in different time periods for various reasonable classifications of recipients.*

Subd. 2. *Notwithstanding the provisions of subdivision 1, the commissioner shall provide by rule and regulation for situations in which vendor payments may be made by local agencies because of the inability of the recipient to manage his general assistance grant for his own or family's benefit.*

Sec. 10. [HEARINGS PRIOR TO REDUCTION; TERMINATION; SUSPENSION OF GENERAL ASSISTANCE GRANTS.] *No grant of general assistance except one made pursuant to section 6, subdivision 2 or section 8, subdivision 2, shall be reduced, terminated or suspended unless the recipient receives notice and is afforded an opportunity to be heard prior to any action by the local agency.*

Nothing herein shall deprive a recipient of his right to full administrative and judicial review of an order or determination of a local agency as provided for in section 12 subsequent to any action taken by a local agency after a prior hearing.

Sec. 11. [WORK INCENTIVE AND REGISTRATION.]

Subdivision 1. Every person who is a recipient of general assistance and not employed shall be required, unless exempt by subdivision 6, to register with the state employment service of the department of manpower services and the local agency and accept any suitable employment that is offered him.

Subd. 2. The local agency shall provide a general assistance work program for persons who qualify for assistance but who are unable to gain employment through the state employment service of the department of manpower services. Local agencies shall adopt a list of work priorities to be met through the employment of eligible recipients when such recipients are unable to gain employment through the state employment service or through their own initiative. The local agency may assign the recipient such work as he is able to perform but which is not that ordinarily performed and which would supplement but not replace projects which are ordinarily performed by regular employees of the county.

Subd. 3. General assistance work program recipients shall be paid at the same wage rates as county employees doing similar work, and the number of hours of work assigned to a recipient shall be determined by the needs of himself and his family including expenses incidental to his employment.

Subd. 4. A local agency may contract with the federal government, or with any department, agency, subdivision or instrumentality of the state, for the services of general assistance work program recipients on such terms and conditions as may be agreed upon, with or without consideration paid to the local agency.

Subd. 5. General assistance work program recipients are employees of the local agencies within the meaning of workmen's compensation laws, but not retirement or civil service laws.

Subd. 6. No person shall be required to register with the commissioner or state employment service if he is:

- (1) A person with illness, incapacity, or advanced age;*
- (2) A child attending a school or college full time;*

(3) A person whose presence in the home on a substantially continuous basis is required because of the illness or incapacity of another member of the household;

(4) A person who has been referred to or applied for a work training, work experience, vocational rehabilitation or other such similar program; provided that the period of time such person is exempted from the registration requirements of subdivision 1, while awaiting acceptance into such program, does not exceed 30 days; or

(5) An adult member of a household with children in which another adult is employed full time or has registered with the state employment service or been accepted in a work training program.

Subd. 7. Any person who objects to being required to register with the commissioner or state employment service, shall be entitled to a prior hearing in accord with the provisions of section 10 on the issue of whether such person comes within the exemptions contained in subdivision 4, clause (1), (2), (3), or (4).

Subd. 8. (1) Any person who refuses to accept suitable employment when offered him shall lose his eligibility for general assistance and, if a member of a family receiving general assistance, that portion of the grant attributable to said person shall not be paid.

The commissioner may further provide by rule and regulation that vendor payments may be made with respect to any family in which a person who is obligated to accept suitable employment has refused to do so.

(2) The provisions of section 10 providing for notice and opportunity to be heard prior to a decision to reduce, suspend or terminate benefits shall be applicable to determinations made under clause (1) of this subdivision.

Subd. 9. The commissioner shall establish procedures to insure that any recipient of general assistance desiring to improve his ability to support himself and his family shall be promptly referred to the department of manpower services or any other agency, public or private, operating a work training, work experience, vocational rehabilitation or other similar program.

Sec. 12. [ADMINISTRATIVE AND JUDICIAL REVIEW.]

Subdivision 1. Any applicant or recipient aggrieved by any order or determination of a local agency may appeal from such order or determination to the commissioner of public welfare. The aggrieved applicant or recipient shall file with the local agency a notice of appeal within 30 days of the receipt by him of the order or determination of the local agency, provided that the order or determination is in writing and contains a statement advising the applicant or recipient of his right to appeal and the procedures for perfecting same.

If the order or determination of the local agency is not in writing or does not contain the appeal procedure statement referred to above, the 30-day period shall not be tolled until the applicant or recipient is properly notified in accordance with the provisions of this subdivision.

Notwithstanding the absence of proper notice or order or determination, the applicant or recipient may appeal to the commissioner by filing with the local agency any writing which states with reasonable clarity his dissatisfaction with or desire to obtain review of the determination or order of the local agency.

Subd. 2. Upon receipt the local agency shall immediately forward the notice of appeal to the commissioner. Within 30 days of the receipt of the notice of appeal, the commissioner shall provide the applicant or recipient with the opportunity for a hear-

ing before the commissioner or his legal representative. The local agency shall be a party to the proceeding before the commissioner.

Subd. 3. The commissioner may, upon his own motion, review any decision made by a local agency and may make such additional investigation as he deems necessary.

Subd. 4. Within 30 days from the date of the hearing before the commissioner or his legal representative, a decision in writing making findings of fact and conclusions of law shall be rendered.

Subd. 5. Any applicant or recipient aggrieved by the determination by the commissioner may, within 30 days after notice of such decision is mailed, appeal from the decision or determination of the commissioner to the district court of the county in which the application was filed by serving a written notice of such appeal upon the commissioner and all other parties to the administrative hearing and by filing the original of such notice together with proof of service with the clerk of the district court of the county. No filing fee or other fees normally exacted by the clerk of district court upon the filing of a case shall be required.

A summary of the issues involved, a copy of all supporting papers, a transcript of any testimony, and a copy of the decision of the commissioner shall be filed with the court. The court shall summarily, upon ten days' written notice, try and determine the appeal upon the record of the commissioner as certified by the commissioner and in the determination thereof shall be governed by the standard of review applicable to contested proceedings under Minnesota Statutes, Chapter 15. No new or additional evidence shall be taken on such appeal or introduced by any party to such hearing or appeal in a district court unless such new or additional evidence in the sound discretion of the court is necessary to a more equitable disposition of the appeal. If the court shall find that the order of the commissioner is not sustained by substantial evidence or is not in accord with applicable legal principles, the court shall make an order declaring the order of the commissioner null and void, giving the reasons therefor, and shall order the commissioner to take further action in the matter not inconsistent with the determination of the court. During the pendency of any appeal, if the commissioner has awarded general assistance, it shall be paid pending the determination of the appeal.

Subd. 6. Any party aggrieved by the determination of the district court may appeal to the supreme court in like manner as appeals are taken in civil actions; except that no filing fee shall be required by the clerk of the district court or supreme court.

The determination of the district court shall remain in effect during the pendency of any appeal to the supreme court.

Sec. 13. [MANDAMUS TO COMPEL PAYMENT OF GENERAL ASSISTANCE.] Subdivision 1. Notwithstanding the

provisions of section 12 providing for administrative and judicial review of local agency determinations, a person denied general assistance by the local agency may apply to the district court of the county in which his application was filed and the district court shall order the payment of general assistance if the person establishes:

(1) The substantial likelihood that he is eligible for and entitled to general assistance, and

(2) The person or family will suffer irreparable injury if general assistance is not granted without delay.

Subd. 2. The denial by a district court of a writ of mandamus shall not affect the right or scope of administrative or judicial review as set forth in section 16 of this act.

Sec. 14. [VIOLATIONS; MISDEMEANOR.] Whoever obtains or attempts to obtain, or aids or abets any person to obtain by means of a willfully false statement or representation, or by impersonation, or other fraudulent device:

(1) Assistance to which he is not entitled; or

(2) Assistance greater than that to which he is reasonably entitled;

is guilty of a misdemeanor.

Sec. 15. [RELATIVE'S RESPONSIBILITY.] The financial responsibility of a relative for an applicant or recipient of general assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant or recipient who is a child.

Sec. 16. [GENERAL ASSISTANCE TO BE ALLOWED AS CLAIM IN PROBATE COURT.] On the death of any person who received any general assistance under this act, or on the death of the survivor of a married couple, either or both of whom received general assistance, the total amount paid as general assistance to either or both, without interest, shall be allowed as a claim against the estate of such person or persons by the court having jurisdiction to probate the estate.

Sec. 17. [DATA PROCESSING PROCEDURES.] The local agency shall, to the extent permitted by federal law or regulation, in addition to any other necessary records and procedures, provide for the inclusion of all general assistance records in any data processing system established for the medical assistance program, in accordance with procedures established by the commissioner.

