

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-NINTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 20, 1974

The House convened at 11:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

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

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

A quorum was present.

Mann was excused until 12:30 p.m. Fudro was excused until 2:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day, when on the motion of Mr. McFarlin, 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. 3561, 452, 2046, 2760, 3164, and 3499 and S. F. No. 3270 have been placed in the members' files.

UNANIMOUS CONSENT

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

Knoll moved that S. F. No. 3036 be recalled from the Senate for further consideration by the House. The motion prevailed.

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

Dahl moved that S. F. No. 3271 be recalled from the Senate for further consideration by the House. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Norton from the Committee on Appropriations 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 following amendments:

Strike everything after the enacting clause and substitute the following:

"Section 1. [250.06] [APPROPRIATION FROM MINNESOTA STATE BUILDING FUND.] The sum of \$3,900,000, or so much thereof as may be necessary, is appropriated to the Gillette hospital authority from the Minnesota state building fund in accordance with the provisions of section 6.30, for the acquisition and betterment of land, buildings, and other capital improvements needed to provide new facilities for the Gillette children's hospital in conjunction with the Ramsey county hospital. The commissioner of finance and state treasurer are authorized to disburse these funds upon requisition of the board of directors of the authority.

Sec. 2. [250.07] [MINNESOTA STATE BUILDING BOND ISSUE.] For the purpose of providing the money appropriated in section 1 the commissioner of finance is authorized upon request of the governor to sell and issue Minnesota state building bonds in the amount of \$3,900,000 and disburse the proceeds thereof in the manner and upon the terms and conditions prescribed by sections 6.30 to 6.33 and by the Constitution, Article IX, Section 6.

Sec. 3. The appropriation herein is supplemental to that contained in Laws 1973, Chapter 778, Section 2, Subdivision 2(2), and is not subject to any limitation contained therein.

Sec. 4. This act shall become effective on the day following final enactment.”.

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

“A bill for an act appropriating money and authorizing the issuance of Minnesota state building bonds for the acquisition and betterment of public land, buildings, and capital improvements needed to provide facilities for Gillette children’s hospital in conjunction with the Ramsey county hospital.”.

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

The report was adopted.

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

H. F. No. 3382, A bill for an act relating to beauticians; changing certain regulating provisions; amending Minnesota Statutes 1971, Sections 155.02, Subdivision 2; 155.06, Subdivision 1; 155.08; 155.09, Subdivisions 3 and 5, and by adding a subdivision; 155.11, Subdivisions 1, 2 and 6.

Reported the same back with the following amendments:

Page 1, delete lines 11 to 26.

Page 5, line 23, reinstate the stricken “\$250” and strike “\$100”.

Renumber the sections in sequence.

Further, amend the title in line 5 by deleting “155.02, Subdivision 2;”.

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

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2949, A bill for an act relating to time; providing that the state of Minnesota shall observe standard time during the months of November, December, January and February;

amending Minnesota Statutes 1971, Section 645.071, Subdivision 1; repealing Minnesota Statutes 1971, Section 645.071, Subdivision 2.

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

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 2639, A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

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

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 2640, A bill for an act relating to courts; allowance of costs and disbursements in the supreme court.

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

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3301, A bill for an act relating to crime and criminals; requiring the commissioner of corrections to develop a program to aid rape victims.

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

The report was adopted.

Mr. Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3088, A bill for an act relating to courts, Ramsey and Chisago counties; amending Minnesota Statutes, 1973 Supplement, Sections 488A.18, Subdivisions 10 and 13; 488A.20, Subdivisions 1, 2, 4, and 6; 488A.22, Subdivision 3; 488A.281;

488A.283; 488A.285, Subdivisions 1 and 2; 488A.286; 488A.30, Subdivisions 1, 2, and 4; Minnesota Statutes 1971, Sections 484.18, Subdivision 3; 488A.18, Subdivision 11; 488A.19, Subdivisions 6, 8, and 10; 488A.20, Subdivisions 3 and 7; 488A.21, Subdivision 1; 488A.23, Subdivision 1; 488A.26, Subdivisions 1, 3, 4, and 7; 488A.27, Subdivisions 3 and 7; 488A.30, Subdivision 3; 488A.31, Subdivisions 1 and 5; 488A.34, Subdivisions 2, 3, 4, 6, 9 and 12; repealing Minnesota Statutes 1971, Section 488A.23, Subdivisions 3 and 4.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3285, 3382, and 2949 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2639, 2640, 3301, and 3088 were read for the second time.

INTRODUCTION OF BILLS

Prahl and Anderson, I., introduced:

H. F. No. 3718, A bill for an act relating to the fire department relief association of the city of Grand Rapids; amending Laws 1971, Chapter 233, Section 1.

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

Pieper introduced:

H. F. No. 3719, A bill for an act relating to the state board of investment; prohibiting the voting of stock controlled by the board.

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

Fugina; Anderson, I.; Berglin; and Munger introduced:

H. F. No. 3720, A bill for an act relating to counties; requiring counties to furnish legal services to poor persons; state to provide partial reimbursement; appropriating money.

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

Prahl and Anderson, I., introduced:

H. F. No. 3721, A bill for an act relating to Itasca county; proceeds from sale or rental of forfeited land; increasing the expenditure allowed for certain purposes; amending Laws 1965, Chapter 326, Section 1, Subdivision 5.

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

Ferderer and Carlson, A., introduced:

H. F. No. 3722, A bill for an act relating to the organization and operation of state government; creating a department of community assistance and development; defining its powers and duties; transferring certain powers of the state planning agency and the department of economic development to the department of community assistance and development; appointing the commissioner of community assistance and development chairman of the Minnesota municipal commission; appropriating money; amending Minnesota Statutes 1971, Sections 4.10; 4.12, Subdivision 1; 4.13; 301.75; 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 414.01, Subdivisions 1, 2, 3, 4, 5, 6a, 7a, and 8; 462.425, Subdivision 4; 462.426, Subdivision 4; 462.428, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; and 362.40, Subdivisions 9 and 10; repealing Minnesota Statutes 1971, Sections 4.11, Subdivision 7; 4.12, Subdivisions 3, 4 and 5; 362.07; 362.08; 362.09; 362.10; 362.11; 362.12; 362.121; 362.125; 362.13; 362.15; 362.16; 362.17; 362.18; 362.19; 362.20; 362.23; and 414.01, Subdivision 12.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2011, A bill for an act relating to St. Louis county; levy of taxes for major capital improvements.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ulland moved that the House refuse to concur in the Senate amendments to H. F. No. 2011, that the Speaker appoint a Con-

ference 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.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 45, and nays 65, as follows:

Those who voted in the affirmative were:

Andersen, R.	Clifford	Graw	LaVoy	Pehler
Becklin	DeGroat	Heinitz	Lindstrom, E.	Pieper
Belisle	Diriam	Hook	Lombardi	Pleasant
Bell	Erdahl	Johnson, R.	Long	Schreiber
Bennett	Erickson	Klaus	McCauley	Skaar
Brinkman	Esau	Knickerbocker	Newcome	Stangeland
Carlson, A.	Ferderer	Kvam	Niehaus	Ulland
Carlson, D.	Fjoslien	Laidig	Ohnstad	Weaver
Cleary	Forsythe	Larson	Patton	Wolcott

Those who voted in the negative were:

Adams, J.	Eckstein	Jude	Munger	Schulz
Anderson, D.	Enebo	Kahn	Nelson	Sieben, M.
Anderson, G.	Faricy	Kelly	Ojala	Smith
Anderson, I.	Fugina	Knoll	Parish	Spanish
Biersdorf	Graba	Lemke	Pavlak, R.	Stanton
Braun	Growe	Lindstrom, J.	Peterson	Swanson
Carlson, B.	Hanson	McCarron	Prahl	Vanasek
Carlson, L.	Haugerud	McEachern	Quirin	Vento
Casserly	Jacobs	McMillan	Resner	Voss
Connors	Jaros	Menke	Rice	Wenzel
Culhane	Johnson, C.	Miller, D.	Ryan	Wigley
Cummiskey	Johnson, D.	Miller, M.	Samuelson	Wohlwend
Dieterich	Jopp	Moe	Sarna	Mr. Speaker

The motion did not prevail.

CONCURRENCE AND REPASSAGE

Johnson, D., moved that the House concur in the Senate amendments to H. F. No. 2011 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2011, A bill for an act relating to St. Louis county; authorizing tax levies for capital improvements and road and bridge purposes in excess of certain existing levy limits; establishing levy limits for capital improvements and road and bridge levies; authorizing the issuance of general obligation bonds in lieu of increased levies for road and bridge purposes.

