

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-THIRTEENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 26, 1974

The House convened at 12:00 noon and was called to order by the Speaker.

Prayer was offered by the Chaplain.

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

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

A quorum was present.

Salchert was excused. McCauley was excused until 1:15 p.m. McFarlin and Schulz were excused.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of S. F. No. 3308 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

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

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

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
2350		222	March 23	March 23
2501		223	March 23	March 23
2687		224	March 23	March 23
2740		225	March 23	March 23
2840		226	March 23	March 23
3002		227	March 23	March 23
3068		228	March 23	March 23
3144		229	March 23	March 23
3152		230	March 23	March 23
3159		231	March 23	March 23
3162		232	March 23	March 23

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1974</i>	<i>Date Filed 1974</i>
3218		233	March 23	March 23
3287		234	March 23	March 23
3360		235	March 23	March 23

Sincerely,

ARLEN I. ERDAHL
Secretary of State

INTRODUCTION OF BILLS

Pavlak, R., introduced:

H. F. No. 3728, A bill for an act relating to crimes and criminals; prohibiting the willful refusal of a legislator to sign a conference committee report after agreement has been reached thereon, without payment of ransom; providing a penalty.

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

MOTION FOR RECONSIDERATION

Pehler moved that the vote whereby the House acceded to the request of the Senate for the return of H. F. No. 862 to the Senate for further consideration be now reconsidered. The motion prevailed.

Pehler moved that the House refuse to concur in the Senate amendments to H. F. No. 862, that the Speaker appoint a Conference Committee of three 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.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 862:

Pehler, Voss, and Laidig.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2120

March 25, 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. 2120, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments and that H. F. No. 2120, the printed bill, be further amended as follows:

Page 1, line 3, strike "*initially*".

Page 1, line 4, after "receives" insert "*on or*".

Page 1, line 5, after "week" and before the period insert ", *as adjusted*".

Page 1, line 5, strike "*Thereafter,*".

Page 1, line 6, strike "*January 1, 1975*" and insert "*July 1, 1974*".

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

Page 1, line 8, strike everything through the word "*annually*".

Page 1, line 9, strike "*of each prior year*" and insert "*then in effect*".

Page 1, line 11, after the word "*January*" insert the words "*of the year*".

Page 1, line 13, after the word "*January*" insert the words "*of the year*".

Page 1, line 14, after "*effect*" and before the period, insert the words "*, and raising the product to the next highest full dollar amount*".

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

House Conferees: DONALD MOE, DAVID CLEARY, and JOHN SARNA.

Senate Conferees: JOHN MILTON, BALDY (C. R.) HANSEN, and OTTO T. BANG, JR.

Moe moved that the report of the Conference Committee on H. F. No. 2120 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2120, A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

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 118, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2675

March 25, 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. 2675 re-

port that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. [FINDINGS AND PURPOSE.] The legislature finds and declares that the present rapid growth in demand for energy is in part due to unnecessary energy use; that a continuation of this trend will result in serious depletion of finite quantities of fuels, land and water resources, and threats to the state's environmental quality; that the state must insure consideration of urban expansion, transit systems; economic development, energy conservation and environmental protection in planning for large energy facilities; that there is a need to carry out energy conservation measures; and that energy planning, protection of environmental values, development of Minnesota energy sources, and conservation of energy require expanded authority and technical capability and a unified, coordinated response within state government.

The legislature seeks to encourage thrift in the use of energy, and to maximize use of energy-efficient systems, thereby reducing the rate of growth of energy consumption, prudently conserving energy resources, and assuring statewide environmental protection consistent with an adequate, reliable supply of energy.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the following terms shall have the meanings here given them.

Subd. 2. "Agency" means the Minnesota energy agency as provided in this act.

Subd. 3. "Commission" means the legislative commission on energy.

Subd. 4. "Director" means the director of the Minnesota energy agency.

Subd. 5. "Large energy facility" means any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more, any interstate high voltage transmission line with a capacity of 200 kilovolts or more and over 100 miles in length, any facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline greater than six inches in diameter and over 50 miles in length used for the transportation of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline for transporting natural or synthetic gas at pressures in excess of 200 pounds per square inch and over 50 miles in length, any fa-

cility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas, any underground gas storage facility requiring a permit pursuant to Minnesota Statutes, Section 84.57, any facility designed or capable of serving as a depot for coal transported into this state for use within the state or transshipment from the state and any petroleum refinery.

Subd. 6. "Petroleum supplier" means any petroleum refinery in the state and any entity engaged in transmission or wholesale distribution of more than 100,000 gallons of crude petroleum or petroleum fuels or oil or derivatives thereof annually in this state.

Subd. 7. "Coal supplier" means any entity engaged in this state in the wholesale distribution of coal or transportation into this state of any coal intended for use or distribution in the state or transshipment from the state.

Subd. 8. "Utility" means any entity engaged in this state in the generation, transmission or distribution of electric energy and any entity engaged in this state in the transmission or distribution of natural or synthetic natural gas, including, but not limited to a private investor owned utility or a public or municipally owned utility.

Subd. 9. "Construction" means significant physical alteration of a site to install or enlarge a large energy facility, but not including activities incident to preliminary engineering or environmental studies.

Sec. 3. [CREATION OF AGENCY.] Subdivision 1. There is hereby created in the executive branch the Minnesota energy agency.

Subd. 2. The agency shall be under the supervision of the director who shall organize the agency and employ such other officers, agents and employees as are necessary to carry out the functions of the agency. Duties of such officers, agents and employees shall be as specified by the director.

Subd. 3. The director shall be appointed by the governor with the advice and consent of the senate, to a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and qualified. In appointing the director the governor should give due consideration to the listing of names submitted by the commission pursuant to section 4. The director shall serve at the pleasure of the governor.

A vacancy in the office of director shall be filled by the governor and the new appointee shall immediately take office and carry out all duties until the next session of the legislature when

his appointment shall be submitted to the senate for confirmation.

The director may appoint a deputy who shall serve at his pleasure. The salaries of the director and the deputy shall be fixed by the governor until otherwise expressly provided for by law. The deputy may be authorized by the director to perform every duty, power and responsibility imposed on the director unless expressly forbidden by law. The director and his deputy shall serve in the unclassified service and shall be members of the Minnesota state retirement system.

Sec. 4. [CREATION OF COMMISSION; DUTIES.] Subdivision 1. There is hereby created a legislative commission on energy.

The commission shall be composed of three members from the senate, to be appointed by the committee on committees, three members from the house, to be appointed by the speaker and three public members to be appointed by the governor, no more than two to be of the same political party.

Subd. 2. The director of the office of legislative research shall serve as executive secretary of the commission. The commission shall utilize the office of legislative research and employ and specify the duties of such other officers, agents and employees as are necessary to carry out its functions.

Subd. 3. The commission shall:

(a) Submit to the governor a listing of ten persons whom it recommends for appointment as director;

(b) Review and evaluate policies adopted by the agency;

(c) Coordinate with the director of the agency and assist him in determining energy policies;

(d) Assist the director in eliminating duplication in effort among governmental departments and agencies involved in energy activities;

(e) Assist the director in charging governmental departments with specific information gathering goals and report such goals to the legislature and governor;

(f) Consult with the director and the agency on all matters regarding energy conservation;

(g) Routinely advise the director and the agency regarding the exercise of their other duties under this act;

- (h) Continuously evaluate the energy policies of the state;
- (i) Review and comment upon the other activities of the agency;
- (j) Re-evaluate the report of the agency submitted pursuant to section 10;
- (k) Recommend to the governor and the legislature any future energy legislation which it considers necessary or desirable;
- (l) Submit an annual report of its activities to the governor and the legislature; and
- (m) Include in its report to the 1975 legislative session and to the governor its assessment of the scope of the energy shortage in Minnesota and of the need for creating a permanent independent agency on energy.

Subd. 4. The commission shall expire on July 1, 1975 unless renewed by the legislature.

