

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

NINETY-SEVENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 5, 1974

The House convened at 2:00 p.m. and was called to order by the Speaker Pro Tempore, Mr. Norton.

Prayer was offered by the Chaplain.

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

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

A quorum was present.

Adams, S.; Cleary; Mann; Miller, D.; and Sabo were excused.

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. 3498, 2519, 2753, 2855, 2899, 2900, 2957, 2959, 3000, 3014, 3046, 3097, 3107, 3189, 3202, 3207, 3230, 3232, 3240, 3287, 3289, 3325, 3339, 3340, 3374, 3384, 3387, 3462, 3509, 3512, 3567, 2685, 2829, 2953, 3071, 3073, 3080, 3278, 3279, 3281, 3282, 3283, 3309, 3557, 3322, 3312, 3367, 3372, 3397, 3450, 3470, 3479, 3489, 3533, 3535, 3556, 1145, 2125, 2512, 3079, and 3090 and S. F. Nos. 2128, 2393, 2449, 2676, 2779, 1713, 2885, 2957, 2501, 2568, 2796, 3024, 3084, 3085, 3105, 3151, 3152, 2688, 2780, 2781, 3001, 3053, 3079, 3200, 3213, and 967 have been placed in the members' files.

S. F. No. 2688 and H. F. No. 3107, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Norton moved that S. F. No. 2688 be substituted for H. F. No. 3107 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2780 and H. F. No. 2959, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Casserly moved that S. F. No. 2780 be substituted for H. F. No. 2959 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2781 and H. F. No. 2957, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Berg moved that S. F. No. 2781 be substituted for H. F. No. 2957 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2796 and H. F. No. 2899, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Anderson, G., moved that S. F. No. 2796 be substituted for H. F. No. 2899 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3001 and H. F. No. 3207, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Norton moved that S. F. No. 3001 be substituted for H. F. No. 3207 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3053 and H. F. No. 3046, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Faricy moved that S. F. No. 3053 be substituted for H. F. No. 3046 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3084 and H. F. No. 3189, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Braun moved that S. F. No. 3084 be substituted for H. F. No. 3189 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3085 and H. F. No. 3155, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Biersdorf moved that S. F. No. 3085 be substituted for H. F. No. 3155 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3151 and H. F. No. 2903, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Hagedorn moved that S. F. No. 3151 be substituted for H. F. No. 2903 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3152 and H. F. No. 3259, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Johnson, D., moved that S. F. No. 3152 be substituted for H. F. No. 3259 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3200 and H. F. No. 3387, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Moe moved that S. F. No. 3200 be substituted for H. F. No. 3387 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2944 and H. F. No. 3050, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 2944, page 2, lines 8 and 9, contains the following language:

"Sec. 2. This act is effective the day following its final enactment."

H. F. No. 3050 does not contain this language.

SUSPENSION OF RULES

Bell moved that the rules be so far suspended that S. F. No. 2944 be substituted for H. F. No. 3050 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2857 and H. F. No. 2824, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2824, page 3, lines 8 through 10, read as follows: "*other document showing proof of his age and residence, and upon the request of any conservation officer or peace officer shall exhibit such proof.*"; whereas, S. F. No. 2857, page 1, lines 26 through 28, read: "*other document showing proof of his age and residency, and upon the request of any conservation officer or peace officer shall exhibit the proof of age to him.*".

SUSPENSION OF RULES

Miller, M., moved that the rules be so far suspended that S. F. No. 2857 be substituted for H. F. No. 2824 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2957 and H. F. No. 3081, which had been referred to the Chief Clerk for comparison, were examined and found to be identical except that S. F. No. 2957, page 1, line 33, to page 2, line 12, contains the following language:

"Sec. 2. Laws 1971, Chapter 950, Section 1, Subdivision 4, is amended to read:

Subd. 4. [PUBLIC USE FACILITIES, ACCOMMODATIONS AND SERVICES, PUBLIC OR PRIVATE OPERATION.] The county board may provide for the construction, installation, maintenance, and operation of suitable facilities, accommodations and services in the park and open space system for public use for the purposes of this act or may authorize private persons or corporations to do so. The county board shall not acquire any right, title or interest in or to real property or develop any real property pursuant to this act without the approval of the governing body of the municipality in which such property is located; *provided further that no such property situated in any other county shall be acquired without the approval by resolution of the county board thereof.*"

H. F. No. 3081 does not contain this language.

In the title, S. F. No. 2957, line 18, contains the following language: "1, Subdivisions 1 and 4."; whereas H. F. No. 3081, line 18, reads as follows: "1, Subdivision 1."

SUSPENSION OF RULES

Kostohryz moved that the rules be so far suspended that S. F. No. 2957 be substituted for H. F. No. 3081 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2627 and H. F. No. 2758, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 2758, after the enacting clause reads as follows:

"Section 1. Minnesota Statutes 1971, Section 120.10, Subdivision 1, is amended to read:

120.10 [COMPULSORY ATTENDANCE.] Subdivision 1. [AGES AND TERM.] Every child between seven and 16 years of age shall attend a public school, or a private school, for a (PERIOD OF NOT LESS THAN NINE MONTHS) *minimum term, as defined by the state board*, during any school year. No child shall be required to attend a public school more than (TEN MONTHS) *a maximum term, as defined by the state board*, during any school year.

Sec. 2. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.59] [PURPOSE.] *The purpose of Minnesota Statutes, Sections 120.59 to 120.67 is to authorize school districts to evaluate, plan and employ the use of flexible school year programs. It is anticipated that the open selection of the type of flexible school year program from a variety of alternatives will allow each district which seeks to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives shall include but not be limited to various 45-15 plans, four-quarter plans, quinmester plans, extended school year plans, flexible all-year plans, and four-day week plans.*

Sec. 3. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.60] [DEFINITION.] *"Flexible school year program" means any school district plan which utilizes school buildings and facilities during the entire year and/or which provides forms of optional scheduling of pupils and school personnel during the school year in elementary and secondary schools or residential facilities for handicapped children.*

Sec. 4. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.61] [ESTABLISHMENT OF PROGRAM.] *The school board of any district may establish and operate a flexible school year program in one or more of the schools or residential facilities for handicapped children within the district.*

Sec. 5. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.62] [DIVISION OF CHILDREN INTO GROUPS.] *The school board of any district operating a flexible school year program in one or more of the schools within the district shall divide the students of each selected school into as many groups as necessary to accommodate this program. Students of the same family shall be placed in the same group unless one or more of these students is enrolled in a special education class or unless the parent or guardian of these students requests that the students be placed in different groups. No school board shall discriminate on the basis of race, color, creed, religion, marital status, status with regard to public assistance, sex, or national origin when assigning pupils to attendance groups pursuant to this section.*

Sec. 6. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.63] [HEARING.] *Prior to implementing a flexible school year program in any school of the district, the school board shall negotiate with the teachers, principals and assistant principals and employees of the school to the extent required by the public employment labor relations act, and shall consult with the parents of pupils who would be affected by the change, and with the community at large. These procedures shall include at least three informational meetings for which the board has given adequate notice to the teachers, principals and assistant principals and employees and to the parents of pupils affected. The purpose of said meetings is to inform the public of the proposed plan and solicit public testimony on the plan.*

Sec. 7. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.64] [ASSIGNMENT OF TEACHERS.] *In school districts where a flexible school year program is implemented in fewer than all of the schools maintained by the school district, the board of the school district shall make every reasonable effort to assign qualified teachers who prefer the regular school schedule to schools of the same level retaining the regular school schedule. A full-time classroom teacher currently employed by a school district which converts to a flexible school year program shall not, without his written consent, be required to teach under*

this program more than or less than the number of days in generally the same period of the calendar year the schools of the district were maintained during the year preceding implementation of the flexible school year program. In no event shall the tenure earned in a position be less than the tenure held the year preceding the program or if the year of teaching preceding the program were the end of a period in which the next succeeding year would result in securing tenure, then no less than the tenure normally acquired in that year of teaching experience.

Any school district operating a flexible school year shall enter into a contract with individual teachers governing the entire calendar year. If individual teachers agree to teach less than the usual nine months, such teachers shall be able to achieve tenure after 350 days of teaching within three calendar years or in cities of the first class 525 days in five calendar years. All other teachers who during a period of five calendar years from their first teaching experience in the school district teach in excess of 175 days shall be entitled to a six month or more teaching position, if available and in the order of seniority, upon written demand of the school district. In the event the flexible school year program is terminated, all teachers acquiring tenure to a position of less than nine months shall be construed as having tenure to a nine months position.

Sec. 8. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.67] [POWERS AND DUTIES OF THE STATE BOARD.] Subdivision 1. *The state board of education shall:*

(1) *Promulgate rules and regulations necessary to the operation of this act;*

(2) *Cooperate with and provide supervision of flexible school year programs to determine compliance with the provisions of this act, the state board standards and qualifications, and the proposed program as submitted;*

(3) *Provide any necessary adjustments of (a) attendance and membership computations, (b) the dates and percentages of apportionment of state aids, and (c) the length of the school day and the school week.*

(4) *Consistent with the definition of "average daily membership" in section 124.17, subdivision 2, furnish the board of a district implementing a flexible school year program with a formula for computing average daily membership. This formula shall be computed so that tax levies to be made by the district, state aids to be received by the district, and any and all other formulas based upon average daily membership are not affected solely as a result of adopting this plan of instruction.*

Subd. 2. This act shall not be construed to authorize the state board to require the establishment of a flexible school year program in any district in which the school board has not voted to establish, maintain, and operate such a program.

Sec. 9. Minnesota Statutes 1971, Section 124.11, is amended to read:

124.11 [DATES OF AID PAYMENTS.] *Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, ten percent of the estimated foundation aids shall be paid to districts in each of the months from September through May based upon information available and the final distribution shall be made in the following August (, EXCEPT THAT IN THE SCHOOL YEAR 1971-1972 PAYMENTS SHALL COMMENCE IN NOVEMBER OR AS SOON THEREAFTER AS POSSIBLE WITH THE PAYMENT OF 13 PERCENT OF THE ESTIMATED FOUNDATION AIDS EACH MONTH THROUGH MAY. FINAL DISTRIBUTION SHALL BE MADE IN THE FOLLOWING AUGUST).* If any school district is unable to borrow necessary funds for the operation of its facilities during any fiscal year, due to legal borrowing restrictions or the lack of reasonable credit facilities, the state auditor and state treasurer may, upon certification of such conditions by the commissioner of administration, advance such education aids as may be required to such district, with the condition that such aids be discounted by an amount equal to 6 percent or the current yield on U.S. treasury bills on the date of such payment to a maturity approximating the date on which aids are to be paid, whichever rate is higher, pursuant to the terms of this section. The amount of such discount shall be determined by the state auditor, with the 6 percent discount or the "bid" price quoted on treasury bills of an appropriate maturity calculated after consultation with the staff of the state board of investment.

Estimated foundation aids shall be paid out on the basis of the prior year's pupil unit enrollment unless the (OCTOBER 1) *estimated current year's* enrollment is larger, in which case the (OCTOBER) *latter* enrollment shall be used. Adjustment for final pupil unit figures shall be made in the August payment of aids.