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 77, and nays 37, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kahn	Ojala	Sieben, M.
Anderson, D.	Dirlam	Kelly	Parish	Smith
Anderson, G.	Eckstein	Knoll	Patton	Spanish
Anderson, I.	Enebo	LaVoy	Pehler	Stangeland
Berg	Faricy	Lemke	Peterson	Stanton
Biersdorf	Fugina	McArthur	Prahl	Swanson
Braun	Graba	McCarron	Quirin	Vanasek
Brinkman	Grove	McEachern	Resner	Vento
Carlson, B.	Hanson	Menke	Rice	Wenzel
Carlson, D.	Haugerud	Miller, D.	Ryan	Wigley
Carlson, L.	Jacobs	Miller, M.	St. Onge	Wohlwend
Casserly	Jaros	Moe	Samuelson	Wolcott
Connors	Johnson, C.	Mueller	Sarna	Mr. Speaker
Culhane	Johnson, D.	Munger	Schreiber	
Cummiskey	Johnson, J.	Nelson	Schulz	
Dahl	Jude	Newcome	Sieben, H.	

Those who voted in the negative were:

Adams, S.	Clifford	Hook	Lindstrom, E.	Pleasant
Andersen, R.	DeGroat	Johnson, R.	Lombardi	Savelkoul
Becklin	Erdahl	Jopp	Long	Skaar
Belisle	Erickson	Klaus	McCauley	Ulland
Bell	Esau	Knickerbocker	Niehaus	Weaver
Bennett	Ferderer	Kvam	Ohnstad	
Carlson, A.	Fjoslien	Laidig	Pavlak, R.	
Cleary	Graw	Larson	Pieper	

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 House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2950, A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Knoll moved that the House refuse to concur in the Senate amendments to H. F. No. 2950, that the Speaker appoint a Con-

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

H. F. No. 3035, A bill for an act relating to mass transit; approving the bus service expansion report and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Section 473.09 and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

The Senate has appointed as such committee Messrs. Chenoweth, Gearty, Doty, Schaaf and Kirchner.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 3571, A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

The Senate has appointed as such committee Messrs. Coleman, Krieger and Conzemius.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 1835, A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric

service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

The Senate has appointed as such committee Messrs. Olson, A. G.; Perpich, A. J.; and Ashbach.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 3163, A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Hanson moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3163. The motion prevailed.

Mr. Speaker:

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

S. F. No. 3123, A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Keefe, S.;

Kowalczyk and Spear have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Stanton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3123. The motion prevailed.

Mr. Speaker:

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

S. F. No. 2818, A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

And the Senate respectfully requests that a Conference Committee of 3 members be appointed thereon. Messrs. Olhoft; Hansen, Baldy; and Hanson, R., have been appointed as such committee on the part of the Senate.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Cleary moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2818. The motion prevailed.

Mr. Speaker:

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

S. F. No. 2576, A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivi-

sions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Sherwood moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2576. The motion prevailed.

Mr. Speaker:

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

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.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

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

members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1759. The motion prevailed.

Mr. Speaker:

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

S. F. No. 3311, A bill for an act relating to cities of the first class; the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Tomlinson moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3311. The motion prevailed.

Mr. Speaker:

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

H. F. No. 2728, A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3533, A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Peterson reported on the progress of H. F. No. 978, now in Conference Committee.

Pursuant to Joint Rule 13, Munger reported on the progress of H. F. No. 2675, now in Conference Committee.

Pursuant to Joint Rule 13, Newcome reported on the progress of S. F. No. 96, now in Conference Committee.

Pursuant to Joint Rule 13, Johnson, C., reported on the progress of S. F. No. 1530, now in Conference Committee.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1292

March 18, 1974

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

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1292, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1292 be amended as follows:

Page 2, line 2, after "mental" strike the comma and insert "and".

Page 2, line 2, after "educational" strike the comma.

Page 2, line 3, strike "and moral".

Page 2, after line 7, insert "*(e) Minimum standards of conduct which would affect the performance of the individual in his duties as a peace officer;*".

Reletter the clauses in order.

Further amend the title in line 4 after "mental" by deleting the comma and inserting "and", in line 4 by deleting ", and", and in line 5 by deleting "moral".

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

House Conferees: ROBERT FERDERER, PAUL MCCARRON, and ROBERT L. PAVLAK.

Senate Conferees: ROLF NELSON, JOHN MILTON, and ALLAN SPEAR.

Ferderer moved that the report of the Conference Committee on H. F. No. 1292 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1292, A bill for an act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state;

amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3202

March 14, 1974

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

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3202, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments, and that H. F. No. 3202 be amended on page 1, line 8, by deleting "15" and inserting in lieu thereof "12".

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

House Conferees: JOEL JACOBS, NEIL S. HAUGERUD, and THOMAS W. NEWCOME.

Senate Conferees: STANLEY N. THORUP, JERALD C. ANDERSON, and MEL FREDERICK.

Jacobs moved that the report of the Conference Committee on H. F. No. 3202 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3202, A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 111, and nays 13, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Erdahl	Fjoslien	Larson	Sherwood
Becklin	Erickson	Klaus	Long	
Carlson, D.	Esau	Kvam	Ohnstad	

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

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

S. F. No. 1858, A bill for an act relating to auxiliary forests; restricting the creation of new auxiliary forests and the extension of existing auxiliary forest contracts; amending Minnesota Statutes 1971, Chapter 88, by adding a section.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1858

March 18, 1974

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

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1858, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1858 be amended as follows:

Page 1, line 12, strike "1973" and insert in lieu thereof "1974".

Page 1, line 17, strike "1973" and insert in lieu thereof "1974".

Page 1, line 23, strike "*auxillary*" and insert in lieu thereof "*auxiliary*".

Page 1, line 25, strike "*auxillary*" and insert in lieu thereof "*auxiliary*".

Page 1, line 27, strike "*without penalty for such transfer*" and insert in lieu thereof "*; provided that when such lands are included in the tree growth tax law prior to expiration of the auxiliary forest contract they will be transferred in accordance with the provisions of Minnesota Statutes, Section 88.49, Subdivision 5. The land owner shall pay taxes in an amount equal to the difference between the amount which would have been paid had the land under contract been subject to the Minnesota tree growth tax law from the date of the filing of the contract and the amount actually paid under Minnesota Statutes, Section 88.51, Subdivisions 1 and 2*".

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

Senate Conferees: FLORIAN W. CHMIELEWSKI, GERALD L. WILLET, and JOHN L. OLSON.

House Conferees: NORMAN PRAHL, RAYMOND PAVLAK, and IRVIN N. ANDERSON.

Prahl moved that the report of the Conference Committee on S. F. No. 1858 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1858, A bill for an act relating to auxiliary forests; restricting the creation of new auxiliary forests and the extension of existing auxiliary forest contracts; amending Minnesota Statutes 1971, Chapter 88, by adding a section.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

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

CONSENT CALENDAR

SUSPENSION OF RULES

Anderson, I., moved that the Rules be so far suspended that the bill on the Technical Consent Calendar for today be advanced to the Consent Calendar for consideration today. The motion prevailed.

S. F. No. 2973 was reported to the House.

Kempe and Sieben, H., moved to amend S. F. No. 2973 as follows:

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

"Section 1. [DAKOTA COUNTY WELFARE DEPT.; MERIT BASIS PERSONNEL SYSTEM; PURPOSE.] The purpose of this act is to authorize the establishment of a personnel department in and for the Welfare Department of the county of Dakota to promote and improve the economy and effectiveness of the Welfare Department under its jurisdiction by the improvement of methods of personnel administration under the principles of a merit system of personnel administration, which shall include a uniform system of job classifications, uniform procedures and standards for hiring, promotion, salary administration and other matters.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, unless the context clearly indicates that a different meaning is intended, the terms defined in this section have the meanings given them.

Subd. 2. "Director" means the director of the department of personnel.

Subd. 3. "Personnel department" means the personnel director and the employees engaged in the administration of the personnel department.

Subd. 4. "Appointing authority" means the head of the Welfare Department, who has the power by law or by lawfully dele-

gated authority to make appointments to positions in the County Welfare Department service within the scope of this act.

Subd. 5. "Classified service" means all positions and employees holding such positions in the county Welfare Department service except those placed in the unclassified service by this act.

Subd. 6. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring full time or part time employment of one person.

Subd. 7. "Class" means one or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with clarity to designate each position allocated to the class; that the same general qualifications are needed for the performance of the duties of the class; that the same test of fitness may be used to recruit employees; and that the same schedule of pay can be applied with equity to all persons in the class under the same or substantially the same employment conditions.

Subd. 8. "Allocation" means the assignment of an individual position to an appropriate class on the basis of the kind, difficulty and responsibility of the work performed in the position.

Subd. 9. "Reallocation" means reassignment, or change in allocation of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level, on the basis of significant changes in the kind, difficulty or responsibility of the work performed in such position.

Subd. 10. "Classification" means the act of grouping positions into classes with regard to duties and responsibilities.

Subd. 11. "Eligible" means any person whose name is on the reinstatement, promotional or original entrance list for a given class.

Subd. 12. "Permanent employee" means any employee in the classified service who has gained permanent status according to the act, who has satisfactorily completed his probationary period and has been so certified by the appointing officer.

Subd. 13. "Probationary period" means that part of the examining process following certification and appointment from an original entrance eligible list or a promotional eligible list or when an employee has been transferred from one department to another and upon the request of the new appointing authority will be required to serve a probationary work period during which the employee may demonstrate that he or she meets the reasonable standards of performance and character required of employees in the county welfare service.