Sec. 5. [CONFLICT OF INTEREST.] No person shall be eligible to continue in office as director unless he has within six months after being appointed divested himself of any interest except fully vested pension rights in any utility, coal or petroleum supplier, or manufacturer of any major component of a large energy facility doing business within or outside this state.

No person who is an employee of the agency shall participate in any manner in any decision or action of the agency where he has a direct or indirect financial interest.

Sec. 6. [JURISDICTION.] The agency has sole authority and responsibility for the administration of this act. Other laws notwithstanding, the authority granted the agency shall supersede the authority given any other agency whenever overlapping, duplication or additional administrative or legal procedures might occur in the administration of this act. The director shall consult with other state departments or agencies in matters related to energy and shall contract with them to provide appropriate services to effectuate the purposes of this act. Any other department, agency or official of this state or political subdivision thereof which would in any way affect the administration or enforcement of this act shall cooperate and coordinate all such activities with the agency to assure orderly and efficient administration and enforcement of this act.

The director shall designate a liaison officer from the agency whose duty shall be to insure the maximum possible consistency in procedures and to eliminate duplication between the division

and the other agencies that may be involved in energy. The commissioner of administration shall, if and to the extent he deems it efficient and beneficial, transfer to the agency, pursuant to Minnesota Statutes, Sections 16.125, 16.13 and 16.135, the functions, employees or work of any agency of the state if such functions or work relate to or if such employees are engaged in matters which fall within the jurisdiction of the agency pursuant to this act.

Sec. 7. [DUTIES.] Subdivision 1. It shall be the duty of the director to:

(a) Manage the agency as the central repository within the state government for the collection of data on energy;

(b) Prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(c) Undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(d) Carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of this act;

(e) Collect and analyze data relating to present and future demands and resources for all sources of energy, and specify energy needs for the state and various service areas as a basis for planning large energy facilities;

(f) Require certificate of need for construction of large energy facilities;

(g) Evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of this act, and make recommendations for changes in energy pricing policies and rate schedules;

(h) Study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(i) Design a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(j) Inform and educate the public about the ways in which persons can conserve energy;

(k) Dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation or the development of alternative energy technologies which conserve non-renewable energy resources while creating minimum environmental impact;

(l) Charge other governmental departments and agencies involved in energy related activities with specific information gathering goals and require that those goals be met.

Sec. 8. [POWERS.] The director may:

(a) Adopt rules and regulations, pursuant to chapter 15 necessary to carry out the purposes of this act;

(b) Make all contracts pursuant to this act and do all things necessary to cooperate with the United States government, and to qualify for, accept and disburse any private grant intended for the administration of this act. Notwithstanding any other law the agency is designated the state agency to apply for, receive and accept federal funds made available to the state for the purposes of this act.

(c) Contract for professional services if such work or services cannot be satisfactorily performed by employees of the agency or by any other state agency;

(d) Enter into interstate compacts to jointly carry out such research and planning with other states or the federal government where appropriate;

(e) Distribute informational material at no cost to the public upon reasonable request.

Sec. 9. [ENERGY EMERGENCY ALLOCATION PLAN.]
Subdivision 1. Within nine months after the effective date of this act, the director shall prepare and issue an emergency conservation and allocation plan in the manner set forth in subdivision 2. Such plan shall provide a variety of strategies and staged conservation measures to reduce energy use and in the event of an energy supply emergency, shall establish guidelines and criteria for allocation of fuels to priority users. The plan shall contain alternative conservation actions and allocation plans to reasonably meet various foreseeable shortage circumstances and allow a choice of appropriate responses. The plan shall be consistent with requirements of federal emergency energy conservation and allocation laws and regulations and shall:

(a) Give priority to individuals, institutions, agriculture and businesses which demonstrate they have engaged in energy-saving measures and shall include provisions to insure that:

(1) Immediate allocations to individuals, institutions, agriculture and businesses be based on needs at energy conservation levels;

(2) Successive allocations to individuals, institutions, agriculture and businesses be based on needs after implementation of required action to increase energy conservation;

(3) Needs of individuals and institutions are adjusted to insure the health and welfare of the young, old and infirm;

(b) Insure maintenance of reasonable job safety conditions and avoid environmental sacrifices;

(c) Establish procedures for fair and equitable review of complaints and requests for special exemptions regarding emergency conservation measures or allocations.

Subd. 2. Within four months after the effective date of this act, the director shall circulate, in a manner designed to assure widespread public notice, a tentative plan of energy conservation measures and allocation priorities and criteria, and shall solicit, in a time, form and manner prescribed by him public comments thereon. Further the director may require all utilities, coal suppliers and petroleum suppliers to comment thereon, as prescribed by him, and to submit suggested emergency conservation measures and allocation criteria. The director may by written order, to the extent he deems appropriate, require joint preparation and submission of such comments and proposals by utilities, coal suppliers and petroleum suppliers. Industry participants in such cooperative planning, acting at the request of the director, shall be deemed thereby to have performed actions permitted by a regulatory body acting under authority of this state within the meaning of Minnesota Statutes, Section 325.8017, Subdivision 2.

Subd. 3. In the process of soliciting public comments on the tentative plan, the director shall hold at least five public meetings in various geographical areas of the state to insure public comment. The final plan shall be based on comments received from the public and utilities, coal suppliers and petroleum suppliers, the independent evaluation and analysis of the director and the guidelines set forth in subdivision 1.

Subd. 4. At least once every five years and whenever construction of a new large energy facility is completed which affects the supply of energy in Minnesota, the director shall review and if necessary revise the emergency conservation and allocation plan.

Subd. 5. Upon a declaration of an energy supply emergency by the executive council or the legislature, the director shall request the division of civil defense to implement and enforce the emergency conservation allocation plan. The executive council and the legislative commission may terminate an energy supply emergency at any time, but no energy supply emergency may continue for longer than 30 days unless renewed by the executive council and the legislative commission. Each renewed energy supply emergency may not continue for longer than 30 days. Each person shall carry out the responsibilities specified in the emergency conservation allocation plan, and violation of any provision of such emergency conservation or allocation requirements shall be deemed a violation of this act and the rules or regulations promulgated thereunder for purposes of enforcement pursuant to section 15 hereof.

Sec. 10. [FORECASTS, STATISTICS AND INFORMATION.] Subdivision 1. In order to further the purposes of this act, the director shall develop and maintain an effective program of collection, compilation, and analysis of energy statistics. The statistical program shall be developed to insure a central state repository of energy data and so that the state may coordinate and cooperate with other governmental data collection and record keeping programs.

Subd. 2. In addition to supplying such current statistical and short range forecasting information as the director may require, each utility, coal supplier, petroleum supplier and large energy facility in the state shall prepare and transmit to the director by January 1, 1975, and every year thereafter, a report specifying in five, ten, and 20-year forecasts the projected demand for energy within their respective service areas and the facilities necessary to meet the demand.

The report shall be in a form specified by the director and contain all information deemed relevant by the director.

Subd. 3. The director shall, to the maximum extent feasible, provide that forecasts required under this section be consistent with material required by other state and federal agencies in order to prevent unnecessary duplication.

Subd. 4. Reports issued pursuant to this section shall be available for public inspection in the office of the agency during normal business hours.

Subd. 5. The director shall review and evaluate forecasts of energy demands and resources as they relate to the most current population growth and development estimates, statewide and regional land use, transportation, and economic development programs and forecasts.

Sec. 11. [STATE ENERGY POLICY AND CONSERVATION REPORT.] Subdivision 1. Beginning January 1, 1976, and at least every two years thereafter, the director shall transmit to the governor and the legislature a comprehensive report designed to identify emerging trends related to energy supply, demand, conservation, public health and safety factors, and to specify the level of statewide and service area energy need. The report shall include, but not be limited to, all of the following:

(a) A final report on the accuracy and acceptability of the energy forecasts received under section 10 and the alternatives to meeting that demand;

(b) An estimate of statewide and geographical area energy need for the forthcoming five and ten year period which, in the judgment of the director, will reasonably balance requirements of state and service area growth and development, protection of public health and safety, preservation of environmental quality, and conservation of energy resources. Such forecasts established by the director shall serve as the basis for certification of large energy facilities in section 13;

(c) The anticipated level of statewide and geographical area energy demand for 20 years, which shall serve as the basis for long range action;

(d) The identification of potential adverse social, economic, or environmental effects caused by a continuation of the present energy demand trends;

(e) An assessment of the state's energy resources, including examination of the availability of commercially developable and imported fuels;

(f) The estimated reduction in annual energy consumption resulting from various energy conservation measures;

(g) The status of the department's ongoing studies;

(h) A description of the emergency allocation plan;

(i) Recommendations to the governor and the legislature for administrative and legislative actions to accomplish the purposes of this act.