Sec. 18. [RESIDENCE; COUNTY OF FINANCIAL RESPONSIBILITY.] Subdivision 1. In determining the county of financial responsibility, in all matters concerning legal settlement of the poor, the definitions and rules of this section shall apply.

Subd. 2. "County of financial responsibility" means (a) the county in which an individual resides; or (b) if an individual is a patient in a hospital, nursing home, or boarding care home, as defined in Minnesota Statutes, Section 144.50, at the time of making application, and immediately prior thereto resided in another county, then that other county; or (c) the above provisions notwithstanding, if an individual is a recipient of medical assistance, the county from which he is receiving medical assistance.

Subd. 3. [PROCEDURE WHEN COUNTY OF FINANCIAL RESPONSIBILITY IS IN QUESTION.] If upon the investigation the local agency decides that the application was not filed in the county of financial responsibility as defined by this section, but that the applicant is otherwise eligible for assistance, it shall, while providing assistance to the applicant, transmit a copy of the application, together with the record of any investigation made by it and a copy of its decision, to the state agency, and to the agency of the county which it has decided is the county of financial responsibility. The state agency shall thereupon promptly decide any question of financial responsibility and make an order referring the application to the local agency of the proper county for further action, including reimbursement by such county of any assistance which another county has provided to the applicant in accordance with this subdivision. The state agency may make such investigation as it deems proper before making its decision. It shall prescribe rules and regulations for carrying into effect this subdivision. The order of the state agency shall be binding upon the local agency involved and the applicant or recipient, shall be complied with by that agency unless reversed on appeal as provided in this act, and shall be so complied with pending any such appeal.

Sec. 19. [ABOLITION OF TOWNSHIP SYSTEM OF POOR RELIEF.] Subdivision 1. The town system for caring for the poor in each of the counties in which it is in effect is hereby abolished. The county welfare board of each county shall administer general assistance under the provisions of this article.

Subd. 2. All county welfare boards affected by this act are hereby authorized to take over for the county as of the effective date of this section, the ownership of all case records relating to the administration of poor relief.

Sec. 20. [TRANSFER OF TOWN EMPLOYEES.] Subdivision 1. The term "merit system" as used herein shall mean the rules for a merit system of personnel administration for employees of county welfare boards adopted by the commissioner of public welfare in accordance with the provisions of Minnesota Statutes, Section 393.07, including the merit system established for Hennepin county pursuant to Laws 1965, Chapter 855, as amended, the federal social security act as amended, and merit system standards and regulations issued by the federal social security board and the United States children's bureau.

Subd. 2. All employes of any municipality or town who are engaged full time in poor relief work therein on the effective

date of this section shall be retained as employees of the county and placed under the jurisdiction of its welfare board.

All transferred employees shall be blanketed into the merit system with comparable status, classification, longevity, and seniority, and subject to the administrative requirements of the county welfare board. Employees with permanent status under any civil service provision on the effective date of this act shall be granted permanent status under the merit system at comparable classifications and in accordance with work assignments made under the authority of the county welfare board as provided by the merit system rules.

The determination of proper job allocation shall be the responsibility of the personnel officer or director as provided under merit system rules applicable to the county involved with the right of appeal of allocation to the merit system council or personnel board by any employee affected by this transfer.

All transferred employees shall receive salaries for the classification to which they are allocated in accordance with the schedule in effect for county welfare board employees and at a salary step which they normally would have received had they been employed by the county welfare board for the same period of service they had previously served under the civil service provisions of any municipality or town; provided, however, that no salary shall be reduced as a result of the transfer.

All accumulated sick leave of transferred employees in the amount of 60 days or less shall be transferred to the records of the county welfare board and such accumulated sick leave shall be the legal liability of the county welfare board. All accumulated sick leave in excess of 60 days shall be paid in cash to transferred employees by the municipality or town by which they were employed prior to their transfer, at the time of transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to transfer, for all or part of the accumulated sick leave.

Subd. 3. Employees of municipalities and towns engaged in the work of administering poor relief who are not covered by civil service provisions shall be blanketed into the merit system subject to a qualifying examination. Employees with one year or more service shall be subject to a qualifying examination and those with less than one year's service shall be subject to an open competitive examination.

Subd. 4. All vacation leave of employees referred to in subdivision 2 of this section, accumulated prior to their transfer to county employment shall be paid in cash to them by the municipality or town by which they were employed prior to their transfer, and at the time of their transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to such transfer, for all or part of the accumulated vacation time.

Sec. 21. [CONTINUATION OF RETIREMENT SYSTEM FOR FORMER MINNEAPOLIS EMPLOYEES.] *Subdivision*

1. Each employee of the city of Minneapolis who is transferred to and employed by the county under the provisions of section 20 and who is a contributing member of a retirement system organized under the provisions of Minnesota Statutes, Chapter 422, shall continue to be a member of that system and entitled to all of the benefits conferred thereby and subject to all the restrictions of chapter 422, unless he applies to cancel his membership within six months after the effective date of this act.

Subd. 2. The cost to the public of that portion of the retirement allowances or other benefits accrued while any such employee was in the service of the city of Minneapolis shall remain an obligation of the city and a tax shall be levied and collected by it to discharge its obligation as provided by Minnesota Statutes, Chapter 422.

Subd. 3. The cost to the public of the retirement allowances or other benefits accruing to employees so transferred to and employed by the county shall be the obligation of and paid by the county at such time as the retirement board shall fix and determine in accordance with chapter 422. The county shall pay to the municipal retirement fund an amount certified to the county auditor of the county by the retirement board as the cost of the retirement allowances and other benefits accruing and owing to such county employees. The cost to the public of the retirement allowances as herein provided shall be paid from the county revenue fund by the county auditor upon receipt of certification from the retirement board as herein provided, and the county board is authorized to levy and collect such taxes as may be necessary to pay such costs.

Sec. 22. Minnesota Statutes 1971, Section 245.77, is amended to read:

245.77 [LEGAL SETTLEMENT OF PERSONS RECEIVING ASSISTANCE; ACCEPTANCE OF FEDERAL FUNDS.] In the event federal funds become available to the state for purposes of reimbursing the several local agencies of the state for costs incurred in providing financial relief to poor persons under the liability imposed by section 261.03, or for reimbursing the state and counties for categorical aid assistance furnished to persons who are eligible for such assistance only because of the United States Supreme Court decision invalidating state residence requirements the commissioner of public welfare is hereby designated the state agent for receipt of such funds. Upon receipt of any federal funds the commissioner shall in a uniform and equitable manner use such funds to reimburse counties (, TOWNS, CITIES AND VILLAGES) for expenditures made in providing financial relief to poor persons. The commissioner is further authorized to promulgate rules and regulations, consistent with the rules and regulations promulgated by the Secretary of Health, Education and Welfare, governing the reimbursement provided for by this provision.

Sec. 23. Minnesota Statutes 1971, Section 261.04, Subdivision 1, is amended to read:

261.04 [LIABILITY OF ESTATE.] Subdivision 1. [SUPPORT, MAINTENANCE, CARE, OR BURIAL.] When any person is furnished or provided with support, maintenance, care, including care at the University of Minnesota hospitals, or burial as a poor person (BY ANY COUNTY, CITY, TOWN, VILLAGE, OR BOROUGH) the (MUNICIPALITY) *county* so furnishing such aid shall have a claim therefor against the person or his estate for the reasonable value thereof, which claim may be presented and prosecuted by such (MUNICIPALITY) *county* at its option upon discovery of any property belonging to the poor person or to his estate.

Sec. 24. Minnesota Statutes 1971, Section 261.063, is amended to read:

261.063 [TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.] The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for *general assistance*, old age assistance, aid to dependent children, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

Sec. 25. Minnesota Statutes 1971, Section 275.09, Subdivision 3, is amended to read:

Subd. 3. [TOWN PURPOSES.] There shall be levied annually on each dollar of taxable property, except such as is by law otherwise taxable, as assessed and entered on the tax lists for town purposes, such amount as is voted at any legal town meeting, the rate of which tax shall not exceed, exclusive of such sums as are voted at the annual town meeting for road and bridge purposes (AND FOR THE SUPPORT OF THE POOR;) ten mills in any town having a population of more than 7,000, excluding the population of any cities or villages therein, five mills in any town having a taxable valuation of \$100,000 or more, and the amount of which shall not exceed \$350 in any town having a taxable valuation of less than \$100,000, and the rate of which shall not exceed one percent in any town. The rate of tax for road and bridge purposes in any town shall not exceed the rate provided by section 164.04, and the tax for poor purposes shall not exceed five mills. In any town in which the amount levied within the above limitations is not sufficient to enable the town to carry on its necessary governmental functions, the electors, during the business hours, after disposing of the annual report, may make an additional levy of not to exceed five mills to enable the town to carry on such necessary governmental functions.