Subd. 14. "Classification plan" means a list of the classes of positions in the classified service by their official title. For each class of positions there shall be prepared a class specification which shall set forth the duties, responsibilities and authority thereof, and the qualifications that are necessary and desirable for the satisfactory performance of the duties of the position in the class.

Subd. 15. "Unclassified service" means those positions in the county Welfare Department service which are exempt from the jurisdiction of personnel department by this act.

Subd. 16. "Transfer" means a change by an employee from one position to another position in the same class or to another class in the same salary range involving the performance of similar duties and requiring essentially the same basic qualifications.

Sec. 3. [ADOPTION OF RESOLUTION.] The County Welfare Board may make the provisions of this act operative by adoption of a resolution providing for the establishment of a personnel board of appeals as required under section 12, designating the effective date on which jurisdiction of the department shall commence and appointing the personnel director.

Sec. 4. [PERSONNEL DIRECTOR.] The County Welfare Board shall appoint a personnel director or shall assign the function of personnel director to an existing officer or employee. The person appointed as director or assigned the function shall be appointed for an indefinite term and shall not be removed except in accordance with the procedures established under this act and the rules of the department for classified employees.

Sec. 5. [DUTIES OF THE PERSONNEL DIRECTOR.] The personnel director shall direct and supervise all of the personnel department's administrative technical activities in addition to the duties imposed on the personnel director elsewhere in this act and it shall be the personnel director's duty to:

(a) Appoint, supervise and direct the work of the employees of the personnel department. Such employees shall be chosen in accordance with and subject to the provisions of this act.

(b) Prepare and recommend rules for the administration of this act, which rules shall become effective after approval by the county welfare board and to administer such rules and propose amendments thereto. Such rules shall be acted upon by the county welfare board only after posted notice in each department affected and after written notice to all labor organizations affected whose employees are covered under provisions of this act. The personnel director shall provide for and shall conduct a hearing on the posted rules or changes or amendments thereto. Notwithstanding any other provisions of this act all personnel rules

affecting employees of departments paid in whole or in part by federal funds, shall conform to any valid federal or state regulation affecting any such department.

(c) As soon as practicable after the effective date of this act, after consultation with department heads and employees, prepare a classification plan which shall group all positions in the classified service into classes, based on their duties and responsibilities. The classification plan shall set forth for each class or position a class title, a statement of duties, authority and responsibilities thereof and qualifications that are necessary and desirable for the satisfactory performance of the duties of the position. The classification plan shall be effective upon approval by the county welfare board. Periodic job audits shall be made of positions for the purpose of keeping the classification plan current with changes in work assignments.

(d) As soon as practicable after the adoption of the classification plan, prepare a schedule of salary or wage rates for each class, grade, or group of positions in the classified service. Salary and wage schedules shall be submitted to the county welfare board who may approve, reject or modify such schedules. The assignment of new classes or the reassignment of existing classes to salary ranges and compensation plans shall be made according to the methods set forth above.

(e) Establish programs for the training and further education of employees to the end that the quality of the service may be improved and that employees may be prepared to take advantage of promotional opportunities.

(f) Provide for, formulate, and hold competitive examinations to determine the qualifications of persons seeking employment in any class or position and establish lists of those passing such examinations.

(g) When a vacancy is to be filled, to certify to the appointing authority on written request that sets forth the duties and responsibilities of the position to be filled, the names of the persons highest on the layoff list for the class. If there is no layoff list, the director shall certify those on the eligible list for the class. If there is no such list, the director may authorize temporary appointment pending establishment of such employment lists for such class.

(h) Keep such records as may be necessary for the proper administration of this act.

(i) Provide a system for checking payrolls and accounts for the payment of salaries or wages to employees in the classified service so as to enable the director, upon evidence thereof, to certify or cause to be certified that the persons whose names ap-

pear thereon have been regularly employed or on authorized leave before payment may be lawfully made to such employees.

(j) Make investigations concerning the administration and effect of this act and rules made thereunder and report the findings and recommendations to the county welfare board.

(k) To make such investigations as may be required by the county welfare board and report thereon.

Sec. 6. [UNCLASSIFIED AND CLASSIFIED SERVICE.]
Subdivision 1. [DEFINITION OF COVERAGE.] The officers and employees of the Welfare Department of Dakota County are hereby divided into unclassified and classified service.

Subd. 2. The unclassified service shall comprise:

(a) Department heads appointed by the county welfare board.

(b) Chief deputy or principal assistant and secretary for the Department Head.

(c) Students in training.

(d) Volunteers serving without pay.

(e) Temporary and seasonal positions.

Subd. 3. The classified service shall include all other positions now existing or hereafter created and all employees holding such positions unless specifically placed in the unclassified service or excluded by the provisions of this act. The provisions of Minnesota Statutes, Sections 393.07, Subdivision 5, are hereby superseded insofar as they may be inconsistent.

Sec. 7. [NOTICE OF MEETINGS.] Any labor organization representing persons covered by this act shall be given notice of the meetings of the county welfare board whenever said board has on its agenda consideration of any changes in the classification and pay schedules, and rules and regulations which may affect Welfare Dept. employees.

Sec. 8. [TENURE: CURRENT EMPLOYEES PROTECTED.] All persons holding positions in the service of the Welfare Department of the County of Dakota who had acquired permanent tenure or who were serving a probationary period on the operative date of this act shall retain their positions, seniority date, and accrued benefits without further examination subject to and protected by the provisions of this act, except that those positions in the unclassified service enumerated in section 6, subdivision 2, shall not have permanent tenure, but shall have all other benefits provided for in this act.

Sec. 9. [CLASSIFICATION OF EMPLOYEES.] Subdivision 1. [DIRECTOR TO CLASSIFY.] The director shall be responsible for the classification according to the duties and responsibilities of each position in the county welfare department service. This duty to classify shall extend to all employees and positions held by members of the classified service under this act. A title shall be established for each class of employment for use in examining and certifying names of persons for appointment under this act. The classifications, when approved by the county welfare board, shall take effect immediately. The director shall with approval of the county welfare board make changes in the classification when necessary for efficiency and effectiveness of the service.

Subd. 2. [ALLOCATIONS.] The director shall allocate each position in the classified service to one of the classes within the classification plan.

The county welfare board shall review an allocation made by the director upon the written request of the appointing authority affected on the grounds that:

(a) The action of the director was not in accordance with the personnel act, or

(b) The action of the director was procured by fraud, coercion or other improper conduct of any part in interest.

The welfare board after receiving any application for review shall order the director to submit to it the record upon which he acted and thereafter upon the record may sustain, reverse, or modify the action of the director, or in its discretion may order that further evidence may be taken by him or her to submit to the board and considered by it upon its review. Any employee or appointing authority may petition the personnel appeals board for a review and determination of any alleged arbitrary or capricious action on the part of the county welfare board involving allocation.

Sec. 10. [PAYROLLS APPROVED BY DIRECTOR.] No disbursing officer of the Welfare Department of the County of Dakota shall pay any salary or compensation for service to any person holding a position in the classified service as established under this act unless the payroll or account for such salary or compensation shall bear the certification of the personnel director that the persons named therein have been appointed in accordance with the provisions of this act. The director shall not certify any payroll item for payment unless such person claimed to be entitled to such payment, shall have appointed and employed in accordance with the provisions of this act and the rules of the county welfare board.

Sec. 11. [VETERANS TO BE GIVEN PREFERENCE.] Nothing in this act shall be construed to remove or limit the rights and preferences of veterans as established by the provisions of Minnesota Statutes, Sections 197.45 and 197.46, except that the county welfare board may enact rules relative to retirement age which shall apply to all veterans on the same basis as they apply to other persons. The provisions of Minnesota Statutes, Section 197.46, are superseded by the provisions of this section insofar as they may be inconsistent.

Sec. 12. [PERSONNEL BOARD OF APPEALS.] Subdivision 1. The County Welfare Board shall appoint three persons to serve one, two and three year terms respectively as members of a personnel board of appeals. After the first appointments, successors shall serve for terms of three years each. The expiration dates of all expiring terms shall be January 2. Any vacancies shall be filled by a majority vote of the county welfare board for the unexpired term. Persons appointed to the personnel appeals board shall not serve while holding any public office or while standing as a candidate for any public office, or any public employment or position in a political party. Each member of said board shall be a resident of the county. In the event he or she becomes a nonresident, he or she thereby forfeits his or her office.

Subd. 2. Compensation for members of the personnel board of appeals shall be set by the county welfare board and each member shall be paid actual and necessary expenses.

Subd. 3. The personnel appeals board shall organize by electing a chairperson and Vice Chairperson and shall develop rules of procedure for matters brought before them under the provisions of this act.

Sec. 13. [DUTIES OF BOARD; APPEALS.] Subdivision 1. The personnel board of appeals shall meet upon call of its chairperson or the personnel director to make findings and to report to the county welfare board within 30 days after the filing of an appeal by an applicant, employee, or appointing authority in the following circumstances:

(a) Alleged arbitrary or capricious action on the part of the county welfare board with respect to final establishment of rules under this act.