Subd. 2. Prior to the preparation of a final report, the director shall issue a draft report to the legislative commission on energy, the environmental quality council and any person, upon request, and shall hold a public meeting. Notice of the public meeting shall be provided to each regional development commission.

Subd. 3. The director shall distribute the final report to any person upon request.

Sec. 12. [ENERGY CONSERVATION.] Subdivision 1. After consultation with the director and the commissioner of public safety, the commissioner of highways shall, pursuant to chapter 15, promulgate regulations establishing maximum energy use standards for street, highway and parking lot lighting. Such standards shall be consistent with overall protection of the public health, safety and welfare. No new highway, street or parking lot lighting shall be installed in violation of these regulations and existing lighting levels shall be reduced consistent with the regulations as soon as feasible and practical, consistent with overall energy conservation.

Subd. 2. The director may investigate promotional practices by energy suppliers and, pursuant to chapter 15, may promulgate regulations to limit such practices in order to reduce the rate of growth of energy demand.

Subd. 3. After July 1, 1974, no new natural gas outdoor lighting shall be installed in the state.

Subd. 4. In recognition of the compelling need for energy conservation in order to safeguard the public health, safety and welfare, it is necessary to provide building design and construction standards consistent with the most efficient use of energy. Therefore, the commissioner of administration, in consultation with the director, shall, no later than April 1, 1975, and pursuant to Minnesota Statutes, Chapter 15, promulgate building design and construction standards regarding heat loss control, illumination and climate control. Such standards shall apply to all new buildings and remodeling affecting heat and loss control, illumination and climate control. Such standards shall be economically feasible in that the resultant savings in energy procurement shall exceed the cost of the energy conserving requirements amortized over the life of the building. The standards shall become part of the state building code and be effective six months after promulgation.

Subd. 5. The director, in conjunction with the commissioner of administration, shall conduct studies of the state's purchase and use of supplies, automobiles and equipment having a significant impact on energy use in order to determine the potential for energy conservation. The director may promulgate regulations to insure that energy use and conservation will be considered in state purchasing and, where appropriate, to require certain minimum energy efficiency standards in purchased products and equipment. No state purchasing of equipment or material use shall occur that is not in conformity with these regulations.

Subd. 6. In consultation with the director, the commissioner of highways shall begin an efficiency study of the present traffic

flow system within the state. The study shall consider the feasibility of a computer-coordinated traffic system and other measures for increasing the efficiency of present traffic loads.

Subd. 7. The commissioner of administration shall begin a study of expanding the state telecommunication system to reduce travel between all state departments and agencies.

Subd. 8. The tax study commission shall study the feasibility of encouraging car pools and private busing through the use of tax incentives.

Subd. 9. In conjunction with the motor vehicle services division, the director shall study the feasibility of modifying motor vehicle license fees to reflect energy consumption.

Sec. 13. [CERTIFICATE OF NEED.] Subdivision 1. Within six months after the submission of the first biennial report the director shall, pursuant to chapter 15 and this act, promulgate assessment of need criteria to be used in the determination of need for large energy facilities pursuant to this section.

Subd. 2. After promulgation of the assessment of need criteria, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the director pursuant to this act and consistent with the criteria for assessment of need.

Subd. 3. No proposed large energy facility shall be certified for construction unless the applicant has justified its need. In assessing need, the director shall evaluate:

(1) The accuracy of the long range energy demand forecasts on which the necessity for the facility is based;

(2) The effect of existing or possible energy conservation programs under this act or other federal or state legislation on long term energy demand;

(3) The relationship of the proposed facility to overall state energy needs;

(4) Promotional activities which may have given rise to the demand for this facility;

(5) Socially beneficial uses of the output of this facility, including its uses to protect or enhance environmental quality;

(6) The effects of the facility in inducing future development;

(7) Possible alternatives for satisfying the energy demand including but not limited to potential for increased efficiency of existing energy generation facilities;

(8) The policies, rules and regulations of other state and federal agencies and local governments.

Subd. 4. After promulgation of the criteria for assessment of need, any utility, coal supplier or petroleum supplier shall apply for a certificate of need to construct a new large energy facility. The application shall be on forms and in a manner established by the director. In reviewing each application the director shall hold at least one public hearing pursuant to chapter 15.

Subd. 5. Within six months of the submission of an application, the director shall approve or deny a certificate of need for the facility. Such approval or denial of the certificate shall be accompanied by a statement of the reasons for the decision. Issuance of the certificate may be made contingent upon modifications required by the director.

Subd. 6. Any application for a certificate of need shall be accompanied by a fee not to exceed \$50,000. The director shall establish by regulation pursuant to chapter 15 and this act, a schedule of fees based on the output or capacity of the facility and the difficulty of assessment of need. Funds collected in this manner shall be credited to the general fund of the state treasury.

Subd. 7. Other state agencies authorized to issue permits for siting, construction or operation of large energy facilities shall present their position regarding need and participate in the public hearing process prior to the issuance or denial of a certificate of need. Issuance or denial of certificates of need shall be the sole and exclusive prerogative of the director and said determinations and certificates shall be binding upon other state departments and agencies, regional, county and local governments and special purpose government districts except as provided in Laws 1973, Chapter 342 and Chapter 412, Section 4, Subdivision 9.

Subd. 8. This section shall not apply in any case where the director shall determine after being advised by the attorney general that its application has been preempted by federal law.

Sec. 14. [SUBPOENA POWER.] The director shall have the power, for the purposes of this act, to issue subpoenas for production of books, records, correspondence and other information and to require attendance of witnesses. Such subpoenas may be served anywhere in the state by any person authorized to serve processes of courts of record. If a person does not comply with a subpoena, the director may apply to the district court of Ramsey county and the court shall compel obedience to the sub-

poena by a proper order. A person failing to obey the order is punishable by the court as for contempt.

Sec. 15. [ENFORCEMENT, PENALTIES.] Subdivision 1. Any person who violates this act or any rule or regulation promulgated hereunder or knowingly submits false information in any report required by this act shall be guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

Subd. 2. The provisions of this act or any rules or regulations promulgated hereunder may be enforced by injunction, action to compel performance or other appropriate action in the district court of the county wherein the violation takes place. The attorney general shall bring any action under this subdivision upon the request of the director, and the existence of an adequate remedy at law shall not be a defense to an action brought under this subdivision.

Subd. 3. When the court finds that any person has violated this act or any rule or regulation thereunder, has knowingly submitted false information in any report required by this act, or has violated any court order issued under this act, the court may impose a civil penalty of not more than \$10,000 for each violation. These penalties shall be paid to the general fund in the state treasury.

Sec. 16. Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2, is amended to read :

Subd. 2. The council shall include as permanent members the director of the state planning agency, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the executive officer of the department of health, the commissioner of highways, *the director of the Minnesota energy agency*, a representative of the governor's office designated by the governor, the chairman of the citizens advisory committee, and three other members of the citizens advisory committee as designated by the governor.

Sec. 17. [APPROPRIATIONS.] The agency is hereby authorized positions either permanent or temporary upon approval by the legislative advisory committee of the agency's work program, priorities and proposed job assignments. There is appropriated to the director of the energy agency from the general fund the sum of \$30,000 for preliminary organization of the agency upon passage of this act. Such other financing as may be required shall be from the general contingent account and shall be authorized prior to the employment of personnel. There is hereby appropriated to the general contingent account for fiscal year 1974-1975 from the general fund the sum of \$320,000. There is hereby appropriated to the legislative commission on energy from the general fund the sum of \$30,000 for fiscal year 1974-1975.