Sec. 10. Minnesota Statutes 1971, Section 124.19, Subdivision 1, is amended to read:

124.19 [REQUIREMENTS FOR AID GENERALLY.] Subdivision 1. Every district which receives special state aid shall ((1)) maintain school or provide instruction in other districts, in state college laboratory school or in the university laboratory school, at least (NINE MONTHS IN A YEAR) *a minimum term as defined by the state board.* The normal school year when school is in session shall be not less than 175 days (EFFECTIVE THE 1970-71 SCHOOL YEAR AND THEREAFTER) *or the*

equivalent. A district which holds school for that period and is otherwise qualified is entitled to special state aid as by law provided. If school is held a less period such special state aid shall be reduced in the proportion that school is held bears to 175 days effective the 1970-71 school year and thereafter, but districts maintaining less than the required minimum number of days of school in session do not lose special state aid if the circumstances causing such loss of school time below the required minimum number of days were beyond the control of the board and provided proper evidence has been submitted *and a good faith attempt made to make up time lost on account of these circumstances*; provided further, that days devoted to teachers' institutes or other meetings authorized or called by the commissioner may not be included as part of the required minimum number of days of school in session (, AND (2) EXPEND FOR TEACHERS' SALARIES NOT LESS THAN 65 PERCENT OF THE MAINTENANCE EXPENDITURES EXCLUSIVE OF TRANSPORTATION BUT WHEN SUCH EXPENDITURES EXCEED \$150 PER PUPIL UNIT IN AVERAGE DAILY ATTENDANCE, SUCH ANNUAL TEACHERS' SALARY EXPENDITURES NEED NOT EXCEED 65 PERCENT OF THE \$150 PER PUPIL UNIT IN AVERAGE DAILY ATTENDANCE EXCLUSIVE OF TRANSPORTATION. WHEN THE EXPENDITURE FOR TEACHERS' SALARIES IN A DISTRICT DOES NOT MEET THESE REQUIREMENTS, THE SPECIAL STATE AID TO THAT DISTRICT SHALL BE REDUCED IN THE PROPORTION THAT SUCH SALARIES ARE REDUCED BELOW THE REQUIREMENT).

Sec. 11. Minnesota Statutes, 1973 Supplement, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and inter-session classes of (YEAR-ROUND) *flexible school year* programs in elementary and secondary schools, and summer school instruction, in area vocational schools or teachers college laboratory schools or in the university laboratory school shall be paid at a proportionate rate for aids paid during the regular school term.

Sec. 12. Minnesota Statutes, 1973 Supplement, Section 124.222, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT SCHEDULE.] *Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program*, the state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year.

Sec. 13. Minnesota Statutes 1971, Section 126.12, is amended to read:

126.12 [LENGTH OF SCHOOL YEAR.] The school shall be (MAINTAINED) *in session for not less than (NINE MONTHS) a minimum term, as defined by the state board*, but this provision shall not apply to night schools or kindergartens. (THE SCHOOL MONTH SHALL CONSIST OF FOUR WEEKS. EVERY SATURDAY SHALL BE A SCHOOL HOLIDAY AND ALL LEGAL HOLIDAYS SHALL BE COUNTED AS PART OF THE SCHOOL WEEK.) The school board shall determine the number of school days of each school year on or before April 1 of the calendar year in which such school year commences.

Sec. 14. This act is effective on the day following final enactment.”;

whereas, S. F. No. 2627, after the enacting clause, reads:

“Section 1. Minnesota Statutes 1971, Section 120.10, Subdivision 1, is amended to read:

120.10 [COMPULSORY ATTENDANCE.] Subdivision 1. [AGES AND TERM.] Every child between seven and 16 years of age shall attend a public school, or a private school, for a (PERIOD OF NOT LESS THAN NINE MONTHS) *minimum term, as defined by the state board*, during any school year. No child shall be required to attend a public school more than (TEN MONTHS) *a maximum term, as defined by the state board*, during any school year.

Sec. 2. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.59] [PURPOSE.] *The purpose of Minnesota Statutes, Sections 120.59 to 120.67 is to authorize school districts to evaluate, plan and employ the use of flexible school year programs. It is anticipated that the open selection of the type of flexible school year operation from a variety of alternatives will allow each district which seeks to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives shall include but not be limited to various 45-15 plans, four-quarter plans, quinmester plans, extended school year plans, flexible all-year plans, and four-day week plans.*

Sec. 3. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.60] [DEFINITION.] *“Flexible school year program” means any school district plan approved by the state board of education which utilizes school buildings and facilities during the entire year and/or which provides forms of optional scheduling of pupils and school personnel during the school year in ele-*

mentary and secondary schools or residential facilities for handicapped children.

Sec. 4. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.61] [ESTABLISHMENT OF PROGRAM.] *The school board of any district, with the approval of the state board of education, may establish and operate a flexible school year program in one or more of the schools or residential facilities for handicapped children within the district.*

Sec. 5. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.62] [DIVISION OF CHILDREN INTO GROUPS.] *The school board of any district operating a flexible school year program in one or more of the schools within the district shall divide the students of each selected school into as many groups as necessary to accommodate this program. Students of the same family shall be placed in the same group unless one or more of these students is enrolled in a special education class or unless the parent or guardian of these students requests that the students be placed in different groups. No school board shall discriminate on the basis of race, color, creed, religion, marital status, status with regard to public assistance, sex, or national origin when assigning pupils to attendance groups pursuant to this section.*

Sec. 6. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.63] [HEARING.] *Prior to implementing a flexible school year program in any school of the district, the school board shall negotiate with the teachers, principals, assistant principals, supervisory personnel and employees of the school to the extent required by the public employment labor relations act, and shall consult with the parents of pupils who would be affected by the change, and with the community at large. These procedures shall include at least three informational meetings for which the board has given published notice to the teachers and employees and to the parents of pupils affected.*

Sec. 7. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.64] [ASSIGNMENT OF TEACHERS.] *Subdivision 1. In school districts where a flexible school year program is implemented in fewer than all of the schools maintained by the school district, the board of the school district shall make every reasonable effort to assign qualified teachers who prefer the regular school schedule to schools of the same level retaining the regular school schedule.*

Subd. 2. A full-time classroom teacher currently employed by a school district which converts to a flexible school year program shall not, without his written consent, be required to teach under this program (1) more or less than the number of scheduled days or their equivalent the schools of the district were maintained during the year preceding implementation of the flexible school year program; (2) in a period of the calendar year substantially different from the period in which he taught during the year preceding implementation of the flexible year program.

Subd. 3. In no event shall a teacher's continuing contract rights to a position held the year preceding implementation of a flexible school year program or teaching experience earned during a probationary period the year preceding implementation be lost or impaired upon adoption of a flexible school year program. If the year of teaching preceding implementation was the end of a probationary period, the continuing contract right to a full year's contract which normally would be acquired for the next succeeding school year shall be acquired in the year of adoption of the flexible program.

Subd. 4. Any school district operating a flexible school year program shall enter into one contract governing the entire school year with each teacher employed in a flexible program. If individual teachers contract to teach less than a period of 175 days during a school year, each 175 days of employment accrued during any five year period after the adoption of a flexible year program shall be deemed consecutive and shall constitute a full year's employment for purposes of establishing and retaining continuing contract rights to a full school year position pursuant to section 125.12, subdivisions 3 and 4, and section 125.17, subdivisions 2 and 3. A teacher who has not been discharged or advised of a refusal to renew his contract by April 1 of the year in which he will complete the requisite number of days for securing a continuing contract shall have a continuing full school year contract with the district.

Subd. 5. Continuing contract rights established pursuant to this section shall not be impaired or lost by the termination of a flexible school year program.

Sec. 8. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.65] [ESTABLISHMENT AND APPROVAL.] The state board of education shall:

(1) Establish standards and requirements for the qualification of school districts which may operate on a flexible school year basis;

(2) Establish standards and evaluation criteria for flexible school year programs;

(3) *Prepare and distribute all necessary forms for application by any school district for state authorization for a flexible school year program;*

(4) *Review the proposed flexible school year program of any qualified school district as to conformity to standards and the evaluation of appropriateness of priorities, workability of procedure and overall value;*

(5) *Approve or disapprove proposed flexible school year programs.*

Sec. 9. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.66] [POWERS AND DUTIES OF THE STATE BOARD.] *Subdivision 1. The state board of education shall:*

(1) *Promulgate rules and regulations necessary to the operation of this act;*

(2) *Cooperate with and provide supervision of flexible school year programs to determine compliance with the provisions of this act, the state board standards and qualifications, and the proposed program as submitted and approved;*

(3) *Provide any necessary adjustments of (1) attendance and membership computations and (b) the dates and percentages of apportionment of state aids.*

(4) *Consistent with the definition of "average daily membership" in section 124.17, subdivision 2, furnish the board of a district implementing a flexible school year program with a formula for computing average daily membership. This formula shall be computed so that tax levies to be made by the district, state aids to be received by the district, and any and all other formulas based upon average daily membership are not affected solely as a result of adopting this plan of instruction.*

Subd. 2. *This act shall not be construed to authorize the state board to require the establishment of a flexible school year program in any district in which the school board has not voted to establish, maintain, and operate such a program.*

Sec. 10. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.67] [TERMINATION OF PROGRAM.] *The school board of any district, with the approval of the state board of education, may terminate a flexible school year program in one or more of the schools or residential facilities for handicapped children within the district. This section shall not be construed*

to permit an exception to Minnesota Statutes, Section 120.10 or Minnesota Statutes, Section 124.19.

Sec. 11. Minnesota Statutes 1971, Section 124.11, is amended to read:

124.11 [DATES OF AID PAYMENTS.] *Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program*, ten percent of the estimated foundation aids shall be paid to districts in each of the months from September through May based upon information available and the final distribution shall be made in the following August (, EXCEPT THAT IN THE SCHOOL YEAR 1971-1972 PAYMENTS SHALL COMMENCE IN NOVEMBER OR AS SOON THEREAFTER AS POSSIBLE WITH THE PAYMENT OF 13 PERCENT OF THE ESTIMATED FOUNDATION AIDS EACH MONTH THROUGH MAY. FINAL DISTRIBUTION SHALL BE MADE IN THE FOLLOWING AUGUST). If any school district is unable to borrow necessary funds for the operation of its facilities during any fiscal year, due to legal borrowing restrictions or the lack of reasonable credit facilities, the state auditor and state treasurer may, upon certification of such conditions by the commissioner of administration, advance such education aids as may be required to such district, with the condition that such aids be discounted by an amount equal to 6 percent or the current yield on U.S. treasury bills on the date of such payment to a maturity approximating the date on which aids to be paid, whichever rate is higher, pursuant to the terms of this section. The amount of such discount shall be determined by the state auditor, with the 6 percent discount or the "bid" price quoted on treasury bills of an appropriate maturity calculated after consultation with the staff of the state board of investment.

Estimated foundation aids shall be paid out on the basis of the prior year's pupil unit enrollment unless the October 1 enrollment is larger, in which case the October enrollment shall be used. Adjustment for final pupil unit figures shall be made in the August payment of aids.

Sec. 12. Minnesota Statutes 1971, Section 124.19, Subdivision 1, is amended to read:

124.19 [REQUIREMENTS FOR AID GENERALLY.] Subdivision 1. Every district which receives special state aid shall ((1)) maintain school or provide instruction in other districts, in state college laboratory school or in the university laboratory school, at least (NINE MONTHS IN A YEAR) *a minimum term as defined by the state board*. The normal school year when school is in session shall be not less than 175 days (EFFECTIVE THE 1970-71 SCHOOL YEAR AND THEREAFTER) *or their equivalent*. A district which holds school for that period and is otherwise qualified is entitled to special state aid as by law provided.