(b) Alleged discrimination by the personnel director or his or her employees in examination procedures or preparation of lists of eligible candidates or discriminatory use thereof by appointing authority under the provisions of this act or rules promulgated hereunder.

(c) Alleged misinterpretation or evasion by the personnel director or the county welfare board of provisions of this act in

a manner seriously detrimental to the party or parties bringing the appeal.

(d) Such other matters of grievance as may be provided for in rules promulgated under the authority of this act.

Subd. 2. Procedures setting forth the methods and requisite time table for appealing matters to the personnel appeals board shall be established in the rules provided for in this act.

Subd. 3. The findings and reports of the personnel appeals board shall be submitted to the county welfare board for consideration and action as deemed appropriate by the county welfare board, except that to the extent required with respect to employees of departments paid in full or in part by federal funds, the findings of the personnel appeals board shall be final and binding in those circumstances necessary to conform to any valid federal or state regulation affecting any such department.

Sec. 14. [DISCRIMINATION.] There shall be no discrimination in any employment or personnel policy of the county personnel department because of race, color, creed, or national origin. There shall be no discrimination on the basis of age, sex or physical disability, except where specific age, sex or physical requirements constitute a bonafide occupational qualification necessary to proper and efficient administration.

Sec. 15. [RIGHT OF REPRESENTATION.] Any employee or group of employees covered under the provisions of this act shall be afforded the right of representation by a labor organization in any matters covered under this act.

Sec. 16. [APPROPRIATION BY COUNTY WELFARE BOARD.] The county welfare board is hereby authorized and it shall make the necessary appropriation to carry out the provisions of this act.

Sec. 17. [PROVISIONS SEVERABLE.] In the event that any section or portion of this act shall be held invalid, for any reason, such invalidity shall not be held to impair and invalidate the remainder of this act or any other part of it, it being the legislative intent that every section and part hereof shall stand and be in force and effect, notwithstanding the invalidity of any particular provision or provisions.

Sec. 18. [INCONSISTENT ACTS REPEALED.] All acts and parts of acts or any other provisions inconsistent with this act are hereby repealed to the extent necessary to give effect to the provisions of this act.

Sec. 19. [EFFECTIVE DATE.] This act is effective upon its approval by the Dakota County Welfare Board and upon compliance with Minnesota Statutes, Section 645.021."

In addition, amend the enacting clause in the following manner: On line 7, after the word "county", and before the word "employees", add the words "welfare department".

On line 9, delete the word "County" and replace with the word "welfare".

"Subd. 3. The findings and reports of the personnel appeals board shall be submitted to the county welfare board for consideration and action as deemed appropriate by the county welfare board, except that to the extent required with respect to employees of departments paid in full or in part by federal funds, the findings of the personnel appeals board shall be final and binding in those circumstances necessary to conform to any valid federal or state regulation affecting any such department.

Sec. 14. [DISCRIMINATION.] There shall be no discrimination in any employment or personnel policy of the county personnel department because of race, color, creed, or national origin. There shall be no discrimination on the basis of age, sex or physical disability, except where specific age, sex or physical requirements constitute a bonafide occupational qualification necessary to proper and efficient administration.

Sec. 15. [RIGHT OF REPRESENTATION.] Any employee or group of employees covered under the provisions of this act shall be afforded the right of representation by a labor organization in any matters covered under this act.

Sec. 16. [APPROPRIATION BY COUNTY WELFARE BOARD.] The county welfare board is hereby authorized and it shall make the necessary appropriation to carry out the provisions of this act.

Sec. 17. [PROVISIONS SEVERABLE.] In the event that any section or portion of this act shall be held invalid, for any reason, such invalidity shall not be held to impair and invalidate the remainder of this act or any other part of it, it being the legislative intent that every section and part hereof shall stand and be in force and effect, notwithstanding the invalidity of any particular provision or provisions.

Sec. 18. [INCONSISTENT ACTS REPEALED.] All acts and parts of acts or any other provisions inconsistent with this act are hereby repealed to the extent necessary to give effect to the provisions of this act.

Sec. 19. [EFFECTIVE DATE.] Sections 1 through 18 are effective upon its approval by the Dakota County Welfare Board and upon compliance with Minnesota Statutes, Section 645.021.

Section 20. Dakota county shall be exempt from Minnesota Statutes, Section 387.41, as such section relates to political ac-

tivity. This section is effective the day following its final enactment."

Further, amend the title by deleting it in its entirety and inserting in lieu thereof: "relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis for the welfare department, providing for the selection, promotion, severance, tenure of office and compensation of Dakota County Welfare Department employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations; exempting Dakota county from certain provisions of law relating to certain political activity."

The motion prevailed and the amendment was adopted.

S. F. No. 2973, A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion, severance, tenure of office and compensation of Dakota county employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 3246 was reported to the House.

Carlson, D., moved to amend S. F. No. 3246, as amended, as follows:

Line 3 in section 1 of the typewritten committee report, after "may" and before "levy" insert "issue obligations and".

Further, amend the title, after "assessments" and before "for" insert "and issue obligations".

The motion prevailed and the amendment was adopted.

S. F. No. 3246, A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

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

S. F. No. 3281, A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 13, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson, D.	Erdahl	Johnson, R.	Niehaus	Wigley
DeGroat	Erickson	Kvam	Schulz	
Dirlam	Esau	Long	Skaar	

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. Nos. 2046, 2760, and 3499 and S. F. No. 3434.

H. F. No. 2046 was reported to the House.

Berglin moved to amend H. F. No. 2046, the printed bill, as follows:

Page 1, strike lines 2, 3, 4, and in line 5 at the beginning of the line strike "nancy", and add in lieu thereof the following:

"Subd. 5. *When all other conditions of eligibility as prescribed in Sections 256.72 to 256.87 are met, assistance shall be given to families in behalf of the unborn during the final 3 months of pregnancy when the fact of pregnancy has been determined by medical diagnosis, and insofar as possible, the provisions applicable to assistance granted in behalf of dependent children shall also be applicable to such families*".

The motion prevailed and the amendment was adopted.

H. F. No. 2046, A bill for an act relating to public welfare; defining certain recipients of assistance; amending Minnesota Statutes 1971, Section 256.73, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

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

Voss was excused between the hours of 12:30 p.m. and 1:30 p.m.

H. F. No. 2760, A bill for an act relating to the Minnesota environmental conservation library; providing for its collections and use, appropriating money; amending Laws 1971, Chapter 864, Sections 1 and 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 82, and nays 30, as follows:

Those who voted in the affirmative were:

Adams, J.	Dahl	Kahn	Munger	Savelkoul
Adams, S.	Dieterich	Knoll	Myrah	Schulz
Andersen, R.	Eken	Kostohryz	Nelson	Sherwood
Anderson, D.	Enebo	Laidig	Newcome	Sieben, H.
Anderson, G.	Esau	Larson	Norton	Sieben, M.
Anderson, I.	Faricy	LaVoy	Ohnstad	Smith
Becklin	Fjoslien	Lindstrom, E.	Ojala	Spanish
Belisle	Fugina	Lindstrom, J.	Patton	Stanton
Bell	Graba	Lombardi	Pavlak, R.	Ulland
Bennett	Grove	McArthur	Peterson	Vento
Berglin	Hanson	McEachern	Prahl	Wenzel
Carlson, A.	Haugerud	McFarlin	Quirin	Wohlwend
Carlson, B.	Hook	McMillan	Rice	Wolcott
Carlson, D.	Jaros	Menke	Ryan	Mr. Speaker
Carlson, L.	Johnson, C.	Miller, D.	St. Onge	
Casserly	Johnson, D.	Miller, M.	Salchert	
Connors	Jude	Moe	Samuelson	

Those who voted in the negative were:

Biersdorf	Eckstein	Jopp	Mueller	Skaar
Braun	Erdahl	Klaus	Niehaus	Stangeland
Brinkman	Erickson	Knickerbocker	Pehler	Swanson
Culhane	Ferderer	Kvam	Pieper	Vanasek
DeGroat	Graw	Long	Resner	Weaver
Diriam	Johnson, R.	McCauley	Schreiber	Wigley

The bill was passed and its title agreed to.

Connors moved to amend H. F. No. 3499, the printed bill, as follows:

Add a new section to read:

"Sec. 2. The appropriation made by Laws 1973, Chapter 783, is hereby repealed."

The motion prevailed and the amendment was adopted.

H. F. No. 3499, A bill for an act relating to the Minnesota historical society; commissioning paintings, including one depicting Indian life; appropriating money.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 119, and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Cleary DeGroat Lindstrom, J. Ohnstad

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

S. F. No. 3434 was reported to the House.

Cleary moved to amend S. F. No. 3434 as follows:

Line 16, after "1972" insert "*and who are not permanently registered*".

The motion prevailed and the amendment was adopted.

Cleary moved to amend S. F. No. 3434, as amended in the Journal of the House, Tuesday, March 19, 1974, Page 6402, Sec. 3, as follows:

After subparagraph 2, add a new paragraph to read:

"3. *Date moved to present address*".

