

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

EIGHTY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, FEBRUARY 5, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

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

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

A quorum was present.

Lombardi, Pleasant, and Weaver were excused. Schreiber was excused until 4:00 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1562, 1564, 2589, 2638, 2822, 2865, 2890, 2936, 2978, 937, 1136, 1966, 1967, 2425, and 2688 and S. F. Nos. 1977, 2248, 1225, 2256, 2367, 2446, 2607, 2684, and 2704 have been placed in the member's files.

S. F. No. 2446 and H. F. No. 2316, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Vanasek moved that S. F. No. 2446 be substituted for H. F. No. 2316 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2248 and H. F. No. 2217, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2248, page 1, line 13, reads: "*modified and stored in the comb by honey bees, which is*"; whereas, H. F. No. 2217, page 1, line 13, reads: "*modified and stored in the comb by honey bees and is*".

S. F. No. 2248, page 1, lines 24 through 29, read in part: "*The label for a product which is not in semblance of honey and which contains honey may include the word "honey" in the name of the product and the relative position of the word "honey" in the product name, and in the list of ingredients, when required, shall be determined by its prominence as an ingredient in the product.*"; whereas, H. F. No. 2217, page 1, lines 24 through 28, read in part: "*The label for a product which is not in semblance of honey and which contains honey may include the word "honey" in the product name, and in the list of ingredients, when required, shall be determined by its prominence as an ingredient in the product.*".

SUSPENSION OF RULES

Stanton moved that the rules be so far suspended that S. F. No. 2248 be substituted for H. F. No. 2217 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received, filed in the Chief Clerk's Office, and distributed to each member: Teachers Retirement Association, Annual Report of the Board of Trustees; 1973 Minnesota Statistical Abstract, State Planning Agency; 1973 Pocket Data Book, State Planning Agency; Report on Administration of the Program to Reduce Crime in Minnesota, submitted by the Legislative Audit Commission; and 1974 Comprehensive Plan, submitted by the Governor's Commission on Crime Prevention and Control.

The following communication was received:

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

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

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
152		21	January 31	February 1
481		22	January 31	February 1
781		23	January 31	February 1
944		24	February 1	February 1
2243		25	January 31	February 1
2244		26	January 31	February 1
2246		27	January 31	February 1

Sincerely,

ARLEN I. ERDAHL
Secretary of State

REPORTS OF STANDING COMMITTEES

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

S. F. No. 1591, 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:

Page 4, after line 27, insert:

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

Re number the remaining section.

Further amend the title on page 1, line 7, after "subdivision" and before the period, add "; repealing Minnesota Statutes 1971, Section 35.82, Subdivision 1a".

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

The report was adopted.

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

H. F. No. 2950, A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3 and 4; and 462A.22, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 26, strike "*, and any rehabilitation loan*".

Page 4, line 9, strike "*mortgages*" and insert "*indebtedness secured by the property*".

Page 4, line 13, strike all language after the word "*rehabilitation*" and insert "*shall be made unless the agency determines that such loan will be used primarily for compliance with state, county or municipal building, housing maintenance, fire, health or similar codes and standard applicable to housing. In unincorporated areas and municipalities not having such codes and standards, the agency may, solely for the purpose of administering the provisions of this act, establish such codes and standards. No loan for rehabilitation of any property shall be made in an amount which, with all other debts secured by a mortgage on the same property, would exceed its market value, as determined by the agency.*".

Page 4, lines 14 and 15, strike all language.

Page 4, line 16, strike "*determined by the agency.*".

Page 4, line 18, strike the words "*public or*".

Page 4, line 25, after the word "*rehabilitating*" insert "*existing*".

Page 4, line 25, after the word "*owned*" insert "*or occupied*".

Page 4, line 27, strike the word "*includes*" and insert "*include*".

Page 5, line 10, strike "*lowest*" and insert "*lesser*".

Page 5, line 10, after "*(b)*" insert "*the actual cost of the work performed, or (c)*".

Page 5, line 14, insert a period after the word "*thereon*" and strike "*, or (c) that amount which, when added to all debts*".

Page 5, line 15, strike all language.

Page 5, line 16, strike the words "*market value.*".

Page 5, line 19, strike "*security for such repayment will be required*" and insert in lieu thereof "*shall determine the appropriate security should such repayment be required*".

Page 6, after line 20, insert:

"(c) The agency may require from the seller of such residential housing an agreement to reimburse the agency for any payments and expenditures made pursuant to this section with respect to such residential housing."