If school is held a less period such special state aid shall be reduced in the proportion that school is held bears to 175 days effective the 1970-71 school year and thereafter, but districts maintaining less than the required minimum number of days of school in session do not lose special state aid if the circumstances causing such loss of school time below the required minimum number of days were beyond the control of the board and provided proper evidence has been submitted *and a good faith attempt made to make up time lost on account of these circumstances*; provided further, that days devoted to teachers' institutes or other meetings authorized or called by the commissioner may not be included as part of the required minimum number of days of school in session(, AND (2) EXPEND FOR TEACHERS' SALARIES NOT LESS THAN 65 PERCENT OF THE MAINTENANCE EXPENDITURES EXCLUSIVE OF TRANSPORTATION BUT WHEN SUCH EXPENDITURES EXCEED \$150 PER PUPIL UNIT IN AVERAGE DAILY ATTENDANCE, SUCH ANNUAL TEACHERS' SALARY EXPENDITURES NEED NOT EXCEED 65 PERCENT OF THE \$150 PER PUPIL UNIT IN AVERAGE DAILY ATTENDANCE EXCLUSIVE OF TRANSPORTATION. WHEN THE EXPENDITURE FOR TEACHERS' SALARIES IN A DISTRICT DOES NOT MEET THESE REQUIREMENTS, THE SPECIAL STATE AID TO THAT DISTRICT SHALL BE REDUCED IN THE PROPORTION THAT SUCH SALARIES ARE REDUCED BELOW THE REQUIREMENT).

Sec. 13. Minnesota Statutes, 1973 Supplement, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and inter-session classes of (YEAR-ROUND) *flexible school year* programs in elementary and secondary schools, and summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school shall be paid at a proportionate rate for aids paid during the regular school term.

Sec. 14. Minnesota Statutes, 1973 Supplement, Section 124.222, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT SCHEDULE.] *Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, the state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year.*

Sec. 15. Minnesota Statutes 1971, Section 126.12, is amended to read:

126.12 [LENGTH OF SCHOOL YEAR.] The school shall be (MAINTAINED) *in session* for not less than (NINE MONTHS) *a minimum term, as defined by the state board*, but this provision shall not apply to night schools or kindergartens. (THE SCHOOL MONTH SHALL CONSIST OF FOUR WEEKS.) Every Saturday shall be a school holiday (AND ALL LEGAL HOLIDAYS SHALL BE COUNTED AS PART OF THE SCHOOL WEEK). The school board shall determine the number of school days of each school year on or before April 1 of the calendar year in which such school year commences.

Sec. 16. This act is effective on the day following final enactment.”

The title of H. F. No. 2758 reads as follows:

“A bill for an act relating to education; authorizing school districts to adopt a flexible school year program under certain conditions; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 1; 124.11; 124.19, Subdivision 1; 126.12; Chapter 120, by adding sections; and amending Minnesota Statutes, 1973 Supplement, Sections 124.20; and 124.222, Subdivision 3.”;

whereas the title of S. F. No. 2627, reads:

“A bill for an act relating to education; authorizing school districts to adopt a flexible school year program under certain conditions; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 1; 124.11; 124.19, Subdivision 1; 126.12; Chapter 120, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 124.20; and 124.222, Subdivision 3.”.

SUSPENSION OF RULES

Graba moved that the rules be so far suspended that S. F. No. 2627 be substituted for H. F. No. 2758 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

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

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>
	2862	79	March 1	March 1
	2150	80	March 1	March 1

Sincerely,

ARLEN I. ERDAHL
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 3383, A bill for an act relating to veterans' preference rights for employment by the city of Duluth; repealing Laws 1957, Chapter 741.

Reported the same back with the following amendments:

Page 1, line 13, after the word "rating" add ", except that a disabled veteran shall have ten points added to his examination rating".

Page 2, line 14, after the words "Section 197.45" add ", and the term 'disabled veteran' shall have the meaning ascribed to it by Minnesota Statutes, Section 43.30; however, a disabled veteran must have a disability rating of ten percent or greater to be considered a disabled veteran for the purposes of this act".

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

The report was adopted.

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

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.

Reported the same back with the following amendments:

Page 4, after line 7, add the following:

"Sec. 5. This act shall be effective the day following final enactment."

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

The report was adopted.

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

H. F. No. 1827, A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.13, Subdivisions 1 and 5; and 56.15, Subdivision 1.

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 56.01, is amended to read:

56.01 [NECESSITY OF LICENSE.] No person, copartnership, association, or corporation shall engage in the business of making loans of money, credit, goods, or things in action, in the amount or of the value of (\$900) \$1,500 or less, and charge, contract for, or receive on any such loan a greater rate of interest, discount, or consideration therefor than the lender would be permitted by law to charge if he were not a licensee hereunder, except as authorized by this chapter and without first obtaining a license from the commissioner of banks, hereinafter called the commissioner. The word "person", as used in this chapter, includes individuals, copartnership, associations, and corporations, unless the context requires a different meaning.

Sec. 2. Minnesota Statutes 1971, Section 56.12, is amended to read:

56.12 [ADVERTISING; TAKING OF SECURITY; PLACE OF BUSINESS.] No licensee or other person shall advertise, print, display, publish, distribute, or broadcast, or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action, in the amount or of the value of (\$900) \$1,500 or less, at a greater rate of charge than lenders not licensed hereunder would be permitted by law to make, which is false, misleading, or deceptive. The commissioner

may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

The commissioner may require that rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers.

No licensee shall take a lien upon real estate as security for any loan made under this chapter, except such lien as is created by law upon the recording of a judgment.

No licensee shall conduct the business of making loans under this chapter within any office, room, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized, in writing, by the commissioner upon his finding that the character of the other business is such that the granting of such authority would not facilitate evasions of this chapter or of the rules and regulations lawfully made hereunder.

No licensee shall transact the business or make any loan provided for by this chapter under any other name or at any other place of business than that named in the license. No licensee shall take any confession of judgment or any power of attorney. No licensee shall take any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of charge, nor any instrument in which blanks are left to be filled in after execution.

Sec. 3. Minnesota Statutes 1971, Section 56.13, Subdivision 1, is amended to read:

56.13 [LIMITATION OF LOANS; INTEREST; INVESTIGATION CHARGE.] Subdivision 1. Every licensee hereunder may lend any sum of money not to exceed (\$900) *\$1,500* in amount, and may contract for and receive thereon a charge at a rate not exceeding two and three-quarters percent per month on that part of the unpaid principal balance of any loan not exceeding \$300; one and one-half percent per month on that part of the unpaid principal balance of any loan in excess of \$300 but not exceeding \$600; one and one-quarter percent per month on any remainder of such unpaid principal balance; provided (, HOWEVER, THAT) *in addition the licensee may collect from the proceeds of any loan an investigation charge of \$1 for each \$50, or fraction thereof, of the principal amount loaned, for expenses including any examination or investigation of the character and circumstances of the borrower, co-maker or security, and drawing and taking the acknowledgment of necessary papers, filing fees, or other expenses incurred in making the loan; provided, that no such charge shall be made on that portion of a loan in excess of \$1,000, and no such charge shall be collected unless a loan shall have been made. The full amount of the in-*

vestigation charge authorized by this subdivision shall be fully earned by the time a loan is made without regard to the expenses incurred and shall not be deemed interest; provided, however, if a loan for which an investigation charge was made is renewed within 12 months from the date of the loan, then 1/12 of such investigation charge shall be deemed earned for each month or portion thereof from the date of the loan to the date of renewal, and the balance thereof shall be refunded to the borrower. A loan shall be deemed to be renewed at the time the loan is paid in full if any part of such payment is made out of the proceeds of another loan from the same or affiliated lender. Not more than six months of accrued charges on the unpaid principal balance shall be included in any judgement entered on any loan made hereunder.

Sec. 4. Minnesota Statutes 1971, Section 56.13, Subdivision 3, is amended to read:

Subd. 3. No charges on loans made under this chapter, *except for investigation charges allowed in subdivision 1 of this section*, shall be paid or received in advance, or deducted or discounted from the principal of the loan. *Interest* charges on loans made under this chapter, except as otherwise provided in subdivision 4 of this section, (1) shall be computed and paid only as a percentage per month of the unpaid principal balances or portions thereof, (2) shall be so expressed in every obligation signed by the borrower, and (3) shall not be compounded; provided that, if part or all of the consideration for a loan contract is the unpaid principal balance of a prior loan, then the principal amount payable under such loan contract may include any unpaid charges on the prior loan which have accrued within two months before the making of such loan contract. For the purpose of computations a month shall be considered a calendar month and where a fraction of a month is involved a day shall be considered one-thirtieth of a month.

Sec. 5. Minnesota Statutes 1971, Section 56.15, Subdivision 1, is amended to read:

56.15 [LIMITATION ON AMOUNT AND INSURANCE.] Subdivision 1. No licensee shall, directly or indirectly, charge, contract for, or receive any interest, discount, or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use or forbearance of money, goods, or things in action, or upon the loan, use or sale of credit, of the amount or value of more than (\$900) \$1,500. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or otherwise, to owe, directly or contingently, or both, to the licensee at any time a sum of more than (\$900) \$1,500 for principal.

Sec. 6. Minnesota Statutes 1971, Section 56.16, is amended to read:

56.16 [OVERAGES DEEMED INTEREST.] The payment of (\$900) \$1,500 or less in money, credit, goods, or things in action, as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions, or other compensation for services, whether earned or to be earned, shall, for the purposes of regulation under this chapter, be deemed a loan secured by the assignment, and the amount by which the assigned compensation exceeds the amount of the consideration actually paid shall, for the purposes of regulation under this chapter, be deemed interest or charges upon the loan from the date of the payment to the date the compensation is payable. This transaction shall be governed by, and subject to, the provisions of this chapter.

Sec. 7. Minnesota Statutes 1971, Section 56.18, is amended to read:

56.18 [UNLICENSED PERSONS NOT TO MAKE LOANS.] No person, except as authorized in this chapter, shall directly or indirectly, charge, contract for, or receive any interest, discount, or consideration greater than the lender would be permitted by law to charge if he were not a licensee hereunder upon the loan, use, or forbearance of money, goods, or things in action, or upon the loan, use, or sale of credit of the amount or value of (\$900) \$1,500 or less.

The foregoing prohibition shall apply to any person who, by any device, subterfuge, or pretense, shall charge, contract for, or receive greater interest, consideration, or charges than is authorized by this chapter for any such loan, use or forbearance of money, goods, or things in action, or for any such loan, use or sale of credit.

No loan of the amount or value of (\$900) \$1,500 or less for which a greater rate of interest, consideration, or charges than is permitted by this chapter has been charged, contracted for, or received, wherever made, shall be enforced in this state, and every person in anywise participating therein in this state shall be subject to the provisions of this chapter, provided, that the foregoing shall not apply to loans legally made in any state which then has in effect a regulatory small loan law similar in principle to this chapter.

Sec. 8. This act is effective July 1, 1974."

Further, amend the title on page 1, line 5, by striking "56.13," and insert in lieu thereof "56.01; 56.12; 56.13, Subdivisions 1 and 3; 56.15, Subdivision 1; 56.16 and 56.18.". Strike lines 6 and 7.

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

The report was adopted.

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

H. F. No. 2847, A bill for an act relating to nonprofit health service plans; coverage for surgery in certain instances; amending Minnesota Statutes 1971, Section 62C.14, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 14, after "facility" insert "*primarily used for performing surgery*".