Sec. 26. Minnesota Statutes 1971, Section 376.424, is amended to read:

376.424 [CHARGES; PAYMENT.] The county sanatorium commission shall fix the amount to be charged for the care, treatment and maintenance of any such nontuberculous patient, which charge shall equal all costs of such hospitalization of such patient. Any person who is afflicted with a malady, deformity or ailment, other than tuberculosis, which can probably be remedied by hospital care, service and treatment, and who is unable to pay the charges, may be admitted to the sanatorium for care, treatment and maintenance upon application of the county (, TOWN, VILLAGE, BOROUGH, OR CITY) responsible for the care of such person under the provisions of the statutes governing the relief of the poor, and such charges shall be paid by the county (, TOWN, VILLAGE, BOROUGH, OR CITY) making such application.

Sec. 27. Minnesota Statutes 1971, Section 393.01, Subdivision 3, is amended to read:

Subd. 3. [COUNTY BOARD TO BE WELFARE BOARD IN CERTAIN COUNTIES.] (IN ANY COUNTY CONTAINING A CITY OF THE FIRST CLASS OPERATING UNDER A HOME RULE CHARTER, WHEREIN THERE IS ESTABLISHED IN SUCH CITY A BOARD OF PUBLIC WELFARE FOR ADMINISTRATION OF POOR RELIEF IN SUCH CITY ONLY,) *In the county of Hennepin* the board of county commissioners shall be the county welfare board. In such (COUNTIES) *county* the members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties under the provisions of this chapter. In such (COUNTIES) *county* the county auditor shall be ex officio secretary of the board, but shall have no voice in its proceedings. (IN SUCH COUNTIES THE SYSTEM OF CARING FOR THE POOR IN EFFECT AT THE TIME OF THE PASSAGE OF THIS CHAPTER SHALL BE CONTINUED, SUBJECT TO ALL PROVISIONS OF LAW RELATING THERETO, EXCEPT THAT, IF SUCH COUNTY IS OPERATING UNDER THE TOWNSHIP SYSTEM OF CARING FOR THE POOR, SUCH TOWNS, VILLAGES, AND CITIES OF THE SECOND, THIRD AND FOURTH CLASSES THEREIN MAY, BY RESOLUTION OF ITS GOVERNING BODY, AGREE WITH THE COUNTY WELFARE BOARD THAT THE LATTER SHALL SUPERVISE AND ADMINISTER THE POOR RELIEF FUND IN SUCH TOWN, VILLAGE, OR CITY, OR CONTRACT WITH ANY ONE OR MORE OF THE PUBLIC SUBDIVISIONS OF THE COUNTY FOR THE PURPOSE OF JOINTLY SUPERVISING AND ADMINISTERING THE POOR RELIEF FUNDS IN SUCH TOWNS, VILLAGES OR CITIES. IN ANY SUCH COUNTY THE POWERS AND DUTIES OF SUCH BOARD OF PUBLIC WELFARE SHALL NOT BE AFFECTED BY THE PROVISIONS OF THIS CHAPTER. SUCH BOARD OF PUBLIC WELFARE, IN ADMINISTERING POOR RELIEF FUNDS GRANTED BY ANY STATE

AGENCY AUTHORIZED SO TO DO BY LAW, SHALL COMPLY WITH ALL STANDARDS OF ADMINISTRATION AND PROCEDURE PRESCRIBED BY SUCH AGENCY.)

Sec. 28. Minnesota Statutes 1971, Section 393.07, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATION OF PUBLIC WELFARE.] The county welfare board, (EXCEPT AS PROVIDED IN SECTION 393.01, SUBDIVISION 3, AND) subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including *general assistance*, aid to dependent children, old age assistance, aid to the blind, child welfare services, mental health services, and other public assistance or public welfare services. The duties of the county welfare board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county welfare board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of his wards in adoptive homes or in other foster care facilities.

Sec. 29. Minnesota Statutes 1971, Section 393.08, Subdivision 1, is amended to read:

393.08 [ESTIMATES FURNISHED TO COUNTY BOARD.] Subdivision 1. On or before the first day of July each year the county welfare board, except any such board referred to in section 393.01, (SUBDIVISIONS) *subdivision* 3 (AND 4), shall submit to the county board of commissioners an estimate of the amount needed by it to perform its duties, including expenses of administration, and the county board of commissioners shall consider the estimates so submitted and, if approved, shall levy a tax as provided by law for the purposes. In the event the estimate is not approved, the county board of commissioners shall confer with the county welfare board and adjust a budget in accordance with the facts and levy a tax for the amount required.

In counties referred to in section 393.01, subdivision 3, the estimate required shall not include (POOR RELIEF IN SUCH COUNTIES OR) institutional requirements in any city of the first class located therein. The tax levy by the county board of commissioners in such counties shall be such as is required for *public assistance* and categories of aid under the federal social security act, and shall be separate and distinct from other levies made by it. The governing body of any such city of the first class may annually levy a tax for (POOR RELIEF) *institutional requirements* as authorized by such home rule charter, on the real and personal property within the corporate limits of such city.

Such tax levy and the proceeds thereof shall be subject to the same control and supervision as is imposed on any existing public welfare tax levy.

(ON THE 25TH DAY OF JULY OF EACH YEAR THE COUNTY WELFARE BOARD REFERRED TO IN SECTION 393.01, SUBDIVISION 4, SHALL PRESENT ITS ESTIMATE OF THE AMOUNT NEEDED BY IT TO PERFORM ITS DUTIES, INCLUDING EXPENSE OF ADMINISTRATION, TO THE BOARD OF COUNTY COMMISSIONERS OF ANY SUCH COUNTY AND THE COUNCIL OF THE CITY OF THE FIRST CLASS LOCATED IN SUCH COUNTY. SAID BOARD AND SAID COUNCIL MAY APPOINT A WELFARE BUDGET ADVISORY COMMITTEE TO STUDY SAID BUDGET PROVIDED THAT SAID WELFARE BUDGET ADVISORY COMMITTEE MUST REPORT ITS RECOMMENDATION TO SAID BOARD AND SAID COUNCIL NOT LATER THAN SEPTEMBER 1 OF EACH YEAR. THE BOARD OF COUNTY COMMISSIONERS OF SUCH COUNTY AND THE CITY COUNCIL OF SUCH CITY SHALL JOINTLY ADOPT A BUDGET FOR SUCH COUNTY WELFARE BOARD AND SUCH ACTION OF SUCH BOARD OF COUNTY COMMISSIONERS AND SUCH CITY COUNCIL IN SO ADOPTING SUCH BUDGET SHALL BE TAKEN NOT LATER THAN SEPTEMBER 20TH OF EACH YEAR. THE COST OF ALL SUCH RELIEF, INCLUDING THE MAINTENANCE OF ANY ALMSHOUSE, SANATORIUM, OR HOSPITAL MAINTAINED BY SUCH COUNTY AND CITY SHALL BE PAID 72 1/2 PERCENT BY SUCH COUNTY AND 27 1/2 PERCENT BY SUCH CITY.)

In counties referred to in section 393.01, subdivision 7, the estimate required to fund the public welfare programs of the single welfare department, including expense of administration, shall be submitted to the boards of county commissioners who are parties to the agreement. Each board of county commissioners shall consider the estimate so submitted and shall confer with the board of county commissioners from the other counties who are a party to the agreement in determining the amount of funds to be assessed against each county for purposes of funding the welfare program.

Sec. 30. To the extent of appropriations available therefor, the department of public welfare shall reimburse counties 100 percent of all salary expenses, approved by the commissioner, incurred and paid by the counties, for which no payment or reimbursement is made by the United States or any subdivision thereof, in administering, and salary administrative costs in providing services in connection with, all public assistance programs. Claims for reimbursement for expenditures made by the county shall be presented to the department by the respective counties at least four times per year in such manner as the commissioner shall prescribe. The commissioner shall, pursuant to

the administrative procedures act, prior to making any payments, promulgate rules to implement this section.

Sec. 31. There is appropriated to the department of public welfare from the general fund the sum of \$31,000,000 for the biennium ending June 30, 1975, to enable the department to pay claims made pursuant to section 30 for reimbursement for the salary cost of administering, and salary administrative costs in providing services in connection with, public assistance programs.

Sec. 32. There is hereby appropriated to the commissioner of public welfare, for the biennium ending June 30, 1975, the sum of \$21,400,000 for the purpose of state aid for general assistance.