Renumber the following paragraphs accordingly.

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

S. F. No. 3434, A bill for an act relating to registration of voters; voter registration in political subdivisions without permanent registration as of July 1, 1973; registration cards;

amending Minnesota Statutes, 1973 Supplement, Section 201.061, by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, S. Graw Pieper

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

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of H. F. Nos. 3670, 3561, and 3707.

H. F. No. 3670, A bill for an act relating to Lake county; authorizing the sale of certain lands thereof for certain purposes and providing for the extension of certain sewage, water, and gas lines thereto.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 3561 was reported to the House.

Adams, S.; Johnson, D.; and Ojala moved to amend H. F. No. 3561, the printed bill, as follows:

Page 2, after line 17, insert the following:

"Sec. 3. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 5. The proceeds of the taxes imposed in subdivision 4 hereof shall be deposited in a special state fund to be used to the extent necessary to make refunds on taxes previously paid on valuations of commercially mineable iron ore believed to have existed which said material is found not to exist as commercially mineable iron ore. Any amount remaining after payment of refunds for the year 1973 and prior years shall be credited to the iron range resources and rehabilitation commission account. Any taxpayer who has paid taxes on such valuations may apply to the commissioner of revenue for a refund as provided herein; provided however that no refund for such taxes paid more than six years previous to the date of said application shall be made."

Renumber the remaining section in sequence.

Further, amend the title in line 3 by striking "a subdivision" and inserting "subdivisions".

The motion prevailed and the amendment was adopted.

H. F. No. 3561, A bill for an act relating to taxation; disallowing subtraction for shrinkage of iron ore to determine occupation tax due; providing for assessment of certain omitted property; amending Minnesota Statutes 1971, Sections 273.02, by adding a subdivision; and 298.03.

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

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

Those who voted in the affirmative were:

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

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

H. F. No. 3707 was reported to the House.

Savelkoul moved to amend H. F. No. 3707, the printed bill, as follows:

Pages 1 and 2, strike Sec. 3.

Renumber the remaining section.

Further amend the title, line 1, after "oleomargarine" strike "and liquor".

Line 2, after "a subdivision" strike "; and Minnesota".

Line 3, strike "Statutes, 1973 Supplement, Section 340.47, Sub-division 1".

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll being called, there were yeas 52, and nays 70, as follows:

Those who voted in the affirmative were:

Adams, S.	Clifford	Heinitz	Lombardi	St. Onge
Andersen, R.	Dieterich	Hook	Long	Savelkoul
Andersen, G.	Dirlam	Johnson, J.	McCauley	Schreiber
Belisle	Erdahl	Johnson, R.	McFarlin	Stangeland
Bell	Erickson	Jopp	Mueller	Ulland
Bennett	Esau	Klaus	Myrah	Weaver
Biersdorf	Ferderer	Knickerbocker	Newcome	Wohlwend
Brinkman	Fjoslien	Kostohryz	Ohnstad	Wolcott
Carlson, A.	Forsythe	Kvam	Patton	
Carlson, D.	Graw	Laidig	Pavlak, R. L.	
Cleary	Hagedorn	Larson	Pieper	

Those who voted in the negative were:

Adams, J.	Eken	Kempe	Moe	Samuelson
Anderson, I.	Enebo	Knoll	Munger	Schulz
Berg	Faricy	LaVoy	Nelson	Sherwood
Berglin	Fugina	Lemke	Niehaus	Sieben, H.
Braun	Graba	Lindstrom, E.	Norton	Skaar
Carlson, B.	Grove	Lindstrom, J.	Ojala	Smith
Carlson, L.	Hanson	Mann	Pavlak, R.	Spanish
Cassery	Jacobs	McArthur	Pehler	Stanton
Connors	Jaros	McCarron	Peterson	Swanson
Culhane	Johnson, C.	McEachern	Prahl	Tomlinson
Cummiskey	Johnson, D.	McMillan	Quirin	Vanasek
Dahl	Jude	Menke	Resner	Vento
DeGroat	Kahn	Miller, D.	Ryan	Wenzel
Eckstein	Kelly	Miller, M.	Salchert	Mr. Speaker

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

Lindstrom, J., proposed an amendment to H. F. No. 3707.

POINT OF ORDER

Pursuant to Rule 45b, Dieterich raised a point of order that the proposed amendment to H. F. No. 3707 was out of order. The Speaker ruled the point of order well taken.

Samuelson moved to amend H. F. No. 3707, the printed bill, as follows:

Page 2, after line 17, add a section:

"Sec. 4. Minnesota Statutes 1971, Sections 33.095 and 33.096 are repealed."

Renumber the remaining section.

Further, amend the title, line 3, after "Subdivision 1" and before the period, insert: "; repealing Minnesota Statutes 1971, Sections 33.095 and 33.096".

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

Quirin moved to amend H. F. No. 3707, the printed bill, as follows:

Page 1, line 7, after "consumer" and before the period insert: *"and (3) any establishment having for sale artificially colored oleomargarine as per this statute, must also have available for sale uncolored oleomargarine and is therefore not taxable under this statute"*.

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

Pehler moved that H. F. No. 3707 be re-referred to the Committee on Agriculture.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 34, and nays 84, as follows:

Those who voted in the affirmative were:

Anderson, D.	Culhane	Jopp	Niehaus	Smith
Anderson, G.	Eckstein	Klaus	Patton	Stangeland
Biersdorf	Eken	Larson	Pehler	Vanasek
Braun	Fjoslien	Lemke	Quirin	Wenzel
Brinkman	Fugina	McCauley	Resner	Wigley
Carlson, B.	Graba	Miller, D.	Schulz	Wohlwend
Carlson, D.	Johnson, C.	Mueller	Skaar	

Those who voted in the negative were:

Adams, J.	Dirlam	Johnson, R.	McFarlin	Ryan
Adams, S.	Enebo	Jude	McMillan	Salchert
Andersen, R.	Erdahl	Kahn	Menke	Sarna
Anderson, I.	Faricy	Kelly	Moe	Savelkoul
Belisle	Ferderer	Kempe	Munger	Searle
Bell	Forsythe	Knoll	Myrah	Sherwood
Bennett	Graw	Kostohryz	Nelson	Sieben, H.
Berg	Grove	Kvam	Newcome	Sieben, M.
Berglin	Hagedorn	Laidig	Norton	Spanish
Carlson, A.	Hanson	LaVoy	Ohnstad	Swanson
Carlson, L.	Haugerud	Lindstrom, E.	Ojala	Tomlinson
Casserly	Heinitz	Lindstrom, J.	Parish	Vento
Cleary	Hook	Lombardi	Pavlak, R.	Voss
Clifford	Jacobs	Long	Pavlak, R. L.	Weaver
Connors	Jaros	Mann	Pieper	Wolcott
Cummiskey	Johnson, D.	McArthur	Pleasant	Mr. Speaker
Dieterich	Johnson, J.	McCarron	Prahl	

The motion did not prevail.

CALL OF THE HOUSE

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

Adams, J.	Dieterich	Johnson, J.	Miller, D.	Salchert
Adams, S.	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
Belisle	Erickson	Kempe	Nelson	Searle
Bennett	Esau	Klaus	Niehaus	Sieben, H.
Berg	Faricy	Knoll	Norton	Sieben, M.
Berglin	Ferderer	Kostohryz	Ohnstad	Skaar
Biersdorf	Fjoslien	Kvam	Ojala	Smith
Braun	Forsythe	Laidig	Parish	Spanish
Brinkman	Fugina	Larson	Patton	Stangeland
Carlson, A.	Graba	LaVoy	Pavlak, R.	Stanton
Carlson, B.	Graw	Lemke	Pavlak, R. L.	Swanson
Carlson, D.	Growe	Lindstrom, E.	Pehler	Tomlinson
Carlson, L.	Hagedorn	Lindstrom, J.	Peterson	Ulland
Casserly	Hanson	Lombardi	Pieper	Vanasek
Cleary	Haugerud	Long	Pleasant	Vento
Clifford	Heinitz	Mann	Prahl	Voss
Connors	Hook	McArthur	Quirin	Weaver
Culhane	Jacobs	McCarron	Resner	Wenzel
Cummiskey	Jaros	McEachern	Rice	Wigley
Dahl	Johnson, C.	McFarlin	Ryan	Wohlwend
DeGroat	Johnson, D.	McMillan	St. Onge	Mr. Speaker

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

H. F. No. 3707, A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1 and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 79, and nays 49, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Casserly	Dieterich	Esau
Adams, S.	Berg	Cleary	Dirlam	Faricy
Andersen, R.	Berglin	Clifford	Enebo	Ferderer
Anderson, I.	Carlson, A.	Connors	Erdahl	Forsythe
Belisle	Carlson, L.	Cummiskey	Erickson	Graw