Sec. 18. [EFFECTIVE DATE.] This act is effective the day following final enactment.

Sec. 19. [EXPIRATION DATE.] The provisions of this act shall expire December 31, 1979 unless renewed by the legislature.”.

Further, amend the title in line 2 by striking “a” and in line 3 by striking “department of energy” and inserting in lieu thereof “the Minnesota energy agency”.

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

House Conferees: WILLARD M. MUNGER, WILLIAM N. KELLY, and RICHARD A. ANDERSEN.

Senate Conferees: GEORGE R. CONZEMIUS, WINSTON W. BORDEN, and HARMON T. OGDahl.

Munger moved that the report of the Conference Committee on H. F. No. 2675 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2675, A bill for a act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

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 92, and nays 35, as follows:

Those who voted in the affirmative were:

Adams, J.	Casserly	Fugina	Knickerbocker	McMillan
Andersen, R.	Connors	Graba	Knoll	Menke
Anderson, G.	Culhane	Grove	Kostohryz	Miller, D.
Anderson, I.	Cummiskey	Hanson	Laidig	Miller, M.
Belisle	Dahl	Haugerud	LaVoy	Moe
Bell	Dieterich	Jacobs	Lemke	Mueller
Bennett	Dirlam	Jaros	Lindstrom, J.	Munger
Berg	Eken	Johnson, C.	Lombardi	Nelson
Berglin	Enebo	Johnson, D.	Mann	Newcome
Braun	Faricy	Jude	McArthur	Norton
Brinkman	Ferderer	Kahn	McCarron	Ojala
Carlson, A.	Forsythe	Kelly	McCauley	Parish
Carlson, L.	Fudro	Kempe	McEachern	Patton

Pavlak, R.	Resner	Sherwood	Swanson	Wohlwend
Pehler	Rice	Sieben, H.	Tomlinson	Wolcott
Peterson	Ryan	Sieben, M.	Ulland	Mr. Speaker
Pleasant	St. Onge	Smith	Vento	
Prahl	Sarna	Spanish	Voss	
Quirin	Schreiber	Stanton	Wenzel	

Those who voted in the negative were:

Adams, S.	Erdahl	Hook	Lindstrom, E.	Samuelson
Becklin	Erickson	Johnson, J.	Long	Savelkoul
Biersdorf	Esau	Johnson, R.	Myrah	Skaar
Carlson, D.	Fjoslien	Jopp	Niehaus	Stangeland
Cleary	Graw	Klaus	Ohnstad	Vanasek
Clifford	Hagedorn	Kvam	Pavlak, R. L.	Weaver
DeGroat	Heinitz	Larson	Pieper	Wigley

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1866

March 22, 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. 1866, report that we have agreed upon the items in dispute and recommend as follows:

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

“Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the terms defined in this section shall have the meanings given them.

Subd. 2. “Supplemental security income” means benefits paid under the federal program of supplemental security income for the aged, blind, and disabled, Title XVI of the Social Security Act, as enacted by section 301 of the Social Security Amendments of 1972.

Subd. 3. “Applicant for supplemental security income” means an individual who has applied for supplemental security income and who, but for excess income or resources, would be a recipient of supplemental security income.

Subd. 4. “Supplemental aid” means state and county payments to eligible applicants for or recipients of supplemental se-

curity income, in accordance with the provisions of this act and rules and regulations promulgated by the commissioner of welfare.

Subd. 5. "Commissioner" means the commissioner of public welfare or his designee.

Subd. 6. "Department" means the department of public welfare.

Subd. 7. "Local agency" means the county welfare boards in the several counties of the state except that it may also include any multicounty welfare boards or departments where those have been established in accordance with law.

Subd. 8. "Income" means earned and unearned income from any source whatsoever, reduced by amounts paid for federal and state personal income taxes and federal social security taxes.

Sec. 2. [1973 CATEGORICAL AID RECIPIENTS; PROVISIONS FOR SUPPLEMENTAL AID.] Subdivision 1. Commencing January 1, 1974, the commissioner shall certify to each local agency the names of all county residents who were eligible for and did receive aid during December, 1973 pursuant to a categorical aid program of old age assistance, aid to the blind, or aid to the disabled. From and after January 1, 1974, the state and the county shall each pay one half of the supplemental aid calculated for each county resident certified under this section who is an applicant for or recipient of supplemental security income. The amount of supplemental aid for each individual eligible under this section shall be calculated pursuant to the formula prescribed in Title II, Section 212 (a) (3) of Public Law 93-66, as amended.

Subd. 2. An individual eligible for supplemental aid under this section may renounce his or her rights to aid under this section and become eligible for supplemental aid under the provisions of section 3 of this act; or, the individual may retain eligibility under this section and have the amount of his or her supplemental aid recalculated pursuant to the provisions of section 4 of this act.

Sec. 3. [NEW APPLICANTS AND RECIPIENTS; PROVISIONS FOR SUPPLEMENTAL AID.] Subdivision 1. For all applicants for or recipients of supplemental security income who did not receive aid pursuant to any categorical aid program referred to in section 2 during December, 1973, and who make application to the appropriate local agency, the local agency shall determine whether the individual meets the eligibility criteria prescribed in subdivision 2. For each individual who meets the relevant eligibility criteria prescribed in subdivision 2, the local agency shall certify to the commissioner the amount of supplemental aid to which the individual is entitled in accordance with

all of the standards in effect December 31, 1973, for the appropriate categorical aid program. In computing the amount of supplemental aid under this section, the local agency shall deduct from the gross amount of the individual's determined needs all income, subject to the criteria for income disregards in effect December 31, 1973, for the appropriate categorical aid program. From and after the first of the month in which an effective application is filed, the state and the county shall each pay one half of the supplemental aid to which the individual is entitled under this section.

Subd. 2. The eligibility criteria for supplemental aid under this section shall be those in effect December 31, 1973 for the categorical aid programs of old age assistance, aid to the blind, and aid to the disabled. The local agency shall apply the relevant criteria to each application. Effective July 1, 1974, the real property equity limitation for applicants other than the blind shall be \$12,000. Effective January 1, 1975, the real property equity limitation for all applicants for supplemental aid under this section shall be \$15,000. The local agency in its discretion may permit eligibility of an applicant having assets in excess of the amount prescribed in this section if liquidation of the assets would cause undue loss or hardship.

Sec. 4. [RECALCULATION OF SUPPLEMENTAL AID IN CASES OF CHANGED CIRCUMSTANCES.] A recipient of supplemental aid may, if his or her circumstances change substantially after becoming a recipient of supplemental aid, have the amount of his or her aid recalculated in accordance with the standards set forth in section 3.

Sec. 5. [FISCAL AND ADMINISTRATIVE PROCEDURES.] The commissioner of public welfare shall supervise county administration of supplemental aid, and shall, by rule and regulation, establish necessary administrative and fiscal procedures. The procedures may include, but not be limited to:

(a) Procedures for processing claims of the counties for reimbursement by the state for expenditures made by the counties;

(b) Procedures by which county liability for supplemental aid may be deducted from state liability to the county under any other public assistance program authorized by law;

(c) Procedures by which the local agencies may contract with the commissioner of public welfare for state administration of supplemental aid.

Sec. 6. [ADMINISTRATIVE AND JUDICIAL REVIEW.] Any applicant or recipient aggrieved by an order or determination of the local agency may appeal the order or determination in the manner provided by Minnesota Statutes, 1973 Supplement, Section 245A.12.

Sec. 7. [RULES AND REGULATIONS.] The commissioner of public welfare shall promulgate all rules and regulations necessary to carry out the provisions of this act; and may enter into any contracts and agreements necessary for the administration of supplemental aid.