Sec. 33. Minnesota Statutes 1971, Sections 245.46, 261.01, 261.02, 261.03, 261.05, 261.06, 261.061, 261.064, 261.065, 261.066, 261.067, 261.07, 261.08, 261.10, 261.11, 261.123, 261.124, 261.125, 261.126, 261.14, 261.141, 261.142, 261.143, 261.26 and 393.08, Subdivision 2, are repealed.

Sec. 34. Article I is effective January 1, 1974.”.

Further amend the title as follows:

Line 1, strike “taxation” and insert “the organization and operation of state government”.

Line 2, after “derived;” and before “appropriating” insert “creating a welfare general assistance program and providing for the administration of welfare programs;”.

Line 4, after “124.212, Subdivision 3;” and before “272.04” insert “245.77; 261.04, Subdivision 1; 261.03;”.

Line 5, after “273.41;” and before “275.50” insert “275.09, Subdivision 3;”.

Line 10, after “340.60, Subdivision 1;” and before “414.01” insert “376.424; 393.01, Subdivision 3; 393.07, Subdivision 2; 393.08, Subdivision 1;”.

Line 12, after “124.29;” and before “276.15” insert “245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26;”.

Line 15, after “373.24;” and before “and” insert “393.08, Subdivision 2”.

A roll call was requested and properly seconded.

The question was taken on the adoption of the Johnson, R., amendment and the roll being called, there were yeas 33, and nays 98, as follows:

Those who voted in the affirmative were:

Andersen, R.	DeGroat	Johnson, J.	McArthur	Stangeland
Becklin	Ferderer	Johnson, R.	Myrah	Ulland
Belisle	Fjoslien	Knickerbocker	Newcome	Wigley
Bell	Flakne	Kvam	Ohnstad	Wohlwend
Bennett	Forsythe	Larson	Pavlak, R. L.	Wolcott
Carlson, A.	Heinitz	Lindstrom, E.	Pleasant	
Carlson, D.	Hook	Lombardi	Schreiber	

Those who voted in the negative were:

Adams, J.	Dieterich	Johnson, D.	Mueller	Savelkoul
Adams, S.	Dirlam	Jopp	Munger	Schulz
Anderson, D.	Eckstein	Jude	Nelson	Searle
Anderson, G.	Eken	Kahn	Niehaus	Sherwood
Anderson, I.	Enebo	Kelly	Norton	Sieben, H.
Berg	Erdahl	Kempe	Ojala	Sieben, M.
Berglin	Erickson	Klaus	Parish	Skaar
Biersdorf	Esau	Laidig	Patton	Smith
Boland	Faricy	LaVoy	Pavlak, R.	Spanish
Braun	Fudro	Lemke	Pehler	Stanton
Brinkman	Fugina	Lindstrom, J.	Peterson	Swanson
Carlson, B.	Graba	Long	Pieper	Tomlinson
Carlson, L.	Graw	McCarron	Prahl	Vanasek
Casserly	Growe	McEachern	Quirin	Vento
Cleary	Hagedorn	McFarlin	Resner	Voss
Clifford	Hanson	McMillan	Rice	Weaver
Connors	Haugerud	Menke	Ryan	Wenzel
Culhane	Jacobs	Miller, D.	St. Onge	Mr. Speaker
Cummiskey	Jaros	Miller, M.	Salchert	
Dahl	Johnson, C.	Moe	Sarna	

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

DeGroat moved to amend H. F. No. 2121, the printed bill, as follows:

Page 2, line 4, strike "80" and insert "120".

Page 2, line 8, strike "80" and insert "120".

A roll call was requested and properly seconded.

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

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

The roll being called, there were yeas 37, and nays 92, as follows:

Those who voted in the affirmative were:

Anderson, D.	Erickson	Kvam	Niehaus	Ulland
Becklin	Esau	Laidig	Ohnstad	Weaver
Biersdorf	Fjoslien	Larson	Pavlak, R. L.	Wigley
Carlson, D.	Hagedorn	Long	Pieper	Wohlwend
Clifford	Heinitz	McArthur	Savelkoul	Wolcott
DeGroat	Johnson, J.	McFarlin	Schreiber	
Dirlam	Jopp	Mueller	Skaar	
Erdahl	Klaus	Myrah	Stangeland	

Those who voted in the negative were:

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

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

Bennett moved to amend H. F. No. 2121, the printed bill, as follows:

Page 1, after line 1, insert a new section to read as follows:

"Section 1. Minnesota Statutes 1971, Section 273.13, Subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] Tools, implements and machinery, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3e and (ALL REAL ESTATE DEVOTED TO TEMPORARY AND SEASONAL RESIDENTIAL OCCUPANCY FOR RECREATIONAL PURPOSES,) all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33 1/3 percent of the market value thereof."

Page 3, after line 13, insert a new section to read as follows:

"Sec. 3. Minnesota Statutes 1971, Section 273.13, is amended by adding a subdivision to read:

8b. [CLASS 3G.] *All real estate devoted to temporary and seasonal occupancy for recreational purposes shall constitute class 3g, and shall be valued and assessed at 25 percent of the market value thereof.*"

Renumber the sections under Article I accordingly.

Further, amend the title on page 1, line 5 of the title, as follows: after "divisions" and before "6" insert "4," and strike "a subdivision" and insert in lieu thereof "subdivisions".

A roll call was requested and properly seconded.

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

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

The roll being called, there were yeas 8, and nays 122, as follows:

Those who voted in the affirmative were:

Bennett	Forsythe	Newcome	Pieper	Weaver
Dirlam.	Johnson, R.	Pavlak, R. L.		

Those who voted in the negative were:

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

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

Lindstrom, E., moved to amend H. F. No. 2121, the printed bill, as follows:

Page 26, line 22, following the word "census" insert: "*except that in the territory referred to in section 7, subdivision 7 and section 8, subdivision 8, the population used will be based on the population estimate made by the metropolitan council for the most current year,*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Lindstrom, E., amendment.

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

The roll being called, there were yeas 31, and nays 99, as follows:

Those who voted in the affirmative were:

Adams, S.	Fjoslien	Johnson, J.	Lindstrom, E.	Schreiber
Andersen, R.	Flakne	Jopp	Lombardi	Swanson
Belisle	Forsythe	Kempe	McArthur	Weaver
Bell	Graw	Klaus	McFarlin	
Cleary	Grove	Knickerbocker	Newcome	
Clifford	Heinitz	Laidig	Pieper	
Ferderer	Hook	Larson	Pleasant	

Those who voted in the negative were:

Adams, J.	Dahl	Johnson, D.	Niehaus	Searle
Anderson, D.	DeGroat	Johnson, R.	Norton	Sherwood
Anderson, G.	Dieterich	Jude	Ohnstad	Sieben, H.
Anderson, I.	Dirlam	Kahn	Ojala	Sieben, M.
Becklin	Eckstein	Kelly	Parish	Skaar
Bennett	Eken	Kvam	Patton	Smith
Berg	Enebo	LaVoy	Pavlak, R.	Spanish
Berglin	Erdahl	Lemke	Pavlak, R. L.	Stangeland
Biersdorf	Erickson	Lindstrom, J.	Pehler	Stanton
Boland	Esau	Long	Peterson	Tomlinson
Braun	Faricy	McCarron	Prahl	Ulland
Brinkman	Fudro	McEachern	Quirin	Vanasek
Carlson, A.	Fugina	McMillan	Resner	Vento
Carlson, B.	Graba	Menke	Rice	Voss
Carlson, D.	Hagedorn	Miller, D.	Ryan	Wenzel
Carlson, L.	Hanson	Miller, M.	St. Onge	Wigley
Cassery	Haugerud	Moe	Salchert	Wohlwend
Connors	Jacobs	Munger	Sarna	Wolcott
Culhane	Jaros	Myrah	Savelkoul	Mr. Speaker
Cummiskey	Johnson, C.	Nelson	Schulz	

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

Larson moved to amend H. F. No. 2121, the printed bill, as follows:

Page 49, after line 9, insert:

"ARTICLE XXIV

Section 1. Minnesota Statutes 1971, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section, all property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;
- (2) All public schoolhouses;
- (3) All public hospitals;
- (4) All academies, colleges, and universities, and all seminaries of learning;
- (5) All churches, church property, and houses of worship;
- (6) Institutions of purely public charity;
- (7) All public property exclusively used for any public purpose;

(8) All natural cheese held in storage for aging by the original Minnesota manufacturer;

(9) (a) Class 2 property of every household of the value of \$100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the tax commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common and constituting a domestic or family relationship, or (2) by one person.