Grove	Kahn	Mann	Peterson	Stanton
Hagedorn	Kelly	McArthur	Pieper	Swanson
Hanson	Kempe	McCarron	Pleasant	Tomlinson
Heinitz	Knickerbocker	McFarlin	Prahl	Ulland
Hook	Knoll	Menke	Ryan	Vento
Jacobs	Kostohryz	Moe	Sarna	Voss
Jaros	Laidig	Nelson	Savelkoul	Weaver
Johnson, D.	LaVoy	Ojala	Schreiber	Wigley
Johnson, J.	Lindstrom, E.	Parish	Sieben, H.	Wolcott
Johnson, R.	Lindstrom, J.	Pavlak, R.	Sieben, M.	Mr. Speaker
Jude	Lombardi	Pavlak, R. L.	Spanish	

Those who voted in the negative were:

Anderson, D.	Eckstein	Lemke	Niehaus	Schulz
Anderson, G.	Eken	Long	Norton	Searle
Biersdorf	Fjoslien	McCauley	Ohnstad	Sherwood
Braun	Graba	McEachern	Patton	Skaar
Brinkman	Haugerud	McMillan	Pehler	Smith
Carlson, B.	Johnson, C.	Miller, D.	Quirin	Stangeland
Carlson, D.	Jopp	Miller, M.	Resner	Vanasek
Culhane	Klaus	Mueller	St. Onge	Wenzel
Dahl	Kvam	Munger	Salchert	Wohlwend
DeGroat	Larson	Myrah	Samuelson	

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to Rule 14, Mr. Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following action on S. F. No. 3008:

S. F. Nos. 3338, 3272, 2690, 1888, 2110, 2590, 3059, and 1713.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2818:

Cleary; Sieben, H.; and Laidig.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2950:

Knoll, Quirin, and Knickerbocker.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3163:

Hanson, Bennett, and Faricy.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3123:

Stanton, Searle, and Jaros.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 1759:

Casserly, Voss and Andersen, R.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3311:

Tomlinson; Pavlak, R.; and Ferderer.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2576:

Sherwood; Lindstrom, J.; and Stangeland.

MOTION FOR RECONSIDERATION

McMillan moved that the vote whereby S. F. No. 2865 was not passed on Special Orders for Tuesday, March 19, 1974, be now reconsidered. The motion did not prevail.

SPECIAL ORDERS

S. F. No. 1963 was reported to the House.

Hanson moved to amend S. F. No. 1963 as follows:

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, copartnerships, 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 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, comaker 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 investigation 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 funded 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 judgment 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 by striking in its its entirety and insert in lieu thereof the following:

“A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.01; 56.12; 56.13, Subdivisions 1 and 3; 56.15, Subdivision 1; 56.16 and 56.18.”.

The motion prevailed and the amendment was adopted.

Hanson moved to amend S. F. No. 1963, as amended, as follows:

Page 1, line 4, strike the figure “\$1,500” and insert in lieu thereof “\$1,200”.

Page 1, line 15, strike the figure “\$1,500” and insert in lieu thereof “\$1,200”.

Page 2, line 21, strike the figure “\$1,500” and insert in lieu thereof “\$1,200”.

Page 2, line 27, strike the figure “\$50” and insert in lieu thereof “\$100”.

Page 2, line 30, after “provided” strike the comma. Further in the line, after “that” strike the language remaining in the line.

Page 2, line 31, strike “*be made on that portion of a loan in excess of \$1,000, and*”.

Page 3, line 22, strike the figure “\$1,500” and insert in lieu thereof “\$1,200”.

Page 3, line 24, strike the figure “\$1,500” and insert “\$1,200”.

Page 3, line 26, strike the figure “\$1,500” and insert “\$1,200”.

Page 4, line 3, strike the figure “\$1,500” and insert “\$1,200”.

Page 4, line 8, strike the figure “\$1,500” and insert “\$1,200”.

The motion prevailed and the amendment was adopted.

Grove was excused for the remainder of today’s session.

S. F. No. 1963, 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.

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

The question being taken on the passage of the bill.

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

The roll being called, there were yeas 72, and nays 61, as follows:

Those who voted in the affirmative were:

Adams, J.	Esau	Knickerbocker	Mueller	Searle
Anderson, I.	Fjoslien	Knoll	Myrah	Sieben, H.
Bell	Forsythe	Kvam	Newcome	Smith
Biersdorf	Graba	Larson	Norton	Spanish
Brinkman	Graw	Lemke	Patton	Stangeland
Carlson, B.	Hagedorn	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, D.	Hanson	Lombardi	Pavlak, R. L.	Weaver
Clifford	Haugerud	Mann	Pieper	Wenzel
Connors	Heinitz	McArthur	Quirin	Wigley
DeGroat	Johnson, C.	McCauley	Resner	Wohlwend
Dirlam	Johnson, J.	McEachern	Rice	Wolcott
Eckstein	Johnson, R.	McFarlin	Salchert	Mr. Speaker
Eken	Jopp	McMillan	Samuelson	
Enebo	Jude	Menke	Savelkoul	
Erdahl	Kelly	Miller, D.	Schreiber	

Those who voted in the negative were:

Adams, S.	Cleary	Johnson, D.	Nelson	Sherwood
Andersen, R.	Culhane	Kahn	Niehaus	Sieben, M.
Anderson, D.	Cummiskey	Kempe	Ohnstad	Skaar
Anderson, G.	Dahl	Klaus	Ojala	Stanton
Becklin	Dieterich	Kostohryz	Parish	Swanson
Belisle	Erickson	Laidig	Pehler	Ulland
Bennett	Faricy	LaVoy	Peterson	Vanasek
Berg	Ferderer	Lindstrom, J.	Pleasant	Vento
Berglin	Fudro	Long	Prahl	Voss
Braun	Fugina	McCarron	Ryan	
Carlson, A.	Hook	Miller, M.	St. Onge	
Carlson, L.	Jacobs	Moe	Sarna	
Casserly	Jaros	Munger	Schulz	

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

H. F. No. 3455 was reported to the House.

Anderson, G., moved that H. F. No. 3455 be re-referred to the Committee on Agriculture. The motion prevailed.

S. F. No. 306 was reported to the House.

Nelson moved that S. F. No. 306 be re-referred to the Committee on Education. The motion prevailed.

S. F. No. 2447, A bill for an act relating to soil and water conservation; amending Minnesota Statutes 1971, Sections 40.03, Subdivision 1; 40.04, Subdivision 12; and 40.05, Subdivisions 3, 3a, and 4.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 116, and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Becklin	Carlson, D.	Ohnstad	St. Onge	Vento
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The bill was passed and its title agreed to.

S. F. No. 2691 was reported to the House.

Sieben, H., moved that S. F. No. 2691 be returned to General Orders. The motion prevailed.

S. F. No. 2170, A bill for an act relating to the salary of county assessors; amending Minnesota Statutes 1971, Section 273.061, Subdivision 6.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Cleary	Faricy	Niehaus	Pieper
Becklin	DeGroat	Jaros		

The bill was passed and its title agreed to.

H. F. No. 1405 was reported to the House.

McFarlin moved that H. F. No. 1405 be returned to General Orders. The motion prevailed.

S. F. No. 2128 was reported to the House.

Tomlinson moved to amend S. F. No. 2128 as amended, as follows:

Page 1, line 14, strike "*one mile or more*" which was inserted by the Connors amendment of March 19 and insert "*the same distance*".

Page 1, line 15, after "*district*" and before the comma insert "*as public school pupils are transported in the transporting district*".

The motion prevailed and the amendment was adopted.

S. F. No. 2128, A bill for an act relating to education; providing school bus transportation for pupils to nonpublic schools in adjacent districts; amending Minnesota Statutes 1971, Section 123.78, by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D. Schulz

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

S. F. No. 734 was reported to the House.

There being no objection, S. F. No. 734 was continued on Special Orders for one day.

S. F. No. 2505 was reported to the House.

There being no objection, S. F. No. 2505 was continued on Special Orders for one day.

S. F. No. 2580 was reported to the House.

Weaver moved to amend S. F. No. 2580, the printed bill, as follows:

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

"Section 1. This act may be cited as "The pupil fair dismissal act of 1974".

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 14, the terms defined in this section shall have the meanings assigned them.

Subd. 2. "Dismissal" means the denial of the appropriate educational program to any pupil, including exclusion, expulsion, and suspension.

Subd. 3. "District" means any school district or unorganized territory.

Subd. 4. "Exclusion" means an action taken by the school board to prevent enrollment or reenrollment of a pupil for a period that shall not extend beyond the school year.

Subd. 5. "Expulsion" means an action taken by a school board to prohibit an enrolled pupil from further attendance for a period that shall not extend beyond the school year.

Subd. 6. "Parent" means (a) one of the pupil's parents, or (b) in the case of divorce, legal separation, or illegitimacy, the custodial parent.

Subd. 7. "Pupil" means any handicapped or nonhandicapped student under 21 years of age eligible to attend a public elementary or secondary school.

Subd. 8. "School" means any school as defined in Minnesota Statutes 1971, Section 120.05, Subdivision 2.

Subd. 9. "School board" means the governing body of any school district or unorganized territory.