Page 1, after line 14, add new sections to read:

"Sec. 2. Minnesota Statutes 1971, Chapter 62A, is amended by adding a section to read:

[62A.0421] [OUTPATIENT SURGERY.] *Each individual or group policy of accident and health insurance issued or renewed after the effective date of this act which includes coverage for surgical expense shall not exclude coverage for payment of the costs of surgery performed in a free-standing ambulatory facility primarily used for performing surgery on an outpatient basis.*

Sec. 3. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.941] [OUTPATIENT SURGERY CENTERS.] *The board is authorized to adopt and enforce such reasonable regulations and standards as it deems necessary to protect the health and safety of persons undergoing surgery in a free-standing ambulatory facility primarily used for performing surgery on an outpatient basis. Such regulations and standards may include, but need not be limited to:*

(1) *The types of surgery which may be performed in the facilities;*

(2) *The minimum types of equipment, including emergency equipment, which the facilities must maintain; and*

(3) *The minimum staffing patterns for the facilities.*

Sec. 4. Minnesota Statutes 1971, Section 145.72, Subdivision 2, is amended to read:

Subd. 2. "Health care facility" means any hospital licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56; any nursing home licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56, or Minnesota Statutes 1969,

Section 144.583; (OR) any boarding care home licensed as such under Minnesota Statutes 1969, Sections 144.50 to 144.56 (.); or any free-standing ambulatory facility primarily used for performing surgery on an outpatient basis.”.

Renumber the remaining section accordingly.

Further amend the title as follows:

Page 1, line 2, strike “nonprofit health service” and insert “free-standing ambulatory surgery facilities;”.

Page 1, line 3, strike “plans;”.

Page 1, line 5, after “1971,” insert “Chapter 62A, by adding a section;”.

Page 1, line 6, after “subdivision” insert “; Chapter 144, by adding a section; and Section 145.72, Subdivision 2”.

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

The report was adopted.

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

H. F. No. 3434, A bill for an act relating to insurance; governmental units; requiring that contracts for employee group insurance be let on competitive bidding; providing for the disclosure of the particulars of such policies of insurance; amending Minnesota Statutes, 1973 Supplement, Section 471.616.

Reported the same back with the following amendments:

Page 1, line 12, before “is” insert “Subdivision 1.”.

Page 1, line 15, strike “the state of Minnesota.”.

Page 1, line 25, restore the stricken “. The aggregate value of benefits provided by a”.

Page 1, line 26, restore the stricken language.

Page 1, line 27, restore the stricken “than those provided by the preexisting contract”.

Page 1, line 27, strike “The”.

Page 1, strike lines 28 and 29.

Page 2, line 12, after "*been*" and before "*bid*" insert "*most recently*".

Page 2, line 16, strike "*listing*" and insert in lieu thereof "*report totaled*".

Page 2, line 26, strike "*also*" and insert in lieu thereof "*make an effort to*".

Page 4 strike lines 19 to 28.

Page 5 strike lines 1 and 2.

Further amend the title in line 9 by adding ", Subdivision 1" before the period.

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. 2454, A bill for an act relating to the fire department relief association of the village of Falcon Heights; providing certain benefits for volunteer firemen and their survivors; amending Laws 1969, Chapter 526, Sections 5; 6; and 7; and by adding a section; repealing Laws 1969, Chapter 526, Section 2.

Reported the same back with the following amendments:

Page 1, line 22, strike "\$1,000" and insert "\$600".

Page 1, line 24, after "*increase*" insert "*resulting in a benefit*".

Page 1, line 25, strike "*an*".

Page 1, line 26, strike the entire line and insert in lieu thereof "*such an ordinance providing for an increase*".

Page 1, line 27, strike "*by an actuarial survey;*" and insert in lieu thereof "*and no ordinance shall be considered by the village council unless the request is supported by an actuarial survey showing the fiscal effects of the proposed increase;*".

Page 2, strike lines 14 to 22.

Page 3, line 5, strike "*Section 2, is*" and insert "*Sections 2 and 6, are*".

Renumber sections accordingly.

Further, amend the title in line 7 by striking "6;" and in line 9 by striking "Section 2." and inserting in lieu thereof "Sections 2 and 6."

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

The report was adopted.

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

H. F. No. 2608, A bill for an act relating to cable communications; defining terms; conditions for certificate of confirmation; amending Laws 1973, Chapter 568, Sections 2, by adding a subdivision; and 9, Subdivision 4.

Reported the same back with the following amendments:

Page 1, after line 16, insert:

"Sec. 2. Laws 1973, Chapter 568, Section 4, Subdivision 9, is amended to read:

Subd. 9. The commission shall be established within three months of the effective date of this act. The commission shall adopt the regulations required by this act necessary for franchising and certification (**WITHIN ONE YEAR AFTER IT IS ESTABLISHED**) *no later than April 1, 1975.*

Sec. 3. Laws 1973, Chapter 568, Section 5, Subdivision 2, is amended to read:

Subd. 2. The commission shall, to the extent permitted by, and not contrary to, applicable federal and state law, rules and regulations;

(a) prescribe procedures and practices which municipalities shall follow in granting franchises, including those providing for issuance of a public invitation to compete for the franchise, said invitation containing the outlines for the municipality's cable system and the desired services, as well as the criteria and priorities which shall be applied;

(b) prescribe minimum standards for inclusion in franchises, including maximum initial, renegotiation and renewal

periods (,); (A REQUIREMENT THAT NO SUCH FRANCHISE MAY BE EXCLUSIVE,) length of residential subscriber contracts (, AND MUNICIPAL PURCHASE); *provisions for municipal purchase; and a requirement that no such franchise may be exclusive.* (;) Taking into account the size of the cable communications system, the commission shall also prescribe minimum standards *for performance bond requirements; for channel capacity (,); for two-way capability; for access to, and facilities to make use of, channels for education, government, (AND PUBLIC ACCESS,) the general public; (TWO-WAY CAPABILITY, PERFORMANCE BONDS,)* and *for construction and operation of the cable communications system;*

(c) prescribe a list of items for inclusion in franchises;

(d) prescribe standards for: franchises awarded in the twin cities metropolitan area which designate a uniform regional channel reserved for public use; the interconnection of all cable systems within this area; and the designation of a single entity to schedule programs and facilitate use of this channel.

Sec. 4. Laws 1973, Chapter 568, Section 5, Subdivision 3, is amended to read:

Subd. 3. The commission shall provide advice and (TECHNICAL) assistance to the cable communications industry (,); federal, state and local governments (,); members of the citizenry (WITHOUT COMMERCIAL CABLE INTERESTS,) *not commercially involved in cable communications activities;* community organizations (,); and other private and public agencies interested in matters relating to cable communications (, FRANCHISES) and services.

Sec. 5. Laws 1973, Chapter 568, Section 5, Subdivision 6, is amended to read:

Subd. 6. The commission shall adopt, after consulting with *either* the metropolitan council (AND) *or* regional development commissions of the state *as appropriate*, a set of minimum standards for the (SIZE) *establishment* of cable territories within which a franchise may be awarded, and procedures to be followed for alteration of cable services territory boundaries, by municipalities in the twin cities metropolitan area as designated in Minnesota Statutes 1971, Section 473B.01, and other designated standard metropolitan statistical areas.

Sec. 6. Laws 1973, Chapter 568, Section 5, Subdivision 7, is amended to read:

Subd. 7. The commission shall approve, modify or reject boundaries for specific territories *upon receipt of proposals from* (PROPOSED BY) municipalities or cable communications

operator applicants, after consultation with the metropolitan council or the affected regional planning commission.

Sec. 7. Laws 1973, Chapter 568, Section 6, is amended by adding a subdivision to read:

Subd. 3. The commission may subpoena witnesses, administer oaths, take testimony, and require the production of such books, records, papers, or documents as are material in a contested case and designated in the subpoena. The commission may authorize hearing officers to exercise the authority conferred by this subdivision. Disobedience of a subpoena issued by the commission or a hearing officer pursuant to this subdivision shall be punishable in like manner as a contempt of the district court in proceedings instituted upon application of the commission or a hearing officer made to the district court or Ramsey county or the county in which the person who was subpoenaed resides or has his principal place of business.

Sec. 8. Laws 1973, Chapter 568, Section 6, is amended by adding a subdivision to read:

Subd. 4. The commission may by rule prescribe a schedule of filing fees for matters heard by it pursuant to Laws 1973, Chapter 568, Section 14, provided the amount of the fee charged may not exceed the fee charged by the district court for hearings on a similar matter."

Page 1, after line 29, insert the following:

"Sec. 10. Laws 1973, Chapter 568, Section 13, is amended to read:

Sec. 13. The commission shall within two years from (THE EFFECTIVE DATE OF THIS ACT) *May 24, 1973*, adopt (COMPLETE AND DETAILED) *appropriate* rules specifying necessary regulations for contractual agreements between cable communications operators and any public utilities with respect to use of poles, ducts, conduits, and other appurtenances related to the cable communications transmission lines.

Sec. 11. This act shall take effect on the day following final enactment."

Renumber the sections in sequence.

Further amend the title as follows:

Page 1, strike all of lines 3, 4, 5, 6, and 7 and insert in lieu thereof: "amending Laws 1973, Chapter 568, Sections 2, by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivisions; 9, Subdivisions 4 and 13."

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. 2990, A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

Reported the same back with the following amendments:

Page 2, line 8, after "*personnel*" insert "*certified as being*".

Page 2, line 9, after "*supervision*" insert "*of inmates*".

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. 3310, A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 9, and 10; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

Reported the same back with the following amendments:

Page 5, after line 1, add a new Section 8 as follows:

"Sec. 8. Minnesota Statutes, 1973 Supplement, Section 490.124, Subdivision 8, is amended to read:

Subd. 8. [EXCLUSIVE NORMAL RETIREMENT BENEFITS.] Any judge who retires after December 31, 1973, shall be entitled to a retirement pension, retirement compensation or other retirement payment under statutes applicable solely to judges pursuant to this section only, except that any such judge in office prior to January 1, 1974, who retires at or after normal retirement age may then elect to receive during his lifetime a normal retirement annuity computed on the basis of retirement compensation provided for such judge under statutes in effect on December 31, 1973, in lieu of the amount of normal retirement annuity otherwise computed under sections 490.121 to 490.132, *except that the provisions of section 490.12, subdivision 5, shall not apply.*"

Renumber sections in sequence.

Further, amend the title as follows: page 1, line 7, after "6," insert "8,".

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

The report was adopted.

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

H. F. No. 3368, A bill for an act relating to veterans; rewards and privileges; preference; removal; requiring a veteran to request in writing a hearing on removal; amending Minnesota Statutes 1971, Section 197.46.

Reported the same back with the following amendments:

Page 1, line 22, after "*within*" strike "*ten*" and insert "*sixty*".

Page 1, line 22, after "*after*" strike "*being removed*" and insert "*service of notice of discharge*".

Page 1, line 23, after "*employment.*" insert "*Such notice of discharge shall also inform the veteran of his right to a hearing on said discharge in accordance with this chapter.*".

Page 1, line 24, after "*within*" strike "*ten*" and insert "*sixty*".

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. 3398, A bill for an act relating to retirement; authorizing, under specified conditions and circumstances, a participant in the Minnesota unclassified employees retirement program to withdraw employer and employee contributions therefrom and transfer such contributions to the highway patrolmen's retirement fund.

Reported the same back with the following amendments:

Page 1, line 16, strike "contribution" and insert "shares".

Page 1, line 18, strike "contributions" and insert "shares".

Page 1, line 21, strike "contributions" and insert "shares".

Page 1, line 22, after "1974," insert "and the member has paid into the fund established by Minnesota Statutes, 1973 Supplement, Section 352B.06, an additional sum equal to 4% of his salary upon which deductions had been taken and used to purchase the shares transferred,".

Page 1, line 27, after "352B.06." add "The employer shares so transferred shall not be credited to the employee's account.".