(b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the \$100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Minnesota, or by any county, city, or village of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county, city, or village thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds constitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products.

(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used.

(16) *Buildings, not including grain elevators, used by a producer of feed and marketable grains for storage of feed and marketable grains that are the property of the owner of the buildings.*

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of taxation. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be exempt from taxation as long as the permit issued by the Minnesota Pollution Control Agency remains in effect.

Sec. 2. *This article is effective for taxes payable in 1974 and thereafter."*

Further, amend the title in line 4, after "124.212, Subdivision 3;" and before "272.04" by inserting "272.02, Subdivision 3;".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Larson amendment and the roll being called, there were yeas 34, and nays 97, as follows:

Those who voted in the affirmative were:

Anderson, D.	Dirlam	Johnson, J.	McArthur	Skaar
Becklin	Erdahl	Klaus	Myrah	Stangeland
Biersdorf	Erickson	Kvam	Niehaus	Weaver
Carlson, D.	Ferderer	Laidig	Ohnstad	Wigley
Clifford	Fjoslien	Larson	Pieper	Wohlwend
Culhane	Flakne	Lombardi	Savelkoul	Wolcott
DeGroat	Hook	Long	Searle	

Those who voted in the negative were:

Adams, J.	Andersen, R.	Anderson, I.	Bell	Berg
Adams, S.	Anderson, G.	Belisle	Bennett	Berglin

Boland	Fudro	Kempe	Norton	Schulz
Braun	Fugina	Knickerbocker	Ojala	Sherwood
Brinkman	Graba	LaVoy	Parish	Sieben, H.
Carlson, A.	Graw	Lemke	Patton	Sieben, M.
Carlson, B.	Growe	Lindstrom, E.	Pavlak, R.	Smith
Carlson, L.	Hagedorn	Lindstrom, J.	Pavlak, R. L.	Spanish
Casserly	Hanson	McCarron	Pehler	Stanton
Cleary	Haugerud	McEachern	Peterson	Swanson
Connors	Heinitz	McFarlin	Pleasant	Tomlinson
Cummiskey	Jacobs	McMillan	Prahl	Ulland
Dahl	Jaros	Menke	Quirin	Vanasek
Dieterich	Johnson, C.	Miller, D.	Resner	Vento
Eckstein	Johnson, D.	Miller, M.	Rice	Voss
Eken	Johnson, R.	Moe	Ryan	Wenzel
Enebo	Jopp	Mueller	St. Onge	Mr. Speaker
Esau	Jude	Munger	Salchert	
Faricy	Kahn	Nelson	Sarna	
Forsythe	Kelly	Newcome	Schreiber	

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

Savelkoul moved to amend H. F. No. 2121, the printed bill, as follows:

Page 17, strike lines 1 through 36.

Page 18, lines 1 through 3, strike the new language and insert in lieu thereof the following language: "*If your total household income is less than \$3,500 your senior citizen tax credit is equal to the amount of real estate tax paid.*".

Page 19, line 27, strike "1974" and insert in lieu thereof "1973".

Page 19, line 28, strike "1974" and insert in lieu thereof "1973".

Page 19, line 29, strike "1973" and insert in lieu thereof "1972".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Savelkoul amendment and the roll being called, there were yeas 55, and nays 76, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, J.	Anderson, I.	Berg	Boland	Brinkman
Anderson, G.	Bell	Berglin	Braun	Carlson, B.

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

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

Savelkoul moved to amend H. F. No. 2121, the printed bill, as follows:

Page 49, after line 9, add a new article to read as follows:

"ARTICLE XXIV

Section 1. Minnesota Statutes 1971, Section 33.10, Subdivision 1, is amended to read:

33.10 [TAX ON OLEOMARGARINE.] *Subdivision 1.* There is hereby imposed, levied, and assessed an inspection fee and excise tax of ten cents upon each pound of oleomargarine which: (1) is artificially colored to a shade of yellow which has a tint containing more than one and six-tenths degrees of yellow, or of yellow and red collectively, but with an excess of yellow over red, as measured in terms of the Lovibond tintometer scale, and (2) is sold, offered or exposed for sale, or given or delivered to a consumer. Such fee and tax shall be paid to the commissioner of taxation prior to any such sale, gift, or delivery, except where otherwise provided in cases where tax metering devices are used, provided that this fee and excise tax shall be reduced as follows: to eight cents per pound in 1975 to six cents per pound in 1976, to four cents per pound in 1977 to two cents per pound in 1978, and in 1979 and thereafter there shall be no tax levied or assessed under this section upon oleomargarine."

Further amend the title in line 3, after "and Sections" insert "33.10, Subdivision 1;".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Savelkoul amendment and the roll being called, there were yeas 33, and nays 98, as follows:

Those who voted in the affirmative were:

Adams, S.	Clifford	Johnson, J.	McArthur	Savelkoul
Andersen, R.	Ferderer	Johnson, R.	McFarlin	Schreiber
Belisle	Forsythe	Kempe	Newcome	Ulland
Bell	Graw	Knickerbocker	Ohnstad	Weaver
Bennett	Heinitz	Laidig	Pavlak, R. L.	Wolcott
Carlson, A.	Hook	Lindstrom, E.	Pieper	
Cleary	Jaros	Lombardi	Pleasant	

Those who voted in the negative were:

Adams, J.	Dieterich	Johnson, D.	Munger	Searle
Anderson, D.	Dirlam	Jopp	Myrah	Sherwood
Anderson, G.	Eckstein	Jude	Nelson	Sieben, H.
Anderson, I.	Eken	Kahn	Niehaus	Sieben, M.
Becklin	Enebo	Kelly	Norton	Skaar
Berg	Erdahl	Klaus	Ojala	Smith
Berglin	Erickson	Kvam	Parish	Spanish
Biersdorf	Esau	Larson	Patton	Stangeland
Boland	Faricy	LaVoy	Pavlak, R.	Stanton
Braun	Fjoslien	Lemke	Pehler	Swanson
Brinkman	Flakne	Lindstrom, J.	Peterson	Tomlinson
Carlson, B.	Fudro	Long	Prahl	Vanasek
Carlson, D.	Fugina	McCarron	Quirin	Vento
Carlson, L.	Graba	McEachern	Resner	Voss
Casserly	Growe	McMillan	Rice	Wenzel
Connors	Hagedorn	Menke	Ryan	Wigley
Culhane	Hanson	Miller, D.	St. Onge	Wohlwend
Cummiskey	Haugerud	Miller, M.	Salchert	Mr. Speaker
Dahl	Jacobs	Moe	Sarna	
DeGroat	Johnson, C.	Mueller	Schulz	

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

Savelkoul moved to amend H. F. No. 2121, the printed bill, as follows:

Page 6, line 34, strike "*food and beverage products*" and insert in lieu thereof "*any of the items exempt from taxation in 297A.25, provided the returnable container does not contain more than 15 gallons in volume or more than 100 pounds by weight in exempted item*".

A roll call was requested and properly seconded.

Kelly was excused for the remainder of today's session.

The question was taken on the adoption of the Savelkoul amendment and the roll being called, there were yeas 53, and nays 77, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, J.	Biersdorf	Casserly	Eckstein	Graba
Andersen, R.	Boland	Connors	Eken	Growe
Anderson, G.	Braun	Culhane	Enebo	Hanson
Anderson, I.	Brinkman	Cummiskey	Faricy	Haugerud
Berg	Carlson, B.	Dahl	Fudro	Jacobs
Berglin	Carlson, L.	Dieterich	Fugina	Jaros

Johnson, C.	McMillan	Parish	St. Onge	Swanson
Johnson, D.	Menke	Patton	Salchert	Tomlinson
Jude	Miller, D.	Pavlak, R.	Sarna	Vanasek
Kahn	Miller, M.	Pehler	Schulz	Vento
Kempe	Moe	Peterson	Sherwood	Voss
LaVoy	Munger	Prahl	Sieben, H.	Wenzel
Lemke	Nelson	Quirin	Sieben, M.	Mr. Speaker
Lindstrom, J.	Niehaus	Resner	Smith	
McCarron	Norton	Rice	Spanish	
McEachern	Ojala	Ryan	Stanton	

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

H. F. No. 2121, A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Chapters 272, by adding a section; 273; 275; and 290, by adding sections; and Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 124.212, Subdivision 3; 272.03, Subdivisions 1, 2 and 3, and by adding subdivisions; 272.04, Subdivision 1; 273.13, Subdivisions 6 and 7, and by adding a subdivision; 273.17, Subdivision 1; 273.41; 275.50, Subdivisions 2, 4 and 5; 275.51, Subdivisions 1, 2, 3 and 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivision 2; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 297A.25, Subdivision 1; 297.13, Subdivision 1; 340.60, Subdivision 1; 414.01, by adding a subdivision; 477A.01, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16 and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 124.28; 124.281; 124.29; 276.15; 276.16; 276.17; 276.18; 290.0607; 290.0617; 290.361, Subdivision 4; 295.38; 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6 and 7; 368.39; 368.40; 368.41; 368.42; 373.20; 373.21; 373.22; 373.23; 373.24; and 477A.01, Subdivisions 12 and 15.