Page 8, line 3, after "*state,*" insert "*regional*".

Page 8, strike all of lines 10 through 25, and insert in lieu thereof:

"Subd. 13. It may engage in the development and administration of low rent housing, but only if (1) the federal government provides assistance in connection with such housing pursuant to 42 U.S.C. 1401-1435, and (2) the applicable county or municipal government body has requested the agency to engage in such development and administration. For the purpose of this subdivision, the terms "*development*", "*administration*", and "*low rent housing*" shall have the meanings set forth in 42 U.S.C. 1401-1435, as in effect on the date of this act."

Page 11, line 23, after the word "*purposes*" insert "*specified in section 462A.08*".

Page 12, after line 8, add a section:

"Sec. 26. This bill shall be effective the day following final enactment."

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

The report was adopted.

Mr. Salchert from the Committee on Metropolitan and Urban Affairs to which was referred:

H. F. No. 2920, A bill for an act relating to the control of shade tree disease in the metropolitan area; appropriating money therefor.

Reported the same back with the following amendments:

Page 1, line 25, strike ", and" and insert "or any special park district as organized under Minnesota Statutes, Chapter 398, or any special purpose park district organized under the city charter or".

Page 1, line 27, strike the period and insert "and any municipality located outside the metropolitan area which petitions to and has consent of the commissioner to come within the provisions of this act".

Page 2, strike lines 1 through 25 and insert the following:

"Sec. 3. [COMMISSIONER TO ADOPT RULES.] The commissioner shall adopt and from time to time may amend, rules and regulations relating to shade tree disease control in the metropolitan area in accordance with Minnesota Statutes, Sections 15.0411 to 15.0422. Such rules and regulations shall prescribe control measures to be used to prevent the spread of shade tree diseases and shall include the following: (a) a definition of shade tree, (b) qualifications for tree inspectors, (c) methods of identifying diseased shade trees, (d) measures for the treatment and removal of any shade tree which may contribute to the spread of shade tree disease, and (e) such other matters as shall be determined to be necessary by the commissioner to prevent the spread of shade tree disease and enforce the provisions of this act. Subject to the rules and regulations adopted by the commissioner, diseased shade trees shall be removed or treated by the owner of the real property on which such diseased shade trees are located within a period of time as may be established by the commissioner. Trees which are not removed

or treated shall be declared a public nuisance and removed by the municipality which shall assess the expense to the property which expense shall become a lien on the property.”.

Page 3, line 12, strike “Two or more municipalities may combine in the” and insert “In accordance with the provisions of Minnesota Statutes, Section 471.59, two or more municipalities may jointly appoint”.

Page 3, line 13, strike “appointment of”.

Page 3, line 17, strike “or”.

Page 3, line 18, strike “county until the municipality or county” and insert “until the municipality”.

Page 4, line 5, strike “with the” and insert “in cooperation with the university of Minnesota, college of agriculture, and the department of natural resources, establish and conduct a training course for tree inspectors.”.

Page 4, strike lines 6 through 8.

Page 4, line 17, after the period insert “Any person certified as a tree inspector by the commissioner is authorized to enter and inspect any public or private property which might harbor diseased shade trees.”.

Page 4, line 18, after “Subd. 4.” strike “[REMOVAL FROM OFFICE.]” and insert “[DECERTIFICATION.]”.

Page 4, line 19, strike “direct the dismissal of” and insert “decertify”.

Page 5, line 1, strike “of”.

Page 5, strike lines 2 and 3 and insert the following: “implementing this act, including removal or treatment of trees from municipally or privately owned property, shall be deemed a”.

Page 5, line 6, strike “Provided, however, no part of”.

Page 5, strike lines 7 through 9.

Page 5, line 19, strike “council” and insert “municipality”.

Page 6, line 4, strike “No ‘special levy’ may be made to”.

Page 6, strike lines 5 through 7.

Page 6, line 11, strike “commission” and insert “commissioner”.

Page 6, line 13, after "consist of" insert "not more than".

Page 6, line 17, strike "dean" and insert "director".

Page 6, line 20, after "agriculture," strike "and two members from each of" and insert "and one county representative from each metropolitan county and one municipal representative from each metropolitan county to be appointed by the commissioner".

Page 6, strike line 21.

Page 6, line 22, strike "the respective counties".

Page 6, line 25, strike "forestry" and insert "agriculture".

Page 6, line 27, strike "forestry" and insert "agriculture".