Further amend the title on page 1, line 7, by striking "contributions" and inserting "shares".

Page 1, line 8, by striking "contributions" and inserting "shares".

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

The report was adopted.

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

H. F. No. 3436, A bill for an act relating to the state building code; adopting the uniform fire code.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [UNIFORM FIRE CODE; ADOPTION.] Subdivision 1. The commissioner of public safety through the division of fire marshal may promulgate a uniform fire code and make amendments thereto in accordance with the administrative procedure act, Minnesota Statutes, Chapter 15.

Subd. 2. (a) Unless otherwise specifically listed, wherever in the text of the uniform code reference is made to a national fire protection association pamphlet, the date of issue of that pamphlet shall be the one listed in the 1972-1973 edition of the national fire codes, as promulgated by the national fire protection association.

(b) Wherever in the text of the uniform fire code reference is made to the electrical code, it shall be the national electrical code, 1971 edition.

Subd. 3. The commissioner shall adopt rules and regulations, in accordance with Minnesota Statutes, Chapter 15, as may be

necessary to administer and enforce the code, specifically including but not limited to rules and regulations for inspection of buildings and other structures covered by the code and conforming the code to the governmental organization of Minnesota state agencies, political subdivisions and local governments.

Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following its enactment.”.

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. 3438, A bill for an act relating to licensing and registration of architects, professional engineers and land surveyors; amending Minnesota Statutes 1971, Sections 326.09; 326.10, Subdivisions 1, 2, 4, 5, and 7; 326.11, Subdivisions 2 and 4; 326.13; and 326.14.

Reported the same back with the following amendments:

Page 3, line 17, after “*thereto*” insert “, *however, in the case of a highly qualified nongraduate, the board may waive the requirement for the degree*”.

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

The report was adopted.

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

H. F. No. 3543, A bill for an act relating to hospitals, nursing homes and related medical facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

“Section 1. If the city of Cannon Falls enters into a lease of facilities of the type designated in Minnesota Statutes, Section 447.45, requiring the lessee to pay a net rental not less than the amount required to pay the principal and interest when due on all revenue bonds issued for the acquisition and betterment of

the leased facilities and to maintain the agreed bond reserve, it may authorize the lessee to construct the facilities in the manner authorized by Minnesota Statutes, Section 474.03. The city of Cannon Falls may acquire existing facilities constructed in this manner, for lease to the person, firm, association or corporation from which they are acquired.

Sec. 2. This act is effective upon its approval by the city council of Cannon Falls, and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

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

"A bill for an act relating to the city of Cannon Falls; construction and lease of hospitals; nursing homes, and related medical facilities."

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

The report was adopted.

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

H. F. No. 3544, A bill for an act relating to registered nurses; defining the practice of professional nursing; amending Minnesota Statutes 1971, Section 148.171.

Reported the same back with the following amendments:

Page 1, line 24, strike "*assessing*" and insert "*providing a nursing assessment of*".

Page 1, line 25, after "*providing*" insert "*nursing*".

Page 1, line 27, after "*of*" insert "*nursing*".

Page 2, line 3, strike "*, and*" and insert "*which*".

Page 2, line 3, strike "*autonomously or*".

Page 2, line 6, after "*personnel*," insert "*Independent nursing functions may also be performed autonomously*".

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

The report was adopted.

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

H. F. No. 3028, A bill for an act relating to state lands; directing conveyance of a certain parcel of land in Otter Tail county.

Reported the same back with the following amendments:

Page 1, line 23, after "surveyed" insert "if necessary".

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

The report was adopted.

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

H. F. No. 3030, A bill for an act relating to public health; requiring employees of school districts, private and parochial schools, day care centers and nursery schools to show freedom from tuberculosis; amending Minnesota Statutes 1971, Section 123.69.

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

The report was adopted.

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

H. F. No. 3064, A bill for an act relating to the counties of Carver and Scott; authorizing each county to designate a human services board.

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

The report was adopted.

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

H. F. No. 3102, A bill for an act relating to pharmacy; legend drugs; restrictions on the prescription and possession of legend drugs; amending Minnesota Statutes 1971, Section 151.37, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, after line 14, insert a new section 2 as follows:

"Sec. 2. Minnesota Statutes 1971, Section 152.12, is amended by adding a subdivision to read:

Subd. 5. [POSSESSION BY REGISTERED ANALYTICAL LABORATORY.] Nothing in this chapter shall prohibit an analytical laboratory from conducting an anonymous analysis service when such laboratory is registered by the federal drug enforcement administration, nor prohibit the possession of a controlled substance by an employee or agent of such analytical laboratory while acting in the course of his or her employment."

Renumber Sec. 2 as Sec. 3.

Amend the title in line 4, after "drugs"; and before "amending" insert "relating to controlled substances; providing restrictions on the possession of controlled substances".

Further, amend the title in line 6 after "subdivision" and before the period insert "and Section 152.12, by adding a subdivision".

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

The report was adopted.

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

H. F. No. 3133, A bill for an act relating to public health; establishment of community residential facilities for mentally retarded and cerebral palsied persons; authorizing counties and cities to issue bonds and lease facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section; and amending Section 447.45.

Reported the same back with the following amendments:

Page 2, line 1, after the word "such" and before "grant" insert "monies or".

Page 2, line 2, strike "funds" and insert "such monies".

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

The report was adopted.

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

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.

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

H. F. No. 3285, A bill for an act relating to the Gillette hospital authority; appropriating money for construction of hospital facilities.

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

H. F. No. 3405, A bill for an act relating to the administration of public welfare; amending Minnesota Statutes, 1973 Supplement, Sections 245A.01, Subdivision 1; 245A.05, Subdivision 1; and 245A.18, Subdivision 2.

Reported the same back with the following amendments:

Page 2, line 3, after "The" insert "*minimum*".

Page 3, line 22, strike the word "a" and insert the following: "*placed in a county as a result of a treatment plan for health, rehabilitation, child care or training, or a correctional program*".

Page 3, strike line 23.

Page 3, line 24, strike "*Minnesota Statutes, Section 257.081, Subdivision 4,*".

Page 4, strike line 2 and insert the following:

"Sec. 4. Laws 1973, Chapter 650, Article XXI, Section 32, is amended to read:

Sec. 32. There is hereby appropriated to the commissioner of public welfare, for the biennium ending June 30, 1975, the sum of \$10,700,000 for the purpose of state aid for general assistance; *provided that these funds shall be prorated to the counties if this appropriation is not sufficient to pay 50 percent of the cost according to Minnesota Statutes, 1973 Supplement, Section 245A.03, Subdivision 2. No county may reduce its grants to recipients as a result of/or anticipation of the proration of state funds.*

Sec. 5. This act is effective the day following final enactment; provided, however, that payments shall be made retroactive to January 1, 1974."

Further amend the title as follows:

Page 1, line 6, strike "and".

Page 1, line 6, after "2" insert "and Laws 1973, Chapter 650, Article XXI, Section 32".

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

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 2339, A bill for an act relating to intoxicating liquor; places where sales prohibited; amending Minnesota Statutes 1971, Section 340.14, Subdivision 3, as amended.

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

The report was adopted.

Mr. Fugina from the Committee on Higher Education to which was referred:

H. F. No. 3483, A bill for an act relating to education; establishing a program of tuition supplements and a program of equivalency credits for the Minnesota national guard; appropriating money.

Reported the same back with the following amendments:

Page 2, line 28, after "guard" insert "pursuant to current military rules and regulations".

Page 3, line 17, after "available" insert "basis".

Page 4, line 15, after "guard" insert "pursuant to current military rules and regulations".

Page 5, line 1, after "guard" insert "pursuant to current military rules and regulations".

Page 5, line 1 after "or" insert "withdraws from or".

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. Fugina from the Committee on Higher Education to which was referred:

S. F. No. 1409, A bill for an act relating to education; providing that members of the Minnesota higher education coordinating commission shall be reimbursed for expenses incurred in the performance of their duties; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 4.

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

H. F. No. 2544, A bill for an act relating to the probate court in Hennepin and Ramsey counties; amending Minnesota Statutes 1971, Sections 525.10; and 526.18; repealing Minnesota Statutes 1971, Section 526.19.

Reported the same back with the following amendments:

Page 1, line 8, strike "1971" and insert in lieu thereof ", 1973 Supplement".

Page 1, line 23, strike "and filed in the office of the secretary of state".

Page 1, line 24, strike "after approval as to form by the attorney general".

Further amend the title:

Page 1, line 4, strike "1971, Sections" and insert in lieu thereof ", 1973 Supplement, Section".

Page 1, line 5, after "and" insert "Minnesota Statutes 1971, Section".

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

The report was adopted.

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

H. F. No. 2639, A bill for an act relating to taconite and semi-taconite companies; withdrawing the right of taconite and semi-taconite companies to exercise the power of eminent domain; specifying the powers of the commissioner of natural resources to grant licenses and permits over state owned lands in connection with the operations of such companies; amending Minnesota Statutes 1971, Section 117.47; and repealing Minnesota Statutes 1971, Sections 117.46; and 117.461.

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 117.46, is amended to read:

117.46 [TACONITE MINING COMPANY GRANTED POWER OF EMINENT DOMAIN.] The business of mining and beneficiating taconite, as defined in Minnesota Statutes 1941, Section 298.23, is declared to be in the public interest and necessary to the public welfare, and the taking of private property therefor is declared to be for a public use and purpose. Any corporation or association engaged in or preparing to engage in the business of mining and beneficiating taconite is authorized to acquire, for the purposes of such business, easements, rights of way, and surface rights over, through, or across any lands, not owned by the state or devoted to a public purpose, for the erection and maintenance of pipe lines, pole lines, conduits, sluiceways, roads, railroads, or tramways. It may also acquire, for the purposes of such business, flowage rights, rights to transport crude ore, concentrates therefrom, or waste materials, and lands upon which to deposit tailings, stripping, and other waste products of such business. It may also acquire necessary sites of grounds for plants and other buildings requisite to the proper carrying on of such business, and lands, easements or private water rights requisite to the construction of wharves, piers, breakwaters, or similar facilities requisite to the carrying on of such business or the shipment of the products thereof. To such end it shall have and enjoy the right of eminent domain to be exercised in accordance with Minnesota Statutes 1941, Chapter 117, and acts amendatory thereof, all of which provisions shall govern in so far as they may be applicable hereto (.), *provided that, it may only exercise the right of eminent domain in the acquisition of property or property rights when such acquisition is necessary to comply with orders of the federal environmental protection agency, the Minnesota pollution control agency, or with court orders to abate pollution or other nuisances or upon a showing of good cause to the district court in which the land is located that the acquisition of said property is necessary to*

carry out the business activities previously listed in this section provided that said corporation or association makes a showing to the satisfaction of the court that it has acquired at least 80 percent of the necessary land and that it has been unable to purchase the remaining necessary parcels at a fair market value. Nothing herein shall be construed as authorizing the taking of any property owned by the state, or any municipal subdivision thereof, or the acquisition of any rights in public waters except after permit, lease, license, or authorization issued pursuant to law.

Sec. 2. Minnesota Statutes 1971, Section 117.461, Subdivision 1, is amended to read:

117.461 [SEMI-TACONITE MINING, EMINENT DOMAIN.] Subdivision 1. The business of mining and beneficiating semi-taconite, as defined in Minnesota Statutes, Section 298.34, is declared to be in the public interest and necessary to the public welfare, and the taking of private property therefor is declared to be for a public use and purpose. Any corporation or association engaged in the business of mining iron ore in Minnesota or engaged in the business of or preparing to engage in the business of mining or beneficiating semi-taconite is authorized to acquire, for the purposes of such semi-taconite business, easements, rights of way, and surface rights over, through, or across any lands, not owned by the state or devoted to a public purpose or situated within the corporate limits of any village or city of the first, second, third, or fourth class, for pipe lines, pole lines, conduits, sluiceways, roads, railroads, or tramways. It may also acquire, for the purposes of such semi-taconite business, flowage rights, rights to transport crude ore, concentrates therefrom, or waste materials, and lands upon which to deposit tailings, stripping, and other waste products of such semi-taconite business. It may also acquire necessary sites of grounds for plants and other buildings requisite to the proper carrying on of such semi-taconite business. To such end it shall have and enjoy the right of eminent domain to be exercised in accordance with Minnesota Statutes, Chapter 117, and acts amendatory thereof, all of which provisions shall govern insofar as they may be applicable hereto (.), *provided that, it may only exercise the right of eminent domain in the acquisition of property or property rights when such acquisition is necessary to comply with orders of the federal environmental protection agency, the Minnesota pollution control agency, or with court orders to abate pollution or other nuisances or upon a showing of good cause to the district court in which the land is located that the acquisition of said property is necessary to carry out the business activities previously listed in this section provided that said corporation or association makes a showing to the satisfaction of the court that it has acquired at least 80 percent of the necessary land and that it has been unable to purchase the remaining necessary parcels at a fair market value. Nothing herein shall be construed as authorizing the taking of any property owned by the state, or any municipal subdivision thereof, or the acqui-*

tion of any rights in public waters except after permit, lease, license, or authorization issued pursuant to law.”.

Amend the title as follows:

Page 1, line 3, strike “withdrawing the right of”.

Page 1, strike lines 4-13 and insert in lieu thereof the following: “restricting the right of taconite and semi-taconite companies to exercise the power of eminent domain; amending Minnesota Statutes 1971, Sections 117.46; and 117.461, Subdivision 1.”.

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

The report was adopted.

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

H. F. No. 3104, A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in certain statutes; amending Minnesota Statutes 1971, Sections 3A.02, Subdivision 1, as amended; 43.30; 88.11, Subdivision 1; 144.06; 144.201, Subdivision 2; 144.203; 178.08; 246.53; 315.40; 317.66, Subdivision 1; 323.06; 323.24; 352B.26, Subdivision 3, as amended; 352B.28, as added; 352C.04, Subdivisions 1 and 2; 352C.05; 352C.06; 352C.07; 356.20, Subdivision 4; 356.21, Subdivision 4 and Subdivision 5, as amended; 358.14; 387.15; 387.16; 393.01, Subdivisions 2, as amended, and 7; 423.34; 423.37; 423.371, Subdivision 2; 423.377; 423.38; 423.381; 423.387; 423.48; 423.51; 423.52; 423.58; 423.802, Subdivision 2; 423.809, Subdivision 2; 423.810, Subdivisions 1 and 2; 424.16; 424.17; 424.24; 424.29; 424.31; 459.16; 490.102, Subdivision 6; 490.105; 510.06; 517.07; 518.15; 519.01; 525.05; 525.082; 525.14; 525.60, Subdivision 1, as amended; 540.08; 540.09; 548.06; 550.37, Subdivision 10; 558.28; 576.08; 617.22; 624.61; 629.55; 631.09; 631.412; 641.06; 641.14; repealing Minnesota Statutes 1971, Sections 202.18; and 352C.02, Subdivision 3.

Reported the same back with the following amendments:

Page 17, line 16, after “of” strike “her” and insert “*said spouse’s*”.

Page 17, line 16, after “until” strike “she” and insert “*said spouse*”.

Page 60, line 25, after “spouse” strike “son,” and insert “*child, or sibling*”.

Page 60, line 26, strike "daughter, brother, nor sister".

Page 64, line 12, reinsert the stricken "This section shall not".

Page 64, line 13, reinsert "apply to any libel imputing unchastity to a".

Page 64, line 13, after "a" insert "*person*".

Page 65, line 25, reinsert the stricken "; and".

Page 65, line 26, reinsert the stricken "every".

Page 65, line 26, after "every" insert "*person*".

Page 65, line 26, reinsert the stricken "who, having been convicted of endeavoring to".

Page 65, line 27, reinsert the stricken "conceal the still birth of any".

Page 65, line 27, after "any" insert "*child*".

Page 65, line 27, after "*child*" reinsert the stricken "which is".

Page 65, line 28, reinsert "born alive would be illegitimate, or the death of such".

Page 65, line 28, after "such" insert "*child*".

Page 66, line 1, reinsert the stricken language.

Page 66, line 2, reinsert the stricken language.

Page 66, line 3, reinsert the stricken language.

Page 66, line 4, reinsert the stricken language.

Page 69, line 4, strike "Sections 202.18; and", and after "1971," insert "Section".

Page 69, line 5, strike "are" and insert "is".

Further amend the title:

Page 1, line 30, strike "Sections 202.18; and".

Page 1, line 30, after "1971," insert "Section".

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

The report was adopted.

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

H. F. No. 3317, A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 13, strike "when it feels it is in the best".

Page 1, line 14, strike "interest of the minor to do so".

Page 1, line 14, reinstate the stricken "Unless".

Page 1, line 14, reinstate the stricken "terminated".

Page 1, line 15, reinstate the stricken "by the court,".

Page 1, line 15, after the second "court" insert "*shall continue until the individual becomes 21 years of age*".

Page 1, line 15, strike "*may*".

Page 1, line 16, strike the line.

Page 1, line 17, strike "a minor".

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

The report was adopted.

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

H. F. No. 3348, A bill for an act relating to courts; civil procedure; eliminating certain statutory provisions which conflict with the rules of civil appellate procedure and the rules of civil procedure for the district courts; amending Minnesota Statutes 1971, Sections 50.12; 357.021, Subdivision 2; 357.08; 365.40; 373.07; 485.02; 540.12; 544.15; 546.25; 546.27; and 546.33; repealing Minnesota Statutes 1971, Sections 540.01; 540.02; 540.04; 540.06; 540.10; 540.16; 541.12; 543.01 to 543.07; 543.09 to 543.18; 544.01 to 544.04; 544.05 to 544.14; 544.16 to 544.20; 544.23 to 544.35; 546.01 to 546.06; 546.095; 546.14; 546.20; 546.21; 546.26; 546.29; 546.30; 546.34; 546.36; 546.38 to 546.41; 548.01 to 548.03; 549.10; 557.04; 576.02; 595.03; 595.05; and Chapters 545; 547; 585; 587; 596; 597; 598; 603; 605; and 607.

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

The report was adopted.

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

H. F. No. 3231, A bill for an act relating to Itasca county; government of certain unorganized townships for hospital district purposes.

Reported the same back with the following amendments:

Page 1, line 20, after "reside," insert "by filing with the county board a petition, signed by voters of the town equal in number to ten percent of the electors voting in the town at the last preceding election of county officers".

Page 1, line 20, strike "pursuant to Minnesota Statutes, Section 397.05".

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

The report was adopted.

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

H. F. No. 3262, A bill for an act relating to Hennepin county; providing for the support and maintenance of the county law library; amending Laws 1933, Chapter 291, Section 12.

Reported the same back with the following amendments:

Page 1, line 16, after "funds" insert "*in an amount not to exceed \$150,000*".

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

The report was adopted.

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

H. F. No. 3412, A bill for an act relating to animals; estrays; allowing the disposal of certain animals; amending Minnesota Statutes 1971, Section 346.27.

Reported the same back with the following amendments:

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

"Section 1. Minnesota Statutes 1971, Section 346.215, is amended to read:

346.215 [INVESTIGATION OF CRUELTY COMPLAINTS.]

Subdivision 1. Any person who has reason to believe that a violation of section 346.21 has taken place or is taking place may apply to any court having jurisdiction over actions alleging violation of such section for a warrant and for investigation. The court shall examine under oath the person so applying and any witnesses he may produce and must take his affidavit or their affidavits in writing, and cause same to be subscribed by the party or parties making same. The affidavit or affidavits must set forth the facts tending to establish the grounds for believing a violation of section 346.21 has occurred or is occurring, or probable cause to believe that they exist. If the court is thereupon satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, it shall issue a search warrant and order for investigation, signed by the judge of such court with his name of office, to a peace officer in such county, commanding him to forthwith proceed to the location of the alleged violation taking with him a doctor of veterinary medicine and commanding such peace officer to search the place designated in such warrant and together with such veterinary doctor conduct an investigation of the facts surrounding the alleged violation, retaining in his custody subject to the order of the court such property or things which are specified in such warrant, including any animal if such warrant so specifies. The warrant shall contain the names of the persons presenting affidavits in support of the application, and the grounds for its issuance. Service shall be made in accordance with the provisions of sections 626.13, 626.14, and 626.16. The warrant must be executed and returned to the court which issued such warrant within ten days after its date; after the expiration of such time the warrant, unless executed, is void. The officer executing such warrant must forthwith return the warrant to the court, and deliver to it a written inventory of the property or things taken, verified by the certificate of the officer at the foot of the inventory. The warrant and order for investigation issued pursuant to this section and section 346.216 shall have the same force and effect as a warrant issued pursuant to chapter 626.

Subd. 2. Upon a proper determination by a licensed doctor of veterinary medicine, any animal taken into custody pursuant to subdivision 1 may be immediately disposed of when such animal is suffering and is beyond cure through reasonable care and treatment.

Sec. 2. Minnesota Statutes 1971, Section 346.27, is amended to read:

346.27 [EXPOSURE OF ANIMALS; DUTY OF OFFICERS.] *Subdivision 1.* Any sheriff, constable, village marshal, police officer, or any agent of the Minnesota society or other societies for the prevention of cruelty, may remove, shelter, and care for any horse or other animal found exposed to the weather and not properly blanketed, or remaining more than one hour without attention in cold or inclement weather, or not properly fed and watered, or provided with suitable food and drink, and, when necessary, may deliver such animal to another person to be so sheltered and cared for, and furnished with suitable food and drink; but in all cases the owner, if known, shall be immediately notified, and such officer, or the person having possession of the animal, shall have a lien thereon for its care and keeping and the reasonable value of the food and drink furnished and the expenses of such notice. If the owner or custodian be unknown, and cannot by reasonable effort be ascertained, or shall not, within five days after notice, redeem such animal by paying the expenses incurred as aforesaid, it may be treated as an estray, and be dealt with as such.

Subd. 2. Upon a proper determination by a licensed doctor of veterinary medicine, any animal taken into custody pursuant to subdivision 1 may be immediately disposed of when such animal is suffering and is beyond cure through reasonable care and treatment. The expenses of such disposal shall be subject to the provisions of Minnesota Statutes, Section 346.216.

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

"A bill for an act relating to animals; cruelty to animals; providing for disposal of certain animals; amending Minnesota Statutes 1971, Sections 346.215; and 346.27."

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

The report was adopted.

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

H. F. No. 1350, A bill for an act relating to port authorities; authorizing segregation of tax increments in industrial development districts to pay the cost of redevelopment of marginal land therein; amending Minnesota Statutes 1971, Section 458.192, Subdivision 1, 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 458.192, Subdivision 1, is amended to read:

458.192 [ADDITIONAL POWERS.] Subdivision 1. In addition to all powers conferred on such port authority under Minnesota Statutes, Sections 458.09 to 458.19, such port authority, *or any city authorized by any general or special law to exercise the powers of a port authority*, to accomplish the purposes set forth in subdivision 1 of section 458.191, shall have such additional powers as hereinafter described in subdivisions 2 through (10) 11 of this section.

Sec. 2. Minnesota Statutes 1971, Section 458.192, is amended by adding a subdivision to read:

Subd. 11. *Upon or after the creation of an industrial development district under section 458.191, the auditor of the county in which it is situated shall upon request of the port authority certify the then most recently determined assessed valuation of all or so much of the taxable real property within the district as is identified by legal description in the request, other than that portion of the valuation which is contributed to an area-wide tax base under Minnesota Statutes, Chapter 473F. The auditor shall certify to the authority in each year thereafter the amounts and percentages of subsequent increases or decreases in such valuation other than that portion of such increases or decreases which is contributed to an area-wide tax base under Minnesota Statutes, Chapter 473F. The auditor shall compute the mill rates of taxes against such original valuation but shall extend such rates also against any incremental value and remit the resulting tax increment to the port authority in the same manner as that provided for the computation and remittance of tax increments under section 462.585, subdivisions 2 and 3. The port authority shall segregate tax increments received with respect to any such property district in a special account on its official books and records. Such tax increments shall be remitted to the port authority until the cost of redevelopment of the marginal land within the district, including interest thereon, has been fully reimbursed from the tax increments. When such full reimbursement has been made, it shall be reported by the port authority to the county auditor, who shall thereafter include the entire assessed valuation of the property in the assessed valuations upon which tax mill rates are computed and extended and taxes are remitted to all taxing districts. Any part or all of such tax increments, if so directed by the city council, shall be pledged and appropriated for the payment of any general obligation bonds of the port authority. Increases in the value of such property, subsequent to certification of the base for computing the tax increment therefrom, shall not be included in the assessed valuation of any taxing district for the purpose of computing any debt or levy limit.*

tation or the amount of any state or federal aid to the taxing district, so long as the tax increment therefrom is segregated under the provisions of this section.

Sec. 3. Minnesota Statutes 1971, Section 458.192, is amended by adding a subdivision to read:

Subd. 12. The total acreage of land zoned for industrial use included in any one industrial development district by a port authority shall not exceed 3 percent of the total acreage of the municipality which is zoned for industrial use at the time of formation of the district. Upon formation of a new industrial development district the total acreage of land zoned for industrial use within the district shall not when added to the total current acreage of the land zoned for industrial use included by a port authority within all development districts for which unrecovered costs remain exceed 10 percent of the total acreage of the municipality zoned for industrial use."

Further, amend the title as follows:

Line 9 strike "a subdivision" and insert "subdivisions".

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

The report was adopted.

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

S. F. No. 1282, A bill for an act relating to taxation; exempt property; providing that property exempt from taxation shall be taxed in full for the year in which it is sold or otherwise loses its exempt status; amending Minnesota Statutes 1971, Section 272.02, by adding a subdivision.

Reported the same back with the following amendments:

Strike lines 12 to 23 and insert in lieu thereof the following:

"Subd. 4. Any property exempt from taxation on January 2 of any year which, due to sale or other reason, loses its exemption prior to October 1 of any year, shall be placed on the current assessment rolls for that year.

The valuation shall be determined with respect to its value on January 2 of such year. The classification shall be based upon the use to which the property was put by the purchaser, or in the event the purchaser has not utilized the property by October 1, the intended use of the property, determined by the county assessor, based upon all relevant facts."

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. 3267, A bill for an act relating to aeronautics; reimbursement of municipalities for operational and maintenance costs of airports; amending Minnesota Statutes, 1973 Supplement, Section 360.305, Subdivision 4.

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

H. F. No. 3333, A bill for an act relating to motor vehicles; providing for the issuance of a single number plate and the display thereof; amending Minnesota Statutes 1971, Section 168.12, by adding a subdivision; and 169.79.

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.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3571, 3383, 3147, 1827, 2847, 3434, 2454, 2608, 2990, 3310, 3368, 3398, 3436, 3438, 3543, 3544, 3028, 3030, 3064, 3102, 3133, 3405, 2339, 2544, 2639, 3104, 3317, 3348, 3231, 3262, 3412, and 1350 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2688, 2780, 2781, 2796, 3001, 3053, 3084, 3085, 3151, 3152, 3200, 2944, 2857, 2957, 2627, and 1282 were read for the second time.

INTRODUCTION OF BILLS

Smith; Johnson, C.; Faricy; Vento; and Searle introduced:

H. F. No. 3624, A bill for an act relating to education; appropriations to the department of education; amending Laws 1973, Chapter 768, Section 2, Subdivision 1.

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

DeGroat introduced:

H. F. No. 3625, A bill for an act relating to legalizing proceedings heretofore adopted by the city council of the city of Lake Park in connection with the issuance of street, sewer, and water improvement bonds and authorizing the issuance of said bonds to finance such improvements.

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

Culhane, Schulz, Kempe, McCauley, and Biersdorf introduced:

H. F. No. 3626, A bill for an act relating to crime and criminals; providing maximum and minimum sentences for the felony of kidnapping for ransom; amending Minnesota Statutes 1971, Sections 609.11; 609.25; and Chapter 609, by adding a section.

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

Vento; Casserly; LaVoy; Pavlak, R. L.; and Graba introduced:

H. F. No. 3627, A bill for an act relating to automobile insurance; requiring the commissioner of insurance to review automobile insurance rates on an annual basis; authorizing the commissioner to hold a hearing to determine if an insurer offering automobile insurance is realizing excessive profits; requiring an insurer offering automobile insurance to return profits determined by the commissioner to be excessive.

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

Quirin; Swanson; McCauley; Anderson, I.; and McArthur introduced:

H. F. No. 3628, A bill for an act relating to nursing; providing for continuing education; amending Minnesota Statutes 1971, Sections 148.191, Subdivision 2; and 148.231.

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

McCauley and Culhane introduced:

H. F. No. 3629, A bill for an act relating to taxation; defining the elderly persons entitled to certain property tax relief; amending Minnesota Statutes, 1973 Supplement, Section 273.011, Subdivision 2.

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

Myrah, Hagedorn, Stangeland, Biersdorf, and Savelkoul introduced:

H. F. No. 3630, A bill for an act relating to taxation; exemptions from the motor vehicle excise tax; amending Minnesota Statutes 1971, Section 297B.03.

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:

H. F. No. 3293, A bill for an act relating to the Seaway Port Authority of Duluth; authorizing issuance of \$1,500,000 of bonds by Seaway Port Authority of Duluth for the purpose of constructing a facility for handling cargo containers; providing for the pledge of the full faith, credit and resources of the city of Duluth for the payment of interest and principal on said bonds.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

H. F. No. 2638, A bill for an act relating to the city of International Falls; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

H. F. No. 2703, A bill for an act relating to the White Bear Lake conservation district; imposing additional duties on the board of the district; providing for means of funding; establishing certain lake regulatory powers; amending Laws 1971, Chapter 355, Sections 3 and 4.

H. F. No. 2890, A bill for an act relating to the city of Benson; authorizing the issuance of on-sale liquor licenses.

H. F. No. 3058, A bill for an act relating to the state board of investment; investments applicable to the invested treasurer's cash fund and retirement funds; amending Minnesota Statutes, 1973 Supplement, Sections 11.10, Subdivision 1; 11.16, Subdivision 13; 11.19, Subdivision 2; 69.77, Subdivision 2; 69.775; 352D.03; and 352D.04, Subdivision 1; and Minnesota Statutes 1971, Sections 11.18, Subdivisions 1, 4, and 5, and by adding a subdivision; 11.20; and 11.21.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2200, A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, A., moved that the House refuse to concur in the Senate amendments to H. F. No. 2200, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 3132, A bill for an act relating to retirement; service required for retirement of district court judges; amending Minnesota Statutes 1971, Sections 490.101, Subdivision 1; and 490.102, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Parish moved that the House concur in the Senate amendments to H. F. No. 3132 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3132, A bill for an act relating to retirement; service required for retirement of district court judges; amending Minnesota Statutes 1971, Sections 490.101, Subdivision 1; and 490.102, Subdivision 2.

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 120, and nays 0, as follows:

Those who voted in the affirmative were:

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

Weaver

Wenzel

Wigley

Wohlwend

Wolcott

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

Mr. Speaker:

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

S. F. Nos. 852, 1788, 1800, 1902, 2084, and 2611.

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. 1759.

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. 2641, 2690, 2715, 2739, and 2740.

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. 3075 and 3272.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 852, A bill for an act relating to taxation; assessment and valuation of property; property used for refining of crude petroleum; repealing Minnesota Statutes 1971, Section 273.13, Subdivision 13.

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

S. F. No. 1788, A bill for an act relating to the practice of chiropractic; prohibiting certain types and forms of advertising by chiropractors; prescribing grounds for revocation or suspension of chiropractic licenses; amending Minnesota Statutes 1971, Section 148.10, Subdivision 1.

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

S. F. No. 1800, A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

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

S. F. No. 1902. A bill for an act relating to Itasca county; authorizing issuance of additional on-sale intoxicating liquor licenses.

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

S. F. No. 2084, A bill for an act relating to public utilities; regulating the filing by certain public utilities of mortgages or deeds of trust along with instruments already required to be filed under the provisions of the uniform commercial code; amending Minnesota Statutes 1971, Chapter 300, by adding a section.

The bill was read for the first time.

Parish moved that S. F. No. 2084 and H. F. No. 2519, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2611, A bill for an act relating to state lands; directing conveyance and release of a certain reversionary interest and right of re-entry to previously conveyed lands in Carlton county.

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

S. F. No. 1759, A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

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

S. F. No. 2641, A bill for an act relating to motor vehicles; use of certain equipment thereon; authorizing the use of certain equipment on motor vehicles of non-residents of this state under certain conditions; amending Minnesota Statutes, 1973 Supplement, Section 169.72, by adding a subdivision.

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

S. F. No. 2690, A bill for an act relating to the supreme court; authorizing the court to promulgate rules of criminal procedure which supersede certain statutes; amending Minnesota Statutes 1971, Section 480.059, Subdivision 7.

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

S. F. No. 2715, A bill for an act relating to county welfare boards; providing for the selection of board members when two or more counties agree to combine existing individual boards into a single board; amending Minnesota Statutes 1971, Section 393.01, Subdivision 7.

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

S. F. No. 2739, A bill for an act relating to hazardous and substandard buildings; expenses of repairing or removing such buildings; including attorney fees in such expenses; amending Minnesota Statutes 1971, Section 463.22.

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

S. F. No. 2740, A bill for an act relating to county courts; terms of judges in certain counties.

The bill was read for the first time.

McCauley moved that S. F. No. 2740 and H. F. No. 2917, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3075, A bill for an act relating to public health; establishment of community residential facilities for mentally retarded and cerebral palsied persons; authorizing counties and cities to issue bonds and lease facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section; and amending Section 447.45.

The bill was read for the first time.

Resner moved that S. F. No. 3075 and H. F. No. 3133, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3272, A bill for an act relating to the legislature; authorizing group hospital and medical benefits coverage for retired members; amending Minnesota Statutes 1971, Section 43.491, by adding a subdivision.

The bill was read for the first time.

Brinkman moved that S. F. No. 3272 and H. F. No. 3397, now on Technical General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

H. F. No. 3272 was reported to the House.

There being no objection, H. F. No. 3272 was continued on the Consent Calendar until Friday, March 8, 1974.

H. F. No. 2938 was reported to the House.

Objection having been made by ten members, H. F. No. 2938 was returned to General Orders.

S. F. No. 3017 was reported to the House.

There being no objection, S. F. No. 3017 was continued on the Consent Calendar until Tuesday, March 12, 1974.