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 77, and nays 53, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The bill was passed and its title agreed to.

UNANIMOUS CONSENT

Flakne requested unanimous consent to offer a motion. The request was granted.

Flakne moved that S. F. No. 384, now on General Orders, and H. F. No. 286, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Mrs. McMillan from the Committee on Crime Prevention and Corrections to which was referred:

H. F. No. 1372, A bill for an act relating to parole and probation; creating a single authority; transferring the powers and duties of the adult corrections commission and the youth conservation commission to the Minnesota corrections authority established hereby; abolishing the adult corrections commission and the youth conservation commission as now constituted; amending Minnesota Statutes 1971, Sections 242.03; 242.09; 242.10; 242.18; 242.19; 242.20; 242.21; 242.25; 242.27; 242.29; 242.32; 243.09; repealing Minnesota Statutes 1971, Sections 241.03; 241.04; 242.04; 242.05; 242.06; 242.07; 242.08; 242.11; 242.265; 242.54; 243.02; 243.03; and 243.04.

Reported the same back with the following amendments:

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

"Section 1. Subdivision 1. [CREATION.] There is hereby created the Minnesota corrections authority consisting of five full-time members; four of whom shall be appointed by the governor, with the advice and consent of the senate, from a list of at least three candidates for each position on the authority selected by an advisory committee consisting of the following persons or their designees: the attorney general, the chief justice of the state supreme court, the lieutenant governor, the ombudsman, the commissioners of public welfare, education, human

rights, and corrections, and the following persons to be appointed by the governor: one representative from a private social agency, one representative from a Minnesota institution of higher education, and two citizens from the community at large. The commissioner of corrections shall be chairman of this advisory committee. The chairman of the authority hereby created shall be an officer of the department of corrections in the unclassified service of the state appointed by the commissioner of corrections to serve at his pleasure.

Subd. 2. [QUALIFICATIONS.] Candidates for appointment to the Minnesota corrections authority shall have had formal training or experience in corrections, law enforcement, sociology, law, education, or one of the behavioral sciences, except that at least one member shall be a citizen member for whom the foregoing qualifications shall not be required. No more than three members of the authority shall be from the same political party.

Subd. 3. [TERM OF OFFICE.] The members of the authority first appointed by the governor shall be appointed to serve for the following terms: one member for two years; one member for four years; and two members for six years. Thereafter, each gubernatorial appointment shall be for six years; with members eligible for reappointment except upon good cause shown. Each term shall terminate on the first day of January; except that each member shall hold over after the expiration of his term until his successor shall have been duly appointed and qualified.

Subd. 4. [COMPENSATION; EXPENSES.] Each member of the authority other than the chairman shall receive as compensation the sum of \$24,000 per year, payable in the same manner as other employees of the state. The chairman of the authority shall receive as compensation his salary as an officer of the department of corrections, provided, however, that the commissioner of corrections shall fix such salary commensurate with the salary of the other members of the authority. In addition to the compensation herein provided, each member of the authority shall be reimbursed for all expenses paid or incurred by him in the performance of his official duties in the same manner as other employees of the state. This compensation and these expenses shall be paid out of the general fund in the same manner as the salaries and expenses of other state officers are paid, except that the salary and expenses of the chairman of the authority shall be paid out of funds appropriated to the commissioner of corrections.

Subd. 5. [VACANCY.] All appointments to a vacancy, other than in the office of chairman, shall be made by the governor in the manner provided in subdivision 1, and shall be for the unexpired term.

Subd. 6. REMOVAL.] The governor may remove any member of the authority appointed by him for good cause shown

after the submission of written charges and an opportunity to be heard.

Subd. 7. [QUORUM.] Except for the parole of persons serving life sentences under the provisions of section 609.185, persons serving extended terms of imprisonment as dangerous offenders under section 609.16, a transfer of a person in the care and custody of the authority under the provisions of section 242.27, or the discharge of such person pursuant to section 242.31, the authority may sit in units of two or three as designated by the chairman under rules prescribed by the authority, and such a unit shall constitute a quorum.

Subd. 8. [TRANSFER OF POWERS AND DUTIES.] All the powers and duties now vested in and imposed upon the youth conservation commission and the adult corrections commission as now constituted and relating to the disposition of persons committed to the youth conservation commission by the district courts of this state, the granting or revoking of probation or parole, issuing final discharge, and the power to grant or revoke parole and issue final discharge to persons convicted of crime and committed to the adult corrections commission as now constituted are hereby vested in and imposed upon the youth and adult corrections authority, and the youth conservation commission and the adult corrections commission are hereby abolished. The authority may not delegate the making of such decisions to another body or person.

Subd. 9. [REFERENCES.] All references in Minnesota Statutes to the youth conservation commission relating to persons committed to the commission by the district courts of this state shall, after the effective date of this act, be deemed to refer to the Minnesota corrections authority established by this act.

All references in Minnesota Statutes to the youth conservation commission or its director relating to juveniles adjudicated delinquent by the juvenile courts of this state shall, after the effective date of this act be deemed to refer to the commissioner of corrections.

Sec. 2. Minnesota Statutes 1971, Section 242.03, is amended to read:

242.03 [MEMBERS; QUORUM; CHAIRMAN AND DIRECTOR, DUTIES; COMPENSATION.] (THE COMMISSION SHALL CONSIST OF SIX PERSONS, INCLUDING A DEPUTY COMMISSIONER OF CORRECTION IN CONTROL OF AND SUPERVISING THE DIVISION OF YOUTH CONSERVATION, AND FIVE OTHERS, AT LEAST ONE OF WHOM SHALL BE A WOMAN, APPOINTED BY THE GOVERNOR, WITH THE CONSENT OF THE SENATE. FOUR MEMBERS SHALL CONSTITUTE A QUORUM, EXCEPT AS OTHERWISE PROVIDED IN SECTION 242.10. THE DEPUTY COMMISSIONER OF CORRECTIONS SHALL BE THE CHAIRMAN AND DIRECTOR OF THE COMMISSION. THE CHAIRMAN AND DIRECTOR, MAY, WITH THE APPROVAL OF THE COMMISSIONER OF CORRECTIONS,

DESIGNATE AN OFFICER OF THE DEPARTMENT OF CORRECTIONS AS DEPUTY CHAIRMAN TO REPRESENT HIM AS A VOTING MEMBER AT MEETINGS OF THE COMMISSION HELD FOR THE PURPOSE OF SECTION 242.10, AND TO PERFORM MINISTERIAL DUTIES AS MAY BE ASSIGNED BY THE CHAIRMAN AND DIRECTOR PURSUANT TO SECTION 242.10, SUBDIVISION 2. THE DIRECTOR) *chairman of the Minnesota corrections authority* (AS DEPUTY COMMISSIONER OF CORRECTIONS IN CONTROL OF AND SUPERVISING THE DIVISION OF YOUTH CONSERVATION) shall be responsible for the (ADMINISTRATION AND ENDORSEMENT) *development of* (SECTIONS 242.01 TO 242.51 WITH) the policy (MATTERS AND DECISIONS) pertaining to the care, treatment, and disposition of persons committed to (IT DETERMINED BY THE COMMISSION) *the authority*. (THE DEPUTY COMMISSIONER OF CORRECTIONS SHALL SERVE WITHOUT ADDITIONAL COMPENSATION. ALL OTHER MEMBERS SHALL SERVE ON A PER DIEM BASIS.)

Sec. 3. Minnesota Statutes 1971, Section 242.09, is amended to read:

242.09 [COOPERATION; OTHER AGENCIES.] The commissioner of public welfare, the commissioner of education, and the state board of health through its executive officer shall advise, cooperate with and assist the (COMMISSION) *authority and the commissioner of corrections* in carrying out the duties and responsibilities assigned to it by Minnesota Statutes, Chapter 242 and for these purposes they may attend meetings. Their facilities and services and those of other state agencies, particularly of the department of public welfare, shall be made available to the (COMMISSION) *authority and the commissioner of corrections* upon such terms as the governor may direct.