Page 7, line 11, strike "college of forestry" and insert "agriculture experiment station".

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

The report was adopted.

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

H. F. No. 1082, A bill for an act relating to counties; publicly owned and tax forfeited lands; providing payments in lieu of taxes to counties in which such lands are located; appropriating money.

Reported the same back with the following amendments:

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

"Section 1. [LEGISLATIVE FINDINGS.] The state of Minnesota is the owner of 2,932,000 acres of tax-forfeited land under the administration of the county boards of the counties wherein such land is located. This land is valuable to the state for timber, recreation, wildlife, minerals and the protection of the soil and watersheds, and benefits all the people of the state of Minnesota. No tax revenue is returned to the individual counties from this land except where the land is leased.

Sec. 2. [PAYMENT IN LIEU OF TAXES.] Subdivision 1. There is hereby appropriated from the general fund in the state treasury to the counties of this state the sum of 25 cents per acre per year based on the number of acres of tax-forfeited

land under the administration of the county boards of commissioners as of July 1 in each year which they have been classified as memorial forest under provisions of Minnesota Statutes, Section 459.06, and 15 cents per acre per year based on the number of acres of tax-forfeited land not classified as memorial forest land as of July 1 in each year under the administration of the county boards of commissioners under the provisions of Minnesota Statutes, Section 282.01. The county auditor shall certify to the state auditor after July 1 of each year the acreages of tax-forfeited land administered under Minnesota Statutes, Section 282.01 within his county. The state auditor may, in addition to either certification of acreages, require descriptive list of land so certified by the county auditor.

Subd. 2. The moneys appropriated by subdivision 1 shall be allocated by the state auditor among those counties which have tax-forfeited land under the administration of the county board of commissioners. Each county shall receive for its tax-forfeited fund 25 cents per acre for each such acre of tax-forfeited land administered under the provisions of Minnesota Statutes, Section 459.06 and for its general fund 15 cents per acre for each acre of tax-forfeited land administered under the provisions of Minnesota Statutes, Section 282.01. These allocations are to be made after December 31 of each year on which they are based, but no later than January 30 of the year following allocation.

Sec. 3. [EFFECTIVE DATE.] This act shall take effect July 1, 1974.”.

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

“A bill for an act relating to counties; tax-forfeited lands; providing payments in lieu of taxes to counties in which such lands are located; appropriating money.”.

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

The report was adopted.

Mr. Carlson, B., from the Committee on Transportation to which was referred:

H. F. No. 2655, A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; statements required for issuance of such permits to move oversize mobile homes; amending Minnesota Statutes 1971, Section 169.86, Subdivision 1, as amended.

Reported the same back with the following amendments:

Page 1, line 10, strike “1971” and insert “, 1973 Supplement”.

Page 1, line 11, strike "as amended by Laws 1973, Chapter 549, Section".

Page 1, line 12, strike "3,".

Page 2, line 4, strike "*or upon written request*".

Page 2, line 7, strike "*called*".

Further amend the title as follows:

Page 1, line 7, strike "1971" and insert ", 1973 Supplement".

Page 1, line 8, strike ", as amended".

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

The report was adopted.

Mr. Carlson, B., from the Committee on Transportation to which was referred:

H. F. No. 3001, A bill for an act authorizing the annexation of certain state owned land by the city of Breckenridge.

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

The report was adopted.

Mr. Carlson, B., from the Committee on Transportation to which was referred:

S. F. No. 1074, A bill for an act relating to highways; approaches to certain highways; furnishing of culverts; amending Minnesota Statutes 1971, Section 160.18, Subdivision 1.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2655 and 3001 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2446, 2248, 1591, and 1074 were read for the second time.

INTRODUCTION OF BILLS

Stanton and Long introduced:

H. F. No. 3139, A bill for an act relating to agriculture; requiring furnishing of certain information by first buyers of milk; providing a penalty.

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

Smith, Fugina, Searle, Wenzel, and Sieben, M., introduced:

H. F. No. 3140, A bill for an act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

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

Lombardi introduced:

H. F. No. 3141, A bill for an act relating to the claim of the police department of the village of Lino Lakes; arising from time and costs incurred in pursuing escapees of the Minnesota reception and diagnostic center in Lino Lakes; appropriating money for the payment thereof.