Mueller was excused at 3:55 p.m.

GENERAL ORDERS

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

Pursuant to Rule 12, a roll call was taken on the following amendment to H. F. No. 2236 offered by Voss:

The printed bill, as amended, as follows:

Page 1, after line 6, add a new section to read:

"Sec. 2. This act shall take effect January 31, 1975, except that this act shall not take effect for those county court judges holding office in counties that have separated from the probate

and county court districts specified in Minnesota Statutes 1973, Section 487.01 until such time as the separation is ended."

There were yeas 43, and nays 62.

Those who voted in the affirmative were:

Andersen, R.	Eckstein	Haugerud	Munger	Sieben, M.
Anderson, I.	Eken	Jacobs	Nelson	Smith
Becklin	Enebo	Johnson, C.	Niehaus	Stanton
Berglin	Erdahl	Jude	Ohnstad	Ulland
Brinkman	Esau	Klaus	Parish	Vento
Carlson, A.	Faricy	Knickerbocker	Patton	Voss
Carlson, B.	Ferderer	McCarron	Pehler	Wenzel
Carlson, D.	Fugina	McEachern	Pleasant	
Clifford	Graba	Menke	Prahl	

Those who voted in the negative were:

Anderson, D.	Erickson	Kvam	Moe	Schreiber
Anderson, G.	Fjoslien	Laidig	Mueller	Schulz
Belisle	Forsythe	LaVoy	Myrah	Searle
Bell	Grove	Lemke	Newcome	Sieben, H.
Biersdorf	Hagedorn	Lindstrom, E.	Pavlak, R.	Skaar
Braun	Heinitz	Lindstrom, J.	Pavlak, R. L.	Stangeland
Casserly	Hook	Lombardi	Peterson	Weaver
Connors	Johnson, D.	Long	Pieper	Wigley
Culhane	Johnson, J.	McArthur	Quirin	Wohlwend
Cummiskey	Johnson, R.	McCauley	Resner	Wolcott
DeGroat	Jopp	McFarlin	Rice	
Dieterich	Kelly	McMillan	Salchert	
Dirlam	Kostohryz	Miller, M.	Savelkoul	

The amendment was not adopted.

Pursuant to Rule 12, a roll call was taken on the following amendment to H. F. No. 2236 offered by Fjoslien:

The printed bill, as amended, as follows:

Add a new section to read:

"Sec. 2. This act shall be effective upon approval by the county commissioners."

There were yeas 20, and nays 88.

Those who voted in the affirmative were:

Anderson, G.	DeGroat	Esau	Kelly	Niehaus
Becklin	Eken	Fjoslien	Klaus	Pieper
Carlson, D.	Erdahl	Hagedorn	Knickerbocker	Prahl
Clifford	Erickson	Heinitz	Larson	Stangeland

Those who voted in the negative were:

Andersen, R.	Bell	Berglin	Brinkman	Carlson, L.
Anderson, D.	Bennett	Biersdorf	Carlson, A.	Casserly
Anderson, I.	Berg	Braun	Carlson, B.	Connors

Culhane	Jacobs	Lindstrom, J.	Parish	Searle
Cummiskey	Jaros	McCarron	Patton	Sherwood
Dieterich	Johnson, C.	McCauley	Pavlak, R.	Sieben, H.
Eckstein	Johnson, D.	McFarlin	Pavlak, R. L.	Sieben, M.
Enebo	Johnson, J.	McMillan	Pehler	Skaar
Faricy	Johnson, R.	Menke	Peterson	Stanton
Ferderer	Jopp	Miller, M.	Quirin	Tomlinson
Forsythe	Jude	Moe	Resner	Vanasek
Fudro	Kahn	Mueller	Rice	Weaver
Fugina	Kostohryz	Munger	St. Onge	Wenzel
Graba	Kvam	Nelson	Salchert	Wigley
Graw	Laidig	Newcome	Sarna	Wohlwend
Grove	LaVoy	Norton	Savelkoul	Wolcott
Hanson	Lemke	Ohnstad	Schreiber	
Haugerud	Lindstrom, E.	Ojala	Schulz	

The amendment was not adopted.

Pursuant to Rule 12, a roll call was taken on the motion of Carlson, A., that H. F. No. 2236 be re-referred to the Committee on Governmental Operations.

There were yeas 9, and nays 95.

Those who voted in the affirmative were:

Carlson, A.	Ferderer	Johnson, J.	McCarron	Voss
Eken	Hagedorn	Klaus	Prahl	

Those who voted in the negative were:

Adams, J.	Dirlam	Kelly	Newcome	Savelkoul
Andersen, R.	Eckstein	Kempe	Niehaus	Schreiber
Anderson, G.	Enebo	Kostohryz	Norton	Schulz
Anderson, I.	Erdahl	Kvam	Ohnstad	Searle
Bell	Erickson	Laidig	Parish	Sherwood
Bennett	Faricy	Larson	Patton	Sieben, H.
Berg	Forsythe	LaVoy	Pavlak, R.	Sieben, M.
Berglin	Fudro	Lemke	Pavlak, R. L.	Skaar
Biersdorf	Fugina	Lindstrom, E.	Pehler	Smith
Braun	Graba	Lindstrom, J.	Peterson	Stangeland
Brinkman	Graw	Long	Pieper	Tomlinson
Carlson, B.	Grove	McCauley	Quirin	Ulland
Carlson, L.	Hanson	McEachern	Resner	Vanasek
Casserly	Heinitz	McMillan	Rice	Vento
Clifford	Jaros	Menke	Ryan	Weaver
Connors	Johnson, D.	Miller, M.	St. Onge	Wenzel
Culhane	Johnson, R.	Moe	Salchert	Wigley
Dahl	Jopp	Mueller	Samuelson	Wohlwend
Dieterich	Jude	Myrah	Sarna	Wolcott

The motion did not prevail.

Pursuant to Rule 12, a roll call was taken on the following amendment to H. F. No. 2236 offered by Pehler:

The printed bill, as amended, as follows:

Page 1, line 3, strike the first "\$27,500" and insert in lieu thereof "\$29,000".

Further in line 3, strike the second "\$27,500" and insert in lieu thereof "\$29,000".

There were yeas 10, and nays 99.

Those who voted in the affirmative were:

Carlson, D.	DeGroat	McCauley	Pehler	Rice
Clifford	McCarron	Ohnstad	Prahl	Voss

Those who voted in the negative were:

Adams, J.	Dirlam	Johnson, D.	Moe	Sarna
Andersen, R.	Enebo	Johnson, R.	Munger	Savelkoul
Anderson, D.	Erdahl	Jopp	Myrah	Schreiber
Anderson, G.	Erickson	Jude	Nelson	Schulz
Anderson, I.	Esau	Kahn	Newcome	Searle
Belisle	Faricy	Kelly	Niehaus	Sherwood
Bell	Ferderer	Kempe	Norton	Sieben, H.
Bennett	Fjoslien	Knickerbocker	Parish	Sieben, M.
Berg	Forsythe	Kostohryz	Patton	Smith
Berglin	Fudro	Kvam	Pavlak, R.	Stangeland
Braun	Fugina	Laidig	Pavlak, R. L.	Stanton
Carlson, A.	Graba	Larson	Peterson	Tomlinson
Carlson, B.	Graw	LaVoy	Pieper	Ulland
Carlson, L.	Growe	Lemke	Pleasant	Vento
Casserly	Hagedorn	Lindstrom, E.	Quirin	Weaver
Connors	Hanson	Long	Resner	Wenzel
Culhane	Heinitz	McFarlin	Ryan	Wigley
Cummiskey	Jacobs	McMillan	St. Onge	Wohlwend
Dahl	Jaros	Menke	Salchert	Wolcott
Dieterich	Johnson, C.	Miller, M.	Samuelson	

The amendment was not adopted.

Pursuant to Rule 12, a roll call was taken on the motion of Pavlak, R., to recommend passage of H. F. No. 2236, as amended.

There were yeas 69, and nays 46.

Those who voted in the affirmative were:

Adams, J.	Eckstein	Kostohryz	Nelson	Sarna
Anderson, D.	Enebo	Laidig	Newcome	Savelkoul
Anderson, I.	Faricy	LaVoy	Norton	Schreiber
Bell	Forsythe	Lemke	Ohnstad	Searle
Bennett	Fudro	Lindstrom, E.	Parish	Sieben, H.
Berg	Graba	Lindstrom, J.	Patton	Sieben, M.
Biersdorf	Growe	Lombardi	Pavlak, R.	Stanton
Braun	Hanson	McArthur	Pavlak, R. L.	Tomlinson
Carlson, L.	Hook	McCauley	Pehler	Ulland
Casserly	Jacobs	McEachern	Quirin	Vento
Connors	Jaros	McMillan	Resner	Weaver
Culhane	Johnson, J.	Miller, M.	Rice	Wohlwend
Dahl	Johnson, R.	Moe	St. Onge	Wolcott
Dieterich	Kahn	Munger	Salchert	

Those who voted in the negative were:

Andersen, R.	Becklin	Carlson, A.	Clifford	DeGroat
Anderson, G.	Belisle	Carlson, D.	Cummiskey	Dirlam

Eken	Haugerud	Kvam	Pieper	Swanson
Erdahl	Heinitz	Larson	Pleasant	Voss
Erickson	Johnson, C.	Long	Prahl	Wenzel
Esau	Johnson, D.	McCarron	Samuelson	Wigley
Ferderer	Jude	McFarlin	Sherwood	
Fjoslien	Kelly	Myrah	Smith	
Graw	Klaus	Niehaus	Spanish	
Hagedorn	Knickerbocker	Peterson	Stangeland	

The motion prevailed.

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

H. F. No. 2236 upon which it recommended to pass with the following amendments:

Offered by Pavlak, R.:

The printed bill, as follows:

Page 1, line 2, after "[JUDGE'S SALARY.]" insert "*Except as herein provided*".

Page 1, line 3, strike the period and insert "*and*".

Page 1, line 6, after "estate." insert "*In Anoka, Carver, Dakota, Scott, and Washington counties the annual salary of a county court judge is \$29,000.*".

Offered by LaVoy:

The printed bill, as amended by the Pavlak, R., amendment, as follows:

Page 1, line 6, after "Scott," strike "*and*"; after "*Washington*" and before "*counties*" insert "*, and St. Louis*"; after "*\$29,000.*" add "*The salary as provided in section 1 for St. Louis county shall take effect on January 1, 1975.*".

Offered by Culhane:

The printed bill, as amended, as follows:

Page 1, line 3, strike "*\$22,000*" and insert in lieu thereof "*\$27,500*".

H. F. No. 2186 upon which it recommended to pass with the following amendment offered by Fjoslien:

The printed bill, as follows:

Page 1, delete lines 1 to 11.

Page 1, line 12, delete "Sec. 2." and insert in lieu thereof "Section 1."

Page 2, line 9, delete "*must*" and insert in lieu thereof "*shall*".

Page 2, line 10, after the stricken "by" insert "*at a*".

Page 2, lines 10 and 11, restore the stricken "regular or adjourned regular meeting or at a duly held meeting".

Page 2, following line 14, insert:

"Sec. 5. This act shall be effective upon the date of approval of a federal step two grant to the Alexandria Lake area sanitary sewer district."

Further, amend the title, page 1, line 3 by deleting "Sections 3, Subdivision 2, and" and inserting in lieu thereof "Section".

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

ADJOURNMENT

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker Pro Tempore declared the House stands adjourned until 2:00 p.m., Wednesday, March 6, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