Sec. 4. Minnesota Statutes 1971, Section 242.10, is amended to read:

242.10 [POWERS; PROBATION, COMMITMENT, PAROLE.] (1) Every order granting or revoking probation, committing to an institution, granting or revoking parole, or issuing final discharge to any person under the control of the (COMMISSION) *Minnesota Corrections authority* shall be made by the (COMMISSION) *authority*. The (COMMISSION) *authority* may not delegate the making of such decisions to any other body or person. When the (COMMISSION) *authority* acts under this section, (TWO) *three* members shall constitute a quorum.

(2) All other powers conferred on the (COMMISSION) *authority* may be exercised by the (DIRECTOR) *chairman* or through his subordinates under rules established by the (COMMISSION) *authority*. Any person subjected to an order of the (DIRECTOR) *chairman* or such subordinates may petition the (COMMISSION) *authority* for review.

(3) *The commissioner of corrections may designate from among the members of his staff, one or more hearing officers*

and delegate to them the authority to grant or revoke probation, commit to an institution, grant or revoke parole, or issue final discharge to any person under the control of the commissioner pursuant to a commitment to him by a juvenile court of this state. Any person aggrieved by an order issued by such officer may appeal to the commissioner or to a review panel established by the commissioner within his department pursuant to rules issued by the commissioner.

Sec. 5. Minnesota Statutes 1971, Section 242.18, is amended to read:

242.18 [STUDY OF OFFENDER'S BACKGROUND; TREATMENT POLICY.] When a person has been committed to the (COMMISSION) authority or the commissioner of corrections, the (COMMISSION) authority or the commissioner of corrections under its rules shall forthwith (EXAMINE AND STUDY HIM) *cause him to be examined and studied*, and investigate all of the pertinent circumstances of his life and the antecedents of the crime because of which he has been committed to it, and thereupon order such treatment as it shall determine to be most conducive to the accomplishment of the purposes of Minnesota Statutes, Chapter 242. *For the study and examination of those persons committed to the authority or the commissioner of corrections who are deemed to require custodial detention for their own protection or the protection of society during the diagnostic process, the commissioner shall make available suitable space at any institution under his control for the conduct of such study and examination. Persons convicted of crimes shall not be detained in institutions for adjudicated delinquents, nor shall delinquent children be detained in institutions for persons convicted of crimes. The court and the prosecuting and police authorities and other public officials shall make available to the (COMMISSION) authority and the commissioner of corrections all pertinent data in their possession in respect to the case.*

Sec. 6. Minnesota Statutes 1971, Section 242.19, is amended to read:

242.19 [METHODS OF CONTROL.] *Subdivision 1.* When a person has been committed to the (COMMISSION) Minnesota corrections authority it may

(a) place him on probation under such supervision and conditions as it believes conducive to law abiding conduct;

(b) if he has been committed to the (COMMISSION) authority upon conviction of a felony or gross misdemeanor, order his confinement to such reformatory, state prison, jail or other place of confinement to which he might have been sentenced by the court in which he was convicted except for chapter 242. Such reformatories, state prisons, jails or other places of confinement are hereby required to accept such persons in like manner as though they had been committed by such court;

((C) IF HE HAS BEEN COMMITTED TO THE COMMISSION BY A JUVENILE COURT UPON A FINDING OF HIS DELINQUENCY, ORDER HIS CONFINEMENT TO THE STATE TRAINING SCHOOL FOR BOYS OR THE MINNESOTA HOME SCHOOL AND SUCH SCHOOLS SHALL ACCEPT SUCH PERSONS SO COMMITTED TO THEM, OR TO A GROUP FOSTER HOME UNDER THE CONTROL OF THE COMMISSIONER OF CORRECTIONS, OR TO PRIVATE SCHOOLS OR INSTITUTIONS ESTABLISHED BY LAW OR INCORPORATED UNDER THE LAWS OF THIS STATE THAT MAY CARE FOR DELINQUENT CHILDREN;)

((D)) (c) order his release on parole from confinement under such supervision and conditions as it believes conducive to law-abiding conduct;

((E)) (d) order recommitment or renewed parole as often as (COMMISSION) *authority* believes to be desirable;

((F)) (e) revoke or modify any order, except an order of discharge, as often as the (COMMISSION) *authority* believes to be desirable;

((G)) (f) discharge him from its control when it is satisfied that such discharge is consistent with the protection of the public;

((H) IF IT FINDS HIM ELIGIBLE FOR PROBATION OR PAROLE, AND IT APPEARS FROM THE COMMISSION'S INVESTIGATION THAT CONDITIONS IN THE HOME OF HIS PARENTS OR GUARDIAN ARE NOT CONDUCTIVE TO LAW ABIDING CONDUCT, REFER THE CHILD, TOGETHER WITH ITS FINDINGS, TO A COUNTY WELFARE BOARD OR A LICENSED CHILD PLACING AGENCY FOR PLACEMENT IN FOSTER CARE OR WHEN APPROPRIATE, FOR INITIATION OF DEPENDENCY OR NEGLECT PROCEEDINGS AS PROVIDED IN SECTIONS 260.011 TO 260.301. THE COMMISSION SHALL REIMBURSE COUNTY WELFARE BOARDS FOR FOSTER COSTS IT INCURS FOR SUCH CHILDREN WHILE ON PROBATION OR PAROLE TO THE EXTENT THAT FUNDS FOR THIS PURPOSE ARE MADE AVAILABLE TO THE COMMISSION BY THE LEGISLATURE.)

Subd. 2. When a child has been committed to the commissioner of corrections by a juvenile court, upon a finding of his delinquency, the commissioner may for the purposes of treatment and rehabilitation:

(a) *order his confinement to the state training school, Minnesota home school or the Minnesota metropolitan training center, and such institutions shall accept such persons so committed to them, or to a group foster home under the control of the commissioner of corrections, or to private schools or institutions established by law or incorporated under the laws of this state that may care for delinquent children;*

(b) *order his release on parole under such supervisions and conditions as the commissioner believes conducive to law-abiding conduct, treatment and rehabilitation;*

(c) *order reconfinement or renewed parole as often as the commissioner believes to be desirable;*

(d) *revoke or modify any order, except an order of discharge, as often as he believes to be desirable;*

(e) *discharge the child from his control when he is satisfied that the child has been rehabilitated and that such discharge is consistent with the protection of the public;*

(f) *if the commissioner finds that the child is eligible for probation or parole and it appears from the commissioner's investigation that conditions in the home of his parents or guardian are not conducive to the child's treatment or rehabilitation or to his law-abiding conduct, refer the child, together with his findings, to a county welfare board or a licensed child placing agency for placement in foster care or when appropriate, for initiation of dependency or neglect proceedings as provided in sections 260.011 to 260.301. The commissioner of corrections shall reimburse county welfare boards for foster costs they incur for such children while on probation or parole to the extent that funds for this purpose are made available to the commissioner by the legislature.*

Sec. 7. Minnesota Statutes, 1971, Section 242.20, is amended to read:

242.20 [TRAINING.] As a means of correcting the socially harmful tendencies of a person committed to (IT) *the authority or the commissioner of corrections*, the (COMMISSION) *authority or the commissioner* may, subject to the provisions of section 242.24, require participation by him in vocational, physical, educational and corrective training and activities and such conduct and modes of life as seem best adapted to fit him for return to full liberty without danger to the public welfare. The (COMMISSION) *commissioner of corrections* may receive money from the sale of articles (MADE) *manufactured* by a person committed to (IT) *the authority and confined in an institution under the control of the commissioner* and expend such money so received for the purchase of materials to be made into other articles for sale.

Sec. 8. Minnesota Statutes 1971, Section 242.21, is amended to read:

242.21 [COOPERATION; STATE INSTITUTIONS, LOCAL POLICE OFFICERS.] The commissioner of corrections may enter into agreement with the commissioner of public welfare, (THE ADULT CORRECTIONS COMMISSION,) with local probation officers or other public officials and with public or private agencies, schools or institutions, for custody, separate care, special treatment, *training*, or diagnostic services of persons committed to his care or subject to the control of the (COM-

MISSION) *authority*. The commissioner of corrections may pay any costs incurred by such agreements to the extent that funds for such purposes are made available to the commissioner by the legislature.

Sec. 9. Minnesota Statutes 1971, Section 242.25, is amended to read:

242.25 [RE-EXAMINATIONS, PERSONS COMMITTED.] The (DIRECTOR) *chairman of the Minnesota corrections authority and the commissioner of corrections shall make or cause to be made periodic re-examinations of all persons under control of the (COMMISSION) authority or under commitment to the commissioner of corrections for the purpose of determining whether existing orders in individual cases should be modified or continued in force. Those examinations may be made as frequently as the (COMMISSION) authority directs and shall be made with respect to every person at least once annually.*

Sec. 10. Minnesota Statutes 1971, Section 242.27, is amended to read:

242.27 [DISCHARGE.] Unless previously discharged (OR TRANSFERRED TO THE ADULT CORRECTIONS COMMISSION) under the provisions of (CHAPTER 242) *section 242.19, a person who has been committed to the (COMMISSION) Minnesota corrections authority upon conviction of a crime as provided in section 242.13 shall be discharged by the (DIRECTOR) chairman and be given his liberty on his twenty-fifth birthday, unless the (COMMISSION) authority shall determine that such discharge at that time would be dangerous to the public in which event the (COMMISSION) authority shall (TERMINATE ITS CONTROL IN THE FOLLOWING MANNER:)*

((1) IF HE BE THEN ON PROBATION UNDER THE SUPERVISION OF THE PROBATION OFFICER OF A DISTRICT COUNTY, THE FUTURE CONTROL AND DISPOSITION OF THE CASE SHALL BE IN ALL RESPECTS AS THOUGH SUCH PROBATION WERE UNDER THE ORDER OF SAID COUNTY.)

((2) IF HE BE THEN ON PROBATION, BUT NOT UNDER THE SUPERVISION OF A LOCAL PROBATION OFFICER, OR IF HE BE ON PAROLE, CONTROL OF HIM SHALL BE TRANSFERRED TO THE ADULT CORRECTIONS COMMISSION WHO SHALL THEREUPON ASSUME LIKE CONTROL OVER HIM AS THOUGH HE WERE ON PAROLE FOLLOWING SENTENCE OF A COURT OF A MAXIMUM TERM PROVIDED BY LAW FOR THE CRIME FOR WHICH HE WAS COMMITTED.)

((3) IF HE BE THEN CONFINED IN A PENAL INSTITUTION, THE CONTROL OF THE COMMISSION SHALL CEASE AND SUCH CONFINEMENT SHALL BE UPON LIKE TERMS AND CONDITIONS AS THOUGH IT HAD BEEN UNDER SENTENCE OF COURT FOR THE MAXIMUM TERM PROVIDED BY LAW FOR THE CRIME FOR

WHICH HE WAS COMMITTED.) *transfer him to adult status, whereupon such person shall continue to serve the sentence theretofore imposed upon him (1) as a probationer or parolee if transferred while on probation or parole, or (2) in confinement if transferred while confined; subject, however, to be retaken and confined in the event of violation of parole or probation, or conditionally released on parole or discharged at the discretion of the authority.*

Sec. 11. Minnesota Statutes 1971, Section 242.29, is amended to read:

242.29 [PROBATE COURT PROCEEDINGS: INSANITY, PSYCHOPATHIC PERSONALITY.] Whenever the (DIRECTOR) *chairman* is of the opinion that there are grounds for believing that a person committed to the (COMMISSION) *Minnesota corrections authority* is insane, or a psychopathic personality, as defined in Minnesota Statutes, Section 526.09, the (DIRECTOR) *chairman* may institute proceedings in the probate court of the county in which such person then resides or is confined to determine whether he is insane or a psychopathic personality. If the court shall so find, he shall be transferred by the order of the court to the Minnesota security hospital or to a state hospital for the insane at the discretion of the court, there to be kept and maintained as in the case of other insane persons. If, in the judgment of the superintendent of the asylum or hospital, his sanity is restored before the period of his commitment to the (COMMISSION) *authority* has expired, he shall be returned by the commissioner of public welfare to the (COMMISSION) *authority* for further disposition or treatment under Minnesota Statutes, Chapter 242.

Sec. 12. Minnesota Statutes 1971, Section 242.32, is amended to read:

242.32 [CONSTRUCTIVE PROGRAMS, COOPERATION, OTHER AGENCIES.] The (COMMISSION) *commissioner of corrections* shall be charged with the duty of developing constructive programs for the prevention and decrease of delinquency and crime among youth and to that end shall cooperate with existing agencies and encourage the establishment of new agencies, both local and state-wide, having as their object the prevention and decrease of delinquency and crime among youth; and the (COMMISSION) *commissioner* shall assist local authorities of any county or municipality when so requested by the governing body thereof, in planning, developing and coordinating their educational, welfare, recreational and health activities or other constructive community programs, which have as their object the conservation of youth.

Sec. 13. Minnesota Statutes 1971, Section 243.09, is amended to read:

243.09 [SUPERVISION BY COMMISSIONER; AGENTS.] *Subdivision 1.* The commissioner of corrections, as far as possible, shall exercise supervision over persons released on parole (,) or (PROBATIONERS,) *probation* (AND THESE STATE

CORRECTIONAL INSTITUTION INMATES WHO ARE GRANTED PAID WORK PLACEMENT OR VOCATIONAL TRAINING PRIVILEGES ON A VOLUNTARY BASIS BY THE ADULT CORRECTIONS COMMISSION AND THE YOUTH CONSERVATION COMMISSION) *by the authority pursuant to Minnesota Statutes, Section 242.19 or 243.05.* (AND WHEN DEEMED NECESSARY FOR THAT PURPOSE, MAY APPOINT STATE AGENTS, WHO SHALL BE IN THE CLASSIFIED SERVICE OF THE STATE CIVIL SERVICE. HE MAY ALSO APPOINT SUITABLE PERSONS IN ANY PART OF THE STATE FOR THE SAME PURPOSE. EVERY SUCH AGENT OR PERSON SHALL PERFORM SUCH DUTIES AS THE COMMISSIONER MAY PRESCRIBE IN BEHALF OF OR IN THE SUPERVISION OF PROBATIONERS AND PRISONERS PAROLED OR DISCHARGED FROM THE STATE PRISON, THE STATE REFORMATORY FOR MEN, OR THE MINNESOTA CORRECTIONAL INSTITUTION FOR WOMEN AND ANY OTHER ADULT CORRECTIONAL FACILITIES, INCLUDING ASSISTANCE IN OBTAINING EMPLOYMENT AND THE RETURN OF PAROLED PRISONERS, AND IN ADDITION THERETO SHALL, WHEN SO REQUESTED BY THE COMMISSIONER, INVESTIGATE THE CIRCUMSTANCES AND CONDITIONS OF THE DEPENDENTS OF PRISONERS OF THE STATE PENAL INSTITUTIONS, AND REPORT HIS FINDINGS AND RECOMMENDATIONS TO THE WARDEN AND SUPERINTENDENT OF THE RESPECTIVE INSTITUTIONS.)

Subd. 2. The commissioner of corrections shall exercise supervision over probationers as provided in Minnesota Statutes, Section 609.135, and over persons conditionally released pursuant to Minnesota Statutes, Section 241.26.

Subd. 3. For the purposes of subdivisions 1 and 2, and section 6 of this act, the commissioner shall appoint state agents who shall be in the classified service of the state civil service. He may also appoint suitable persons in any part of the state for the same purposes. Every such agent or person shall perform such duties as the commissioner may prescribe in behalf of or in the supervision of those persons described in subdivision 2, and in addition shall act under the orders of the authority in the supervision of those persons conditionally released as provided in subdivision 1, including providing assistance to such conditionally released persons in obtaining employment and the conduct of such investigations into the circumstances and conditions and social histories of persons subject to the control of the commissioner or the authority, and their dependents as may be directed by the commissioner or the authority.

Subd. 4. The commissioner of corrections shall provide the authority with all other personnel, supplies, equipment, office space, and other administrative services necessary and incident to the discharge of the functions of the authority.

Sec. 14. *Minnesota Statutes 1971, Sections 241.03; 241.04; 242.04; 242.05; 242.06; 242.07; 242.08; 242.11; 242.65; 242.54; 243.02; 243.03; and 243.04, are hereby repealed.*

Sec. 15. *In the next and subsequent editions of the Minnesota Statutes the revisor of statutes shall make such changes in terminology as may be necessary to record the functions, powers and duties of the Minnesota corrections authority and the commissioner of corrections as created and established by this act.*

Sec. 16. *This act shall become effective as soon as the members of the authority herein created and established are duly appointed and qualified."*

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

The report was adopted.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 211:

Stangeland, Peterson, Eken, Cummiskey, and Haugerud.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2166:

Culhane; Anderson, D.; Eckstein; Klaus; and Kahn.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2167:

Eckstein, Swanson, Fugina, Skaar, and Searle.

ADJOURNMENT

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, May 7, 1973.

EDWARD A. BURDICK, Chief Clerk, House of Representatives