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

Grove introduced:

H. F. No. 3142, A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

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

Kvam; Johnson, C.; Carlson, B.; Lemke; and Mann introduced:

H. F. No. 3143, A bill for an act relating to taxation; levies for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

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

LaVoy; Johnson, R.; Fudro; Jaros; and Ulland introduced:

H. F. No. 3144, A bill for an act relating to intoxicating liquor; establishments eligible for on-sale licenses; amending Minnesota Statutes 1971, Section 340.11, Subdivision 11.

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

Johnson, R.; Johnson, C.; St. Onge; Esau; and Adams, J., introduced:

H. F. No. 3145, A bill for an act relating to food; certain frozen dairy foods; restrictions on the sale thereof; amending Minnesota Statutes 1971, Section 32.62, Subdivision 2.

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

Voss, Cleary, Braun, Niehaus, and Eken introduced:

H. F. No. 3146, A bill for an act relating to food; certain frozen dairy foods; restrictions on the sale thereof; amending Minnesota Statutes 1971, Section 32.62, Subdivision 2.

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

Quirin, Wenzel, Hanson, Graw, and Casserly introduced:

H. F. No. 3147, A bill for an act relating to commerce; real estate brokers and salesmen; licensure; trust account requirements; amending Minnesota Statutes, 1973 Supplement, Sections 82.18; 82.19, Subdivision 3; 82.24, by adding a subdivision; and 82.28.

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

Sieben, M.; Connors; and McArthur introduced:

H. F. No. 3148, A bill for an act relating to consumer protection; providing penalties for fraudulent collection practices; amending Minnesota Statutes 1971, Section 609.82.

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

Quirin; Graba; Adams, J.; Hagedorn; and Johnson, C., introduced:

H. F. No. 3149, A bill for an act relating to education; authorizing school districts to contract for transportation of school children either by sealed bids or direct negotiation; amending Minnesota Statutes 1971, Section 123.37, by adding a subdivision.

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

Brinkman; Pavlak, R. L.; Johnson, C.; McMillan; and Larson introduced:

H. F. No. 3150, A bill for an act relating to money; legal contract rate of interest; amending Minnesota Statutes 1971, Sections 334.01 and 334.03.

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

Lindstrom, J.; Anderson, I.; Dirlam; Quirin; and Newcome introduced:

H. F. No. 3151, A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects.

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

Vento, Enebo, Newcome, Quirin, and Parish introduced:

H. F. No. 3152, A bill for an act relating to the state building code; requiring the code to mandate rules for automated sprinkler or other comparable fire extinguishing systems for certain buildings.

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

Bennett and Adams, S., introduced:

H. F. No. 3153, A bill for an act relating to state government; executive council membership; providing that the lieutenant governor be an ex officio member; amending Minnesota Statutes, 1973 Supplement, Section 9.011, Subdivision 1.

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

Haugerud and Sieben, H., introduced:

H. F. No. 3154, A bill for an act relating to workmen's compensation; providing for compensation for certain suicides.

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

Biersdorf; Quirin; Miller, D.; and Searle introduced:

H. F. No. 3155, A bill for an act relating to state government; authorizing a conveyance of certain state owned lands to the city of Owatonna and specifying terms and conditions thereof.

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

Casserly, Wigley, Berglin, Quirin, and Biersdorf introduced:

H. F. No. 3156, A bill for an act relating to the municipal housing and redevelopment act; providing for the acquisition and disposal of vacant, open, undeveloped and substandard real property; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.445, Subdivisions 1 and 4; 462.466; 462.525, Subdivision 1, and by adding subdivisions; and 462.545, Subdivision 1.

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

Vento; Adams, J.; Wolcott; Cummiskey; and Ferderer introduced:

H. F. No. 3157, A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

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

Haugerud, Smith, Samuelson, and Stangeland introduced:

H. F. No. 3158, A bill for an act relating to eminent domain; relocation assistance; defining certain terms; amending Minnesota Statutes, 1973 Supplement, Sections 117.50, Subdivisions 3 and 4; and 117.52.

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

Rice, Quirin, Swanson, Samuelson, and Menke introduced:

H. F. No. 3159, A bill for an act relating to the coordination and integration of human services; prescribing powers and duties of the state planning agency; appropriating money.

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

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

H. F. No. 3160, A bill for an act relating to county courts; terms of judges in certain counties.

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

Mueller introduced:

H. F. No. 3161, A bill for an act relating to courts; apportioning the state judicial districts; adding one district judge; amending Minnesota Statutes 1971, Section 2.722.