Sec. 8. [SPECIAL 1974 FISCAL PROCEDURES.] Notwithstanding any law to the contrary, any county board of commissioners may, by majority vote at any time following the effective date of this act, transfer surplus funds to the appropriate fund for purposes of this act; and it may immediately levy taxes and issue certificates of indebtedness in anticipation of collection of said taxes, for the purpose of providing money necessary to pay supplemental aid as required by this act during the calendar year 1974.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 261.063, is amended to read:

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

Sec. 10. Except as otherwise provided in section 3, this act shall be effective April 1, 1974; provided, however, that payments authorized under section 2 shall be made retroactive to January 1, 1974.”.

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

“A bill for an act relating to public welfare; providing supplemental aid to certain supplemental security income applicants and recipients after December 31, 1973; providing a penalty for failure to levy taxes for the purposes of county supplementation of supplemental security income applicants and recipients; amending Minnesota Statutes, 1973 Supplement, Section 261.063.”.

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

House Conferees: M. J. McCAULEY, THOMAS H. RESNER, and DON SAMUELSON.

Senate Conferees: ROGER D. MOE, WILLIAM G. KIRCHNER, and ROBERT J. TENNESSEN.

Samuelson moved that the report of the Conference Committee on H. F. No. 1866 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1866, A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

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 126, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

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. 452, A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for expenses; providing a penalty for fraudulent claims; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

Vento moved that the House refuse to concur in the Senate amendments to H. F. No. 452, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 452:

Vento, Faricy, and Forsythe.

Mr. Speaker:

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

H. F. No. 2051, A bill for an act relating to counties; authorizing the use of county road and bridge funds in the construction and maintenance of bicycle paths; amending Minnesota Statutes 1971, Chapter 163, by adding a section.

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

H. F. No. 3105, A bill for an act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

H. F. No. 3340, A bill for an act relating to the city of Rogers; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 3398, A bill for an act relating to retirement; authorizing, under specified conditions and circumstances, a participant in the Minnesota unclassified employees retirement program to withdraw employer and employee shares therefrom and transfer such shares to the highway patrolmen's retirement fund.

H. F. No. 3479, A bill for an act relating to retirement; benefits payable to certain retired elected state officials.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

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. 2377, A bill for an act relating to insurance; regulating valuation of policies; amending Minnesota Statutes 1971, Sections 61A.24, Subdivisions 9 and 11; 61A.25, Subdivision 3, and by adding a subdivision.

H. F. No. 2589, A bill for an act relating to professional corporations; including podiatrists and psychologists within the definition of professional service for the purposes of formation of professional corporations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

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. 2900, A bill for an act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

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.

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 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 2236, A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

The Senate has appointed as such committee Messrs. Thorup, Jensen, Josefson, Wegener and Moe.

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. 2928, A bill for an act reappropriating moneys for capital and related improvements for university and college purposes.

The Senate has appointed as such committee Messrs. Novak, Ashbach and Tennesen.

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. 2866, A bill for an act relating to the city of Saint Paul; providing for and authorizing said city to issue its general obligation bonds for urban renewal development purposes and for rehabilitation loans; amending Laws 1963, Chapter 881, Sections 1, as amended; 2; and 3; and repealing Laws 1973, Chapter 395, Section 2.

The Senate has appointed as such committee Messrs. North, Coleman and O'Neill.

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. 3023, A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1971, Chapter 356, by adding a section; and Sections 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1971, Sections 356.21, as amended; 356.211; and 356.212.

The Senate has appointed as such committee Messrs. Chenoweth, Stokowski and Ogdahl.

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:

S. F. No. 1759, A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing

grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1759

March 21, 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. 1759, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments, and the bill be amended as follows:

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

"Section 1. [PURPOSE.] The legislature finds that the pressure of urbanization and development threatens the most valuable remaining large recreational open space areas in the metropolitan area at the same time as the need for such areas is increased. Immediate action is therefore necessary to provide funds to acquire, preserve, protect and develop regional recreational open space for public use.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 10, the terms defined in this section have the meanings given them.

Subd. 2. "Metropolitan area" means the area comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. "Metropolitan Council" or "council" means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. "Park district" means a park district created under Minnesota Statutes, Chapter 398.

Subd. 5. "Regional recreation open space" means the land and water areas determined by the metropolitan council to be of regional significance in providing for a balance system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks, and large recreation parks.

Subd. 6. "Policy plan" means a plan adopted by the Council pursuant to Section 4 generally describing the extent, type and location of regional recreation open space needed for the metropolitan area and the timing of its acquisition and development.

Subd. 7. "Master plan" means a plan describing the boundaries of specific parks or other regional recreation open space and the nature of their development and use.

Subd. 8. "Commission" means the Metropolitan Parks and Open Space Commission created by Section 3 of this act.

Subd. 9. "Municipality" means any city or town exercising municipal powers located in the metropolitan area, except where there exists in a city of the first class an elected park and recreation board having control of this act, that board shall be considered a municipality.

Sec. 3. [METROPOLITAN PARKS AND OPEN SPACE COMMISSION] Subdivision 1. [GENERAL.] A metropolitan parks and open space commission is established as an agency of the council and shall be organized and structured as provided in this section.

Subd. 2. [MEMBERSHIP.] The commission shall consist of eight members, plus a chairman appointed as provided in subdivision 3. The eight members shall be appointed by the council. One member shall be appointed from each of the following commission precincts:

- (1) Precinct A, consisting of council districts 1 and 2;
- (2) Precinct B, consisting of council districts 3 and 14;
- (3) Precinct C, consisting of council districts 4 and 13;
- (4) Precinct D, consisting of council districts 5 and 6;
- (5) Precinct E, consisting of council districts 7 and 8;
- (6) Precinct F, consisting of council districts 9 and 11;
- (7) Precinct G, consisting of council districts 10 and 12, and
- (8) Precinct H, consisting of council districts 15 and 16.

Subd. 3. [CHAIRMAN.] The chairman of the commission shall be appointed by the council and shall be the ninth member of the commission and shall meet all qualifications established for members, except the chairman need only reside within the metropolitan area. The commission chairman shall serve at the pleasure of the council for a four year term. The chairman shall preside at all meetings of the commission, if present, and shall perform all other duties and functions assigned to him by the commission or by law. The commission may appoint from among its members a vice chairman to act for the chairman during his temporary absence or disability.

Subd. 4. [QUALIFICATIONS.] Each member shall be a resident of the precinct for which he is appointed and shall not during his terms of office as a commission member hold the office of metropolitan council member, or be a member of the metropolitan transit commission, metropolitan sewer board, or metropolitan airports commission; or any other metropolitan agency, board, or commission hereafter established by the legislature or hold any judicial office.

Subd. 5. [TERMS, REMOVAL.] Commencing in April 1974 the terms of members of the commission shall be as follows: members representing precincts A, B, C, and D for terms ending the first Monday in January 1977, members representing precincts E, F, G, and H, and the chairman, for terms ending the first Monday in January 1979. Thereafter the term of each member and the chairman shall be for a term of four years and until his successor is appointed and qualified. If the office of any commission member or the chairman becomes vacant, the vacancy shall be filled by appointment in the same manner the original appointment was made.

Sec. 4. [REGIONAL RECREATION OPEN SPACE SYSTEM POLICY PLAN.] Subdivision 1. The metropolitan council after consultation with the commission, municipalities, park districts and counties in the metropolitan area, and after appropriate public hearings, shall prepare and adopt not later than January 1, 1975, a long range system policy plan for regional recreation open space as part of the council's metropolitan development guide. The plan shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council. The policy plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development. In preparing or amending the policy plan the council shall consult with and make maximum use of the expertise of the commis-

sion. The policy plan shall include a five year capital improvement program, which shall be revised periodically, and shall establish criteria and priorities for the allocation of funds for such acquisition and development.

Subd. 2. [PROCEDURE.] Before adopting the policy plan, the council shall submit the proposed plan to the commission for its review, and the commission shall report its comments to the council within 60 days. The council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 15 days before the hearing, the council shall publish notice thereof in a newspaper or newspapers having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed policy plan and commission comments may be examined by any interested person. At any hearing interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. After receipt of the commission's report and hearing, the council may revise the proposed plan giving appropriate consideration to all comments received, and thereafter shall adopt the plan by resolution. An amendment to the policy plan may be proposed by the council or by the commission. At least every four years the council shall engage in a comprehensive review of the policy plan, Development guide sections, comprehensive plans, capital improvement programs and other plans in substantial conformance with the requirements of subdivision 1 which have been adopted by the council.