Subd. 10. "Suspension" means an action taken by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than five school days. This definition does not apply to dismissal from school for one school day or less. Each suspension action shall include a readmission plan. The readmission plan shall include, where appropriate, a provision for alternative programs to be implemented upon readmission. Suspension may not be consecutively imposed against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will

create an immediate and substantial danger to persons or property around him. In no event shall suspension exceed 15 school days, provided that an alternative program shall be implemented to the extent that suspension exceeds five days.

Sec. 3. [POLICY.] No public school shall deny due process or equal protection of the law to any public school pupil involved in a dismissal proceeding which may result in suspension, exclusion, or expulsion.

Sec. 4. [GROUNDS FOR DISMISSAL.] Subdivision 1. No school shall dismiss any pupil without attempting to provide alternative programs of education prior to dismissal proceedings. Such programs may include special tutoring, modification of the curriculum for the pupil, placement in a special class or assistance from other agencies.

Subd. 2. A pupil may be dismissed on the following grounds:

(a) Willful violation of any reasonable school board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements;

(b) Willful conduct which materially and substantially disrupts the rights of others to an education;

(c) Willful conduct which endangers the pupil or other pupils, or the property of the school.

Sec. 5. [SUSPENSION PROCEDURES.] Subdivision 1. No suspension from school shall be imposed without an informal administrative conference with the pupil, except where it appears that the pupil will create an immediate and substantial danger to persons or property around him.

Subd. 2. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of this act, shall be personally served upon the pupil at or before the time the suspension is to take effect, and upon his parent or guardian by certified mail within 48 hours of the conference. In the event a pupil is suspended without an informal administrative conference on the grounds that the pupil will create an immediate and substantial danger to persons or property around him, the written notice shall be served either personally or by certified mail upon the pupil and his parent or guardian within 48 hours of the suspension. Service by certified mail is complete upon mailing.

Subd. 3. Notwithstanding the provisions of section 5, subdivisions 1 and 2, the pupil may be suspended pending the school board's decision in the expulsion or exclusion hearing; provided

that an alternative program shall be implemented to the extent that suspension exceeds five days.

Sec. 6. [EXCLUSION AND EXPULSION PROCEDURES.]
Subdivision 1. No exclusion or expulsion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the pupil and parent or guardian. The action shall be initiated by the school board or its agent.

Subd. 2. Written notice of intent to take action shall:

(a) Be served upon the pupil and his parent or guardian by certified mail;

(b) Contain a complete statement of the facts, a list of the witnesses and a description of their testimony;

(c) State the date, time, and place of the hearing;

(d) Be accompanied by a copy of this act;

(e) Describe alternative educational programs accorded the pupil prior to commencement of the expulsion or exclusion proceedings; and

(f) Inform the pupil and parent or guardian of the right to:

(1) Have legal counsel at the hearing;

(2) Examine the pupil's records before the hearing;

(3) Present evidence; and

(4) Confront and cross-examine witnesses.

Subd. 3. The hearing shall be scheduled within ten days of the service of the written notice unless an extension, not to exceed five days, is requested for good cause by the school board, pupil, parent or guardian.

Subd. 4. The hearing shall be at a time and place reasonably convenient to pupil, parent or guardian.

Subd. 5. The hearing shall be closed unless the pupil, parent or guardian requests an open hearing.

Subd. 6. The pupil shall have a right to a representative of his own choosing, including legal counsel. If a pupil is financially unable to retain counsel, the school board shall advise the pupil's parent or guardian of available legal assistance.

Subd. 7. The hearing shall take place before:

- (a) An independent hearing officer;
- (b) A member of the school board;
- (c) A committee of the school board, or;
- (d) The full school board;

as determined by the school board.

Subd. 8. The proceedings of the hearing shall be recorded and preserved, at the expense of the school district, pending ultimate disposition of the action. Testimony shall be given under oath. The hearing officer or a member of the school board shall have the power to issue subpoenas and administer oaths.

Subd. 9. At a reasonable time prior to the hearing, the pupil, parent or guardian, or his representative, shall be given access to all public school system records pertaining to the pupil, including any tests or reports upon which the proposed action may be based.

Subd. 10. The pupil, parent or guardian, or his representative, shall have the right to compel the attendance of any official employee or agent of the public school system or any public employee or any other person who may have evidence upon which the proposed action may be based, and to confront and to cross-examine any witness testifying for the public school system.

Subd. 11. The pupil, parent or guardian, or his representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.

Subd. 12. The pupil cannot be compelled to testify in the dismissal proceedings.

Subd. 13. The recommendation of the hearing officer or school board member or committee shall be based solely upon substantial evidence presented at the hearing and be made to the school board within two days of the end of the hearing.

Subd. 14. The decision by the school board shall be based upon the recommendation of the hearing officer or school board member or committee and shall be rendered at a special meeting within five days after receipt of the recommendation. The decision shall be in writing and the controlling facts found upon which the decision is made shall be stated in sufficient detail to apprise the parties and the commissioner of education of the basis and reason for the decision.

Sec. 7. [APPEAL.] An exclusion or expulsion decision made pursuant to this act may be appealed to the commissioner of education. The commissioner or his representative shall make a final decision based upon a record of evidence presented at the hearing. Such ruling shall be binding upon the parties, subject to judicial review as provided in section 8.

Sec. 8. [JUDICIAL REVIEW.] The decision of the commissioner of education made pursuant to this act shall be subject to direct judicial review in the district court of the county in which the school district or any part thereof is located. The scope of the judicial review shall be as provided by Minnesota Statutes 1971, Section 15.0425.

Sec. 9. [REPORTS TO SERVICE AGENCY.] The school board shall report any action taken pursuant to this act to the appropriate public service agency, when the pupil is under the supervision of such agency.

Sec. 10. [NONAPPLICATION OF CERTAIN LAW.] The provisions of Minnesota Statutes 1971, Section 120.10, Subdivision 1, shall not apply to any pupil during a dismissal pursuant to this act.

Sec. 11. [REPORT TO COMMISSIONER OF EDUCATION.] The school board shall report each exclusion or expulsion within 30 days of the effective date of the action to the commissioner of education. This report shall include a statement of alternative programs of education accorded the pupil prior to the commencement of exclusion or expulsion proceedings.

Sec. 12. [NOTICE OF RIGHT TO BE REINSTATED.] Whenever a pupil fails to return to school within ten school days of the termination of dismissal, the pupil and his parents shall be informed by certified mail of the pupil's right to attend and to be reinstated in the public school.

Sec. 13. [POLICIES TO BE ESTABLISHED.] The commissioner of education shall promulgate guidelines to assist each school board. Each school board shall establish uniform criteria for dismissal and adopt policies and rules in writing to effectuate the purposes of this act. The policies will emphasize the prevention of dismissal action through early detection of problems. The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period and help prepare him for readmission.

Sec. 14. This act shall not be deemed to amend or otherwise affect or change Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 5, Clause (2).

Sec. 15. This act shall apply only to those portions of the school program for which credit is granted.

Sec. 16. [REPEALER.] Minnesota Statutes 1971, Section 127.071, is repealed."

The motion prevailed and the amendment was adopted.

S. F. No. 2580, A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 117, and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	DeGroat	Graba	Kempe	Peterson
Anderson, G.	Erickson	Jacobs	Klaus	Wenzel

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

S. F. No. 3355, A bill for an act relating to highway traffic regulations; application thereof; amending Minnesota Statutes, 1973 Supplement, Section 169.03, as amended by Laws 1974, Chapter 23, Section 1.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 3477 was reported to the House.

Berg moved to amend S. F. No. 3477, the printed bill, as follows:

Line 3, in the title, strike "or" and insert "of".

The motion prevailed and the amendment was adopted.

S. F. No. 3477, A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6;

169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 3008 was reported to the House.

Moe moved that S. F. No. 3008 be re-referred to the Committee on Governmental Operations.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 55, and nays 59, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Heinitz	Moe	Savelkoul
Adams, S.	DeGroat	Johnson, D.	Nelson	Schulz
Anderson, D.	Dieterich	Kahn	Niehaus	Sherwood
Belisle	Eken	Kelly	Norton	Sieben, H.
Bell	Erickson	Klaus	Ohnstad	Sieben, M.
Berg	Faricy	Knickerbocker	Ojala	Stanton
Berglin	Ferderer	Knoll	Pavlak, R.	Swanson
Braun	Fugina	Kostohryz	Peterson	Tomlinson
Carlson, A.	Graba	McFarlin	Pleasant	Ulland
Cleary	Hagedorn	McMillan	Rice	Wolcott
Clifford	Hanson	Menke	Salchert	Mr. Speaker

Those who voted in the negative were:

Andersen, R.	Dirlam	Johnson, J.	Long	Schreiber
Anderson, G.	Eckstein	Johnson, R.	Mann	Skaar
Anderson, I.	Enebo	Jopp	McArthur	Spanish
Becklin	Erdahl	Jude	McCarron	Stangeland
Bennett	Esau	Kempe	McEachern	Vanasek
Biersdorf	Fjoslien	Kvam	Miller, M.	Vento
Carlson, B.	Forsythe	Laidig	Mueller	Voss
Carlson, D.	Fudro	Larson	Munger	Weaver
Carlson, L.	Graw	Lemke	Parish	Wenzel
Culhane	Hook	Lindstrom, E.	Pavlak, R. L.	Wigley
Cummiskey	Jacobs	Lindstrom, J.	Pieper	Wohlwend
Dahl	Johnson, C.	Lombardi	Prahl	

The motion did not prevail.