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

Faricy introduced:

H. F. No. 3162, A bill for an act relating to labor and minimum wages; providing a penalty; amending Minnesota Statutes 1971, Chapter 177, by adding a section; amending Minnesota Statutes, 1973 Supplement, Section 177.32, by adding a subdivision; repealing Minnesota Statutes, 1973 Supplement, Section 177.28, Subdivision 4.

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

Menke, Salchert, Clifford, Voss, and Ferderer introduced:

H. F. No. 3163, A bill for an act relating to the metropolitan council; providing a framework for planning and an appeals commission; amending Minnesota Statutes 1971, Chapter 473B, by adding sections; and Section 473B.08, Subdivision 1; repealing Minnesota Statutes 1971, Section 473B.06, Subdivisions 5, 6, 7, 8 and 11.

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

Cummiskey; Carlson, B.; Salchert; LaVoy; and Bennett introduced:

H. F. No. 3164, A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

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

Johnson, D.; Ojala; Fugina; Spanish; and Prah! introduced:

H. F. No. 3165, A bill for an act relating to taxation; providing for and confirming recreational levies in certain cities and towns; amending Minnesota Statutes 1971, Chapter 471, by adding a section.

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

Carlson, B.; Norton; Mueller; Dirlam; and Brinkman introduced:

H. F. No. 3166, A bill for an act relating to motor vehicles; authorizing passenger automobiles furnished by a dealer or manufacturer without charge to delegates and guests of the 1974 Midwest Governors' Conference to operate such passenger automobile on the streets and highways between certain dates without payment of the motor vehicle registration tax.

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

Prah!, Eckstein, Eken, and Miller, D., introduced:

H. F. No. 3167, A bill for an act relating to motor vehicles; operators licenses; eliminating references to chauffeurs licenses; amending Minnesota Statutes 1971, Sections 144.805; 169.09, Subdivisions 3 and 5; 169.11; 169.95; and 171.16, Subdivision 1, as amended.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 28, A bill for an act relating to labor and employment; requiring transfer of benefit fund contributions on behalf of certain temporary employees.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Samuelson moved that the House concur in the Senate amendments to H. F. No. 28 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 28, A bill for an act relating to labor and employment; requiring transfer of benefit fund contributions on behalf of certain temporary employees.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 0, as follows:

Those who voted in the affirmative were:

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

Smith
Spanish
Stangeland

Stanton
Swanson
Tomlinson

Ulland
Vanasek
Vento

Voss
Wenzel
Wigley

Wohlwend
Wolcott
Mr. Speaker

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

Mr. Speaker:

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

S. F. No. 96, A bill for an act relating to motor vehicle insurance; providing for basic reparation insurance benefits, regardless of fault, in cases of accident; limiting the recovery of general damages in bodily injury tort claims; requiring no-fault reparation insurance; providing for the administration of a no-fault reparation system and providing penalties; providing for mandatory arbitration of certain claims; providing for the partial abrogation of tort liability; repealing Minnesota Statutes 1971, Sections 65B.01 to 65B.27; 168.054; 168.833; 170.21; 170.22; 170.23; 170.231; 170.25 to 170.58; and 171.12, Subdivision 4.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Davies, Knutson and Olson, A. G. have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Brinkman moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 96. The motion prevailed.

CALENDAR

CALL OF THE HOUSE

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

Adams, J.
Adams, S.
Andersen, R.
Anderson, D.
Anderson, G.
Anderson, I.
Becklin

Belisle
Bell
Bennett
Berg
Berglin
Biersdorf
Braun

Brinkman
Carlson, A.
Carlson, B.
Carlson, D.
Carlson, L.
Casserly
Cleary

Clifford
Connors
Culhane
Cummiskey
Dahl
DeGroat
Dieterich

Dirlam
Eckstein
Eken
Enebo
Erdahl
Erickson
Esau

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

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

H. F. No. 604, A bill for an act relating to the legislature; setting the size of the legislature after the next and subsequent apportionments; amending Minnesota Statutes 1971, Section 2.021.