Moe moved to amend S. F. No. 3008, as amended, as follows:

Page 2, after Section 8, add a new section, as follows:

"Sec. 9. The board of trustees of the public employees retirement association is hereby charged to prepare and submit to the 1975 session of the legislature in the form of proposed legislation, a plan for the merger of the public employees retirement association, teachers retirement association and the Minnesota state retirement system into one statewide public pension system which shall equalize the benefit provisions and support rates for the major employee groups within. The proposed legislation shall also include a proposed recodification of the existing pension or retirement laws concerned in the proposed merger, and a proposal for the formation of a permanent board of directors."

Renumber the remaining section.

Further, amend the title, line 7, after "therefor" and before the period, insert "; providing for a plan for a statewide public pension system".

The motion prevailed and the amendment was adopted.

S. F. No. 3008, A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of necessary building and structures thereon; and appropriating moneys therefor.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 103, and nays 24, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, J.	Clifford	Ferderer	Moe	Savelkoul
Anderson, D.	Connors	Kempe	Niehaus	Sherwood
Bell	DeGroat	Kostohryz	Pavliak, R.	Stanton
Berg	Dieterich	Lemke	Pieper	Ulland
Carlson, A.	Faricy	McFarlin	Rice	

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

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of H. F. No. 3164.

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

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

The question being taken on the passage of the bill and the roll being called, there were yeas 96, and nays 29, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kelly	Nelson	Schreiber
Adams, S.	Enebo	Kempe	Norton	Searle
Andersen, R.	Faricy	Knickerbocker	Ojala	Sherwood
Anderson, D.	Ferderer	Knoll	Parish	Sieben, H.
Anderson, I.	Forsythe	Kostohryz	Patton	Sieben, M.
Belisle	Fudro	Laidig	Pavlak, R.	Smith
Bell	Fugina	LaVoy	Pavlak, R. L.	Spanish
Bennett	Graba	Lindstrom, E.	Pehler	Swanson
Berg	Graw	Lombardi	Peterson	Tomlinson
Berglin	Hagedorn	Mann	Pieper	Ulland
Brinkman	Hanson	McArthur	Pleasant	Vanasek
Carlson, A.	Heinitz	McCarron	Prahl	Vento
Carlson, B.	Hook	McCauley	Quirin	Wenzel
Carlson, L.	Jacobs	McFarlin	Resner	Wohlwend
Casserly	Jaros	McMillan	Ryan	Wolcott
Cleary	Johnson, D.	Menke	St. Onge	Mr. Speaker
Clifford	Johnson, J.	Miller, D.	Salchert	
Connors	Johnson, R.	Miller, M.	Samuelson	
Cummiskey	Jude	Moe	Sarna	
Dahl	Kahn	Munger	Savelkoul	

Those who voted in the negative were:

Anderson, G.	Dirlam	Johnson, C.	Long	Skaar
Becklin	Eckstein	Klaus	Mueller	Stangeland
Biersdorf	Erdahl	Kvam	Myrah	Stanton
Braun	Erickson	Larson	Niehaus	Weaver
Carlson, D.	Esau	Lemke	Ohnstad	Wigley
DeGroat	Fjoslien	Lindstrom, J.	Schulz	

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued in sequence on Special Orders for Thursday, March 21, 1974, immediately following the Consent Calendar. The motion prevailed.

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

REPORTS OF STANDING COMMITTEES

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

H. F. No. 1470, A bill for an act relating to veterans; providing for free higher education of dependents of prisoners of war and persons missing in action; appropriating money; amending Minnesota Statutes 1971, Section 197.09.

Reported the same back with the following amendments:

Page 2, line 5, after "*in any*" insert "*Minnesota*".

Page 2, line 6, after "*or*" insert "*Minnesota*".

Page 2, line 11, after "*private*" insert "*Minnesota*".

Page 2, line 12, after "*private*" insert "*Minnesota*".

Page 2, line 15, after "*commission*" insert "*at a rate not exceeding the undergraduate tuition at Minnesota public institutions*".

Page 3, line 12, after "\$" insert "10,000.00".

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

The report was adopted.

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

H. F. No. 1627, A bill for an act relating to state agencies; providing for payment of child care costs by the state for members of state boards, councils and commissions; amending Minnesota Statutes, 1973 Supplement, Section 15A.211.

Reported the same back with the following amendments:

Page 1, line 22, after "*members*" and before "*who*" insert "*by reason of service on such boards, councils, and commissions,*" and in the same line after "*employees*" and before the comma insert "*and who are not paid per diem*".

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

The report was adopted.

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

H. F. No. 3497, A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Reported the same back with the following amendments:

Page 1, line 10, after "The" and before "commission" insert "bipartisan".

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

The report was adopted.

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

H. F. No. 3459, A bill for an act relating to the capitol area architectural and planning commission; appropriating money for a master plan implementation study.

Reported the same back with the following amendments:

Page 1, line 7, after "Section 1." strike the remainder of the line.

Page 1, strike line 8.

Page 1, line 9, strike "fund, the sum of \$93,000" and insert "There is reappropriated to the capitol area architectural and planning commission from the unexpended balance of the appropriation made in Laws 1973, Chapter 720, Section 56, an amount not to exceed \$46,500".

Page 2, strike lines 2 and 3 and insert the following:

"Sec. 3. The funds reappropriated in this act may be expended only if a similar sum of money is made available to the commission by the city of St. Paul and shall not lapse prior to the completion of the master plan."

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

The report was adopted.

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

H. F. No. 3504, A bill for an act relating to the organization and operation of state government; appropriating money to the Indian affairs commission.

Reported the same back with the following amendments:

Page 1, line 7, delete "\$86,000" and insert "\$20,000".

Page 1, line 11, after "appropriated" and before the period insert "and shall be for the employment of an Indian affairs commission representative in the Bemidji area".

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

The report was adopted.

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

S. F. No. 162, A bill for an act relating to private detectives and protective agents; providing regulations therefor; prescribing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 326.331; 326.332, Subdivision 1; 326.333; 326.334; 326.336; 326.337; 326.338, by adding a subdivision; 326.339; and Chapter 326, by adding sections; repealing Minnesota Statutes 1971, Section 326.335.

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

The report was adopted.

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

S. F. No. 2231, A bill for an act relating to the state building code act; clarifying application of the act; providing for municipal vacancies regarding certified building officials; allowing the commissioner of administration to establish the surcharge amount and for municipal retention of a portion thereof; clarifying parties responsible for permit fees and surcharges; amending Minnesota Statutes 1971, Sections 16.851; 16.861, by adding a subdivision; and 16.866; and Chapter 16, by adding a section.

Reported the same back with the following amendments:

Page 2, line 7, after "16.866," insert "Subdivision 2,".

Page 2, delete lines 9 to 28.

Page 3, delete lines 1 to 8.

Further, amend the title in line 14 after "16.866" by inserting ", Subdivision 2".

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

The report was adopted.

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

S. F. No. 2669, A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing duties; appropriating moneys therefor; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions.

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

The report was adopted.

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

S. F. No. 2954, A bill for an act relating to the department of education, division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1470, 1627, 3459, and 3504 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 162, 2231, 2669, and 2954 were read for the second time.

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. 3045, A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

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. 773, A bill for an act relating to highway traffic regulations; authorizing certain vehicles and combinations of vehicles under certain conditions to draw one additional two-wheel trailer for the sole purpose of transporting a livestock or poultry loading chute.

H. F. No. 2601, A bill for an act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide public access to a certain lake in St. Louis county; appropriating money therefor.

H. F. No. 2796, A bill for an act relating to special school district No. 1 of the city of Minneapolis; compensation of directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

H. F. No. 3102, A bill for an act relating to pharmacy; legend drugs; restrictions on the prescription and possession of legend drugs; relating to controlled substances; providing restrictions on the possession of controlled substances; amending Minnesota Statutes 1971, Sections 151.37, by adding a subdivision and 152.12, by adding a subdivision.

H. F. No. 3281, A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Clearwater county.

H. F. No. 3287, A bill for an act relating to witness fees; amending Minnesota Statutes, 1973 Supplement, Section 357.24.

H. F. No. 3556, A bill for an act relating to Dakota county; authorizing the Dakota county board to appropriate funds necessary to the effective operation of the Dakota county nursing service committee and establish per diem rates for members thereof.

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. 3179.

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. 3577.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3179, A bill for an act relating to education; establishing a Minnesota history and government learning center; appropriating money.

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

S. F. No. 3577, A bill for an act relating to the organization and operation of state government; providing certain welfare allowances; creating an economic opportunity agency and regional action agencies; appropriating money; amending Minnesota Statutes 1971, Section 256.73, by adding a subdivision.

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

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Thursday, March 21, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Thursday, March 21, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives