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 65, and nays 65, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, D.	McMillan	Ryan
Andersen, R.	Enebo	Johnson, J.	Menke	Salchert
Belisle	Faricy	Jude	Moe	Sarna
Bell	Ferderer	Kahn	Nelson	Sieben, H.
Bennett	Forsythe	Kempe	Newcome	Sieben, M.
Berg	Fudro	Klaus	Norton	Stanton
Berglin	Fugina	Knickerbocker	Parish	Tomlinson
Carlson, A.	Growe	Knoll	Pavlak, R.	Ulland
Carlson, L.	Hanson	Kostohryz	Pehler	Vanasek
Casserly	Heinitz	Laidig	Pieper	Vento
Connors	Hook	LaVoy	Quirin	Voss
Cummiskey	Jacobs	Lindstrom, E.	Resner	Wolcott
Dahl	Jaros	McFarlin	Rice	Mr. Speaker

Those who voted in the negative were:

Adams, S.	Carlson, B.	Eken	Haugerud	Lindstrom, J.
Anderson, D.	Carlson, D.	Erdahl	Johnson, C.	Long
Anderson, G.	Cleary	Erickson	Johnson, R.	Mann
Anderson, I.	Clifford	Esau	Jopp	McArthur
Becklin	Culhane	Fjoslien	Kelly	McCarron
Biersdorf	DeGroat	Graba	Kvam	McCauley
Braun	Dirlam	Graw	Larson	McEachern
Brinkman	Eckstein	Hagedorn	Lemke	Miller, D.

Miller, M.	Ohnstad	Prahl	Searle	Stangeland
Mueller	Ojala	St. Onge	Sherwood	Swanson
Munger	Patton	Samuelson	Skaar	Wenzel
Myrah	Pavlak, R. L.	Savelkoul	Smith	Wigley
Niehaus	Peterson	Schulz	Spanish	Wohlwend

The bill was not passed.

H. F. No. 1136, A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, 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 118, and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Eckstein	Kvam	Newcome	Searle
Dirlam	Esau	Larson		

The bill was passed and its title agreed to.

H. F. No. 2425, A bill for an act relating to cities; investment of city and county funds.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Nelson was excused at 3:45 p.m.

GENERAL ORDERS

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

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

H. F. No. 937 upon which it recommended re-referral to the Committee on Commerce and Economic Development, as amended in the Committee of the Whole on Monday, February 4, 1974.

H. F. No. 1834 upon which it recommended progress until Friday, February 15, 1974, retaining its place on General Orders.

H. F. No. 1539 upon which it recommended progress retaining its place on General Orders.

H. F. No. 119 upon which it recommended progress until Thursday, February 21, 1974.

H. F. No. 1403 upon which it recommended to pass with the following amendment offered by Quirin:

The printed bill, as follows:

Line 8, after the word "*buildings*" strike all the language remaining in the line.

Lines 9 and 10, strike all the language in the lines and insert in lieu thereof the following: "*; such standards shall pertain only to fire suppression, detection and alerting devices and not the construction of the building itself and the provisions of this sentence shall expire on July 1, 1975.*"

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

MOTIONS AND RESOLUTIONS

SUSPENSION OF RULES

Moe moved that the rules be so far suspended that S. F. No. 2704 be recalled from the Committee on Governmental Operations and be given its second reading. The motion prevailed.

S. F. No. 2704 was read for the second time.

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Moe moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2704 be given its third reading and be placed upon its final passage. The motion prevailed.

Moe moved that the rules of the House be so far suspended that S. F. No. 2704 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 2704, A bill for an act relating to bureau of health personnel of the city of St. Paul; amending Laws 1973, Chapter 767, Section 3, 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 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, G.	Belisle	Berg	Braun
Adams, S.	Anderson, I.	Bell	Berglin	Brinkman
Andersen, R.	Becklin	Bennett	Biersdorf	Carlson, A.

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

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS, Continued

Samuelson moved that H. F. No. 3059 be recalled from the Committee on General Legislation and Veterans Affairs and be returned to its author. The motion prevailed.

Knickerbocker moved that the names of Knoll and McFarlin be added as authors on H. F. No. 2595. The motion prevailed.

Haugerud moved that the name of Eckstein be stricken as an author on H. F. No. 1069. The motion prevailed.

Clifford moved that the name of Eken be added as an author on H. F. No. 2942. The motion prevailed.

Lindstrom, E., moved that H. F. No. 1331 be recalled from the Committee on Rules and Legislative Administration and be given its second reading and be placed on General Orders.

A roll call was requested and properly seconded.

The question was taken on the Lindstrom, E., motion.

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

The roll being called, there were yeas 55, and nays 74, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

NOTICE OF INTENTION TO MOVE FOR RECONSIDERATION

Pursuant to Rule 47, McCarron gave notice of his intention to move for reconsideration of the vote whereby H. F. No. 604 was not passed on the Calendar today.

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., Wednesday, February 6, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