Sec. 5. [MASTER PLAN.] Subdivision 1. [ADOPTION.] Each park district located wholly or partially within the metropolitan area, and each county in the metropolitan area not wholly within a park district, shall prepare, after consultation with all affected municipalities, and submit to the metropolitan council, and from time to time revise and resubmit to the council, a master plan and annual budget for the acquisition and development of regional recreation open space located within the district or county, consistent with the council's policy plan.

Subd. 2. [COUNCIL REVIEW.] The metropolitan council shall review with the advice of the commission, each master plan to determine whether it is consistent with the council's policy plan. If it is not consistent, the council shall return the plan with its comments to the municipalities, park district or county for revision and resubmittal.

Sec. 6. [GRANTS.] Subdivision 1. The metropolitan council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agen-

cies may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to Minnesota Statutes, 1973 Supplement, Sections 117.50 to 117.56. No more than 80 percent of the funds available under this act shall be used for acquisition of regional recreation open space and no more than 30 percent shall be used for development of regional recreation open space.

Subd. 2. In order to avoid further delays in acquisition and development of regional recreational open spaces heretofore identified by the council and within existing metropolitan development guidelines, the metropolitan council is authorized to immediately make grants to acquire or develop such areas. The existing development guide sections on regional recreation open space shall continue in force and effect and shall constitute the policy plan until the adoption of revisions or modifications pursuant to Section 4.

Sec. 7. [SALES OF BONDS.] Subdivision 1. The metropolitan council may by resolution authorize the issuance of general obligation bonds of the council such that the amount outstanding and undischarged at any time shall not exceed \$40,000,000, for which its full faith and credit and taxing powers shall be pledged, for the acquisition and betterment of regional recreation open space in accordance with this act. The metropolitan council may also issue general obligation bonds for the purpose of refunding outstanding obligations issued hereunder. The amount of refunding bonds that may be issued from time to time shall not be subject to the dollar limitation contained in this subdivision nor shall such refunding bonds be included in computing the amount of bonds that may be issued within such dollar limitation.

Subd. 2. The metropolitan council shall sell and issue such bonds in the manner provided in Minnesota Statutes, Chapter 475, and shall have the same powers and duties as a municipality issuing bonds under that law, except that the approval of a majority of the electors shall not be required and the net debt limitations therein shall not apply. The terms of each series of such bonds shall be fixed so that the amount of principal and interest on all outstanding and undischarged bonds, together with the bonds proposed to be issued, due in any year shall not exceed .5 mills times the assessed value of all taxable property in the metropolitan area as last finally equalized prior to a proposed issue. The bonds shall be secured in accordance with Minnesota Statutes, Section 475.61, Subdivision 1, and any taxes required for their payment shall be levied by the council, shall not affect the amount or rate of taxes which may be levied by the council for other purposes, shall be spread against all taxable property in the metropolitan area and shall not be subject to limitation as to rate or amount. Any taxes certified by the council to the county auditors for collection shall be reduced by the amount received by the council from the state auditor or the federal government for the purpose of paying the principal and interest on

bonds to which the levy relates. The council shall certify the fact and amount of all money so received to the county auditors, and the auditors shall reduce the levies theretofor made for such bonds in the manner and to the extent provided in Minnesota Statutes, Section 475.61, Subdivision 3.

Subd. 3. [IMMEDIATE LOANS.] The metropolitan council shall have the power, after the authorization of bonds pursuant to this section, to provide funds immediately required for the purposes of this act, by effecting temporary loans upon such terms as it shall by resolution determine, evidenced by notes due in not exceeding 24 months from the date thereof, payable to the order of the lender or to the bearer, to be repaid with interest from the proceeds of such bonds when issued and delivered to the purchaser thereof. Such temporary loans may be made without public advertisement.

Subd. 4. In the event that the full faith and credit pledge of the metropolitan council for the payment of principal and interest on the bonds issued under this section is superseded and replaced by the full faith and credit pledge of the state of Minnesota, by binding and irrevocable legislation, such action shall extinguish the full faith and credit pledge theretofore made for all bonds and the interest thereon issued pursuant to this section.

Subd. 5. [INTERIM APPROPRIATION.] From the funds appropriated by Laws 1973, Chapter 720, Section 43, Subdivision 2, Paragraph h, which could be used for grants in aid for recreational and natural areas located within the jurisdiction of the council, not committed for such purposes on April 1, 1974, the amount needed but not to exceed \$2,000,000 is hereby reappropriated to the council for the fiscal year commencing July 1, 1974, to pay principal and interest coming due in such fiscal year on bonds issued pursuant to this section.

Sec. 8. [LOCAL ACQUISITION.] Any park district or municipality wholly or partially within the metropolitan area, and any county in the metropolitan area not wholly within a park district, may acquire, develop and manage any land or water area, or any interests, easements or other rights therein, comprising regional recreation open space in the same manner as it is authorized to do for other park and recreation purposes, and such area or other rights shall constitute a part of the park and recreation system of the acquiring agency.

Sec. 9. [COUNCIL ACQUISITION.] The metropolitan council shall have the same powers as a county under Minnesota Statutes, Section 398.32, Subdivision 1, to acquire any land or water area, or any interests, easements or other rights therein, which are included in the policy plan whenever such areas have not been acquired for recreation open space purposes within the period of time hereinafter specified; provided that the council shall not have the power of eminent domain. Before proceeding

with the acquisition of any such area or other rights, the council shall by resolution offer a grant covering the full cost of acquisition to the municipality, park district or county in which the area or other rights are situated. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within 12 months after the adoption of the resolution, the council may by resolution offer such a grant to another park district or county or to a municipality in the metropolitan area. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within six months after the adoption of the resolution, the council may direct the commission to proceed with acquisition. The council may, in its discretion, direct the commission to contract with a municipality, park district or county for such services as may be needed to complete such acquisition. The council shall direct the commission to manage such areas so as to preserve them for future recreation open space purposes and may contract with a municipality, park district or county for such management. The council shall convey such areas to a municipality, park district or county for development and operation consistent with an approved recreation open space master plan.

Sec. 10. [TAX EQUIVALENTS.] In each of the four years after the metropolitan council or park district, county or municipality acquires fee simple title to any real property included in the regional recreation open space system, the metropolitan council shall pay to the municipality or township in which the property is situated an amount equal to the total amount of the taxes levied thereon for municipal or township purposes for collection in the year in which title passed, diminished by 20 percent for each subsequent year to and including the year of payment; provided that for any year in which taxes on the property, or on the privilege of using or possessing it, are paid this tax equivalent shall not be paid. All amounts paid pursuant to this section are costs of acquisition of the property with respect to which they are paid.

Sec. 11. [EFFECTIVE DATE.] This act is effective the day following enactment.”.

Further, amend by striking the title and insert in lieu thereof:

“A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; authorizing the metropolitan council to issue bonds therefor and levy taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; authorizing a tax levy therefor and appropriating money.”.

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

Senate Conferees: JOHN CHENOWETH, JOHN KEEFE, and DAVID SCHAAF.

House Conferees: JAMES CASSERLY, RICHARD ANDERSEN, and GORDON VOSS.

Casserly moved that the report of the Conference Committee on S. F. No. 1759 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

The bill was read for the 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 110, and nays 16, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, S.	Heinitz	Myrah	Prahl	Weaver
Becklin	Jopp	Niehaus	Vanasek	Wigley
Carlson, D.	Klaus	Ohnstad		
Graw	Lombardi	Pieper		

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

Mr. Speaker:

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

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 subdivisions; 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.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2576

March 22, 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. 2576, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. Minnesota Statutes 1971, Section 394.22, Subdivision 6, as amended to read:

Subd. 6. "Official control" means legislatively defined and enacted policies, standards, precise detailed maps, and other criteria, all of which control the physical development of a

municipality or a county or any part thereof or any detail thereof, and are the means of translating into (REGULATIONS AND) ordinances all or any part of the general objectives of the comprehensive plan, such official controls may include but are not limited to ordinances establishing zoning, subdivision (CONTROL, PLATTING) controls, *site plan regulations, sanitary codes, building codes, housing codes*, and (THE ADOPTION OF DETAILED) official maps.

Sec. 2. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 7. "Conditional use" means a land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that (1) certain conditions as detailed in the zoning ordinance exist, and (2) the use or development conforms to the comprehensive land use plan of the county and (3) is compatible with the existing neighborhood.

Sec. 3. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 8. "Nonconformity" means any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

Sec. 4. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 9. "Comprehensive plan" means the policies, statements, goals, and interrelated plans for private and public land and water use, transportation, and community facilities including recommendations for plan execution, documented in texts, ordinances and maps which constitute the guide for the future development of the county or any portion of the county.

Sec. 5. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 10. "Variance" means any modification or variation of official controls where it is determined that, by reason of exceptional circumstances, the strict enforcement of the official controls would cause unnecessary hardship.

Sec. 6. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 11. "Town" means any town, including those with the powers of a statutory city pursuant to law.

Sec. 7. Minnesota Statutes 1971, Section 394.22, is amended by adding a subdivision to read:

Subd. 12. "Official map" means a map adopted in accordance with section 44 of this act which may show existing county roads and county state aid highways, proposed future county roads and highways and the area needed for widening existing county roads and highways. An official map may also show the location of existing public land and facilities and other land needed for future public purposes, including public facilities such as parks, playgrounds, schools, and other public buildings, civic centers, and travel service facilities. When requested in accordance with section 394.32, subdivision 3, an official map may include existing and planned public land uses within incorporated areas.

Sec. 8. Minnesota Statutes 1971, Section 394.23, is amended to read:

394.23 [COMPREHENSIVE PLAN.] The board shall have the power and authority to prepare and adopt by ordinance, a comprehensive plan (FOR THE ORDERLY FUTURE PHYSICAL DEVELOPMENT OF THE AREA OF THE COUNTY OR PARTS THEREOF OUTSIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. THE PLAN, WHICH MAY INCLUDE TEXT AND MAPS, SHALL BE APPROVED AND CERTIFIED BY THE BOARD AND WHEN SO CERTIFIED SHALL BE REFERRED TO AS THE COMPREHENSIVE PLAN. THE PLAN MAY THEREAFTER BE AMENDED OR ADDED TO BY THE BOARD). A comprehensive plan or plans when adopted by ordinance shall be the basis for official controls adopted under the provisions of sections 394.21 to 394.37.

Sec. 9. Minnesota Statutes 1971, Section 394.24, Subdivision 1, is amended to read:

394.24 [OFFICIAL CONTROLS.] Subdivision 1. Official controls which shall further the purpose and objectives of the comprehensive plan and parts thereof shall be adopted by (RESOLUTION BY THE BOARD) ordinance.

Sec. 10. Minnesota Statutes 1971, Section 394.24, Subdivision 2, is amended to read:

Subd. 2. Official controls adopted by a board shall apply to and be binding upon (ONLY THAT AREA OR) the county or any parts thereof (OUTSIDE) including areas within the incorporated limits of a (CITY, VILLAGE, OR BOROUGH) municipality, when requested by the municipality under section 394.32.

Sec. 11. Minnesota Statutes 1971, Section 394.24, is amended by adding a subdivision to read:

Subd. 3. For the area within which official controls adopted by the board are effective, such controls shall apply to the use of land for both private and public purposes, provided that the need for adequate, timely and convenient public and semi-public services and facilities must receive due consideration in the formulation, administration and enforcement of all official controls and no land owned or leased by the federal or state government shall be subject to official controls of the county. With respect to the use of land for public purposes, the provisions of this subdivision shall not apply in the metropolitan area as described in Minnesota Statutes, Section 473B.01.

Sec. 12. Minnesota Statutes 1971, Section 394.25, Subdivision 1, is amended to read:

394.25 [FORMS OF CONTROL.] Subdivision 1. Official controls *shall be adopted by ordinance and may include but are not limited to the features set forth in this section.*

Sec. 13. Minnesota Statutes 1971, Section 394.25, Subdivision 2, is amended to read:

Subd. 2. (THE ESTABLISHMENT OF) Zoning ordinances establishing districts within which (DISTRICTS) the use of land or the use of water or the surface of water pursuant to Minnesota Statutes, 1973 Supplement, Section 378.32 for agriculture, forestry, recreation, residence, industry, trade, soil conservation, water supply conservation, surface water drainage and removal, conservation of shorelands, as defined in section 105.485, and additional uses of land and of the surface of water pursuant to Minnesota Statutes, 1973 Supplement, Section 378.32, may be by official controls encouraged, regulated, or prohibited and for such purpose the board may divide the county into districts of such number, shape, and area as may be deemed best suited to carry out the comprehensive plan. Official controls may also be applied to wetlands preservation, open space, parks, sewage disposal, protection of ground water, protection of flood plains as defined in section 104.02, protection of wild, scenic or recreational rivers as defined in section 104.33, protection of slope, soils, unconsolidated materials or bedrock from potentially damaging development, preservation of forests, woodlands and essential wildlife habitat, reclamation of non-metallic mining lands; and the preservation of agricultural lands.

Sec. 14. Minnesota Statutes 1971, Section 394.25, Subdivision 3, is amended to read:

Subd. 3. (FOR) Within each such district (A) zoning (ORDINANCE) ordinances or (MAP) maps (OR REGULATIONS OR PROVISIONS) may also be adopted designating or limiting

the location, height, bulk, number of stories, size of, and the specific uses for which dwellings, buildings, and structures may (HEREAFTER) be erected or altered; the minimum and maximum size of yards, courts, or other open spaces; *setback from existing roads and highways and roads and highways designated on an official map*; (SANITARY, SAFETY, AND) protective measures necessary to protect the public interest including but not limited to controls relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke (THAT SHALL BE REQUIRED FOR SUCH DWELLINGS, BUILDINGS, AND STRUCTURES); the area required to provide for off street loading and parking facilities; heights of trees and structures near airports; and to avoid too great concentration or scattering of the population. All such provisions shall be uniform for each class of land or building throughout each district, but the provisions in one district may differ from those in other districts.

Sec. 15. Minnesota Statutes 1971, Section 394.25, Subdivision 4, is amended to read:

Subd. 4. (MAPS FOR) *Official maps as defined in section 7, of this act* (HIGHWAYS, ROADWAYS, PARKWAYS, ROADS, AND STREETS SHOWING THE EXACT ALIGNMENT, GRADIENTS, DIMENSIONS, AND OTHER PERTINENT FEATURES, AND INCLUDING SPECIFIC CONTROLS FOR SET BACKS FROM THE RIGHT OF WAY AGAINST ENCROACHMENT BY BUILDINGS OR OTHER PHYSICAL STRUCTURES OR FACILITIES).

Sec. 16. Minnesota Statutes 1971, Section 394.25, Subdivision 7, is amended to read:

Subd. 7. Specific (REGULATIONS AND) controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation and dedication of streets and land for other public purposes (REQUIRING FUTURE DEDICATION OR ACQUISITION) and the general design of physical improvement.

Sec. 17. Minnesota Statutes 1971, Section 394.25, Subdivision 8, is amended to read:

Subd. 8. Any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code, *adopted by reference as part of the official control*. The term "code" as used herein means any compilation of regulations or standards or part thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or

model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or welfare. (ALL REQUIREMENTS OF STATUTES FOR THE PUBLICATION OR POSTING OF RESOLUTIONS SHALL BE SATISFIED IN SUCH CASE IF THE RESOLUTION INCORPORATING THE STATUTE, REGULATION, ORDINANCE OR CODE IS PUBLISHED OR POSTED IN THE REQUIRED MANNER AND IF,) Prior to (SUCH POSTING OR PUBLICATION,) adoption at least (THREE COPIES) *one copy* of the statute, rule, regulation, ordinance or code (ARE) *shall be* marked as official copies and filed for use and examination by the public in the office of the county auditor. Provisions of the statute, rule, regulation, ordinance or code thus incorporated in such (RESOLUTION) ordinance by reference shall be as much a part of the (RESOLUTION) ordinance as if they had been set out in full therein.

Sec. 18. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 9. Erosion and sediment controls with regard to clearing, grading, excavation, transporting and filling of lands. Erosion and sediment controls may include, but need not be limited to requiring the development of plans before any land is disturbed. Plans for disturbing land may be submitted to the appropriate soil and water conservation district for comment and review.

Sec. 19. Minnesota Statutes 1971, Section 394.25, is amended by adding a subdivision to read:

Subd. 10. An amendment to official controls may be initiated by the board, the planning commission, or by petition of affected property owners as defined in the official controls. An amendment not initiated by the planning commission shall be referred to the planning commission, if there is one, for study and report and may not be acted upon by the board until it has received the recommendation of the planning commission.

Sec. 20. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 1a. In addition to public hearings required by section 375.51 prior to the adoption by ordinance of any comprehensive plan or amendments thereto or of any official control or amendment thereto, public hearings shall be held before any conditional use permit, any variance, and any proposal for a subdivision is approved or denied by the responsible authority, and in circumstances where a public hearing is otherwise required by sections 394.21 to 394.37. Such public hearings may be continued from time to time and additional hearings may be held.

Sec. 21. Minnesota Statutes 1971, Section 394.26, Subdivision 2, is amended to read:

Subd. 2. Notice of the time, place, and purpose of any public hearing shall be given by publication in a newspaper of general circulation in the town, municipality, or other area concerned, and in the official newspaper of the county, at least ten days before the hearing, *except that notice of public hearings in connection with the adoption by ordinance of any comprehensive plan or amendments thereto or adoption or amendment of any official controls shall be given in the manner provided by section 375.51, subdivision 2. In addition to the requirements of section 375.51, subdivision 2, written notice of public hearings on all official controls and amendments thereto shall be sent to the governing bodies of all towns and all municipalities located within the county. Written notice of public hearings regarding the application of official controls to specific properties, including conditional uses, variances and subdivisions, shall be sent to all property owners of record within 500 feet of the affected property, in incorporated areas, and one-half mile in unincorporated areas, the affected board of town supervisors, and the municipal council of any municipality within two miles of the affected property.*

Sec. 22. Minnesota Statutes 1971, Section 394.26, is amended by adding a subdivision to read:

Subd. 3a. The board may assign responsibility to conduct public hearings for one or more purposes to the planning commission, board of adjustment or any official or employee of the county, except as provided in Minnesota Statutes, Section 375.51.

Sec. 23. Minnesota Statutes 1971, Section 394.27, Subdivision 1, is amended to read:

394.27 [CREATION AND DUTIES OF A BOARD OF ADJUSTMENT.] Subdivision 1. Whenever a board of county commissioners shall have adopted official controls it shall at the same time as the adoption of such controls create a board of adjustment (, PROVIDED THAT ANY COUNTY WHICH PRIOR TO THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559, HAS ADOPTED A ZONING ORDINANCE OR OFFICIAL CONTROLS SHALL CREATE A BOARD OF ADJUSTMENT WITHIN 90 DAYS OF THE EFFECTIVE DATE OF LAWS 1959, CHAPTER 559) *by ordinance.*

Sec. 24. Minnesota Statutes 1971, Section 394.27, Subdivision 2, is amended to read:

Subd. 2. The board of adjustment shall consist of *at least three but not more than seven members, including at least one member from the unincorporated area of the county, whose ap-*

pointment, term of office, or removal from the board shall be as provided in the (RESOLUTION) ordinance creating the board of adjustment; provided that no elected officer of the county nor any employee of the board of commissioners shall serve as a member of the board of adjustment and that one member of such board of adjustment shall also be a member of any planning commission appointed under the provisions of sections 394.21 to 394.37. *In an ordinance creating a three member board of adjustment, provision may be made for one alternate member. The alternate board member shall, when directed by the chairman, attend all meetings of the board and participate fully in its activities but shall not vote on any issue unless authorized to do so by the chairman. The chairman shall authorize the alternate board member to vote on an issue when a regular member is absent, physically incapacitated, abstains because of a possible conflict of interest, or is prohibited by law from voting on that issue. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a regular board member from voting thereon shall be decided by majority vote of all regular board members except the member who is being challenged. In the ordinance establishing the board of adjustment provision may be made for removal of any member for nonperformance of duty or misconduct in office and for the filling of vacancies for any unexpired term. The regular and alternate members of such board of adjustment (SHALL SERVE WITHOUT COMPENSATION BUT) may be paid compensation in an amount determined by the county board and may be paid their necessary expenses in attending meetings of the board and in the conduct of the business of the board.*

Sec. 25. Minnesota Statutes 1971, Section 394.27, Subdivision 5, is amended to read:

Subd. 5. The board of adjustment shall (ACT UPON ALL QUESTIONS AS THEY MAY ARISE IN THE ADMINISTRATION OF ANY ORDINANCE OR OFFICIAL CONTROL, INCLUDING THE INTERPRETATION OF ZONING MAPS, AND IT SHALL) *have the authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision, or determination made by (AN) any administrative official charged with enforcing any ordinance adopted pursuant to the provision of sections 394.21 to 394.37, order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls. Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a town, municipality, county, or state.*

Sec. 26. Minnesota Statutes 1971, Section 394.27, Subdivision 6, is amended to read:

Subd. 6. (SUCH) *An appeal from any order, requirement, decision, or determination of any administrative official shall be*

taken in such time as shall be prescribed by the ordinance creating the board of adjustment (BY GENERAL RULE,) by filing with the board of adjustment a notice of appeal specifying the grounds thereof. The board of adjustment shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the appellant and the officer from whom the appeal is taken and to the public and decide the same within a reasonable time which shall be defined in the ordinance establishing the board of adjustment. An appeal stays all proceedings in furtherance of the action appealed from unless the board of adjustment to whom the appeal is taken certifies that by reason of the facts stated in the certificate a stay would cause imminent peril to life or property. The board of adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from (AS IN ITS OPINION OUGHT TO BE MADE IN THE PREMISES) and to that end shall have all the powers of the officer from whom the appeal was taken and may (ISSUE OR) direct the issuance of a permit. The reasons for the board's decision shall be stated in writing. (THE DECISION OF SUCH BOARD SHALL NOT BE FINAL AND ANY PERSON HAVING AN INTEREST AFFECTED BY SUCH ORDINANCE SHALL HAVE THE RIGHT TO APPEAL TO THE DISTRICT COURT IN THE COUNTY IN WHICH THE LAND IS LOCATED ON QUESTIONS OF LAW AND FACT.)

Sec. 27 Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 7. *The board of adjustment shall have the exclusive power to order the issuance of variances from the terms of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control in cases when there are practical difficulties or particular hardship in the way of carrying out the strict letter of any official control, and when the terms of the variance are consistent with the comprehensive plan. "Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under the terms of the ordinance. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. The board of adjustment may impose conditions in the granting of variances to insure compliance and to protect adjacent properties and the public interest.*

Sec. 28. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 8. A certified copy of any order issued by the board of adjustment acting upon an appeal from an order, requirement, decision or determination by an administrative official, or a request for a variance, shall be filed with the register of deeds or registrar of titles for record. The order issued by the board of adjustment shall include the legal description of the property involved. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of this subdivision.

Sec. 29. Minnesota Statutes 1971, Section 394.27, is amended by adding a subdivision to read:

Subd. 9. All decisions by the board of adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision or determination shall be final except that any aggrieved person or persons, or any department, board or commission of the jurisdiction or of the state shall have the right to appeal within 30 days, after receipt of notice of the decision, to the district court in the county in which the land is located on questions of law and fact.

Sec. 30. Minnesota Statutes 1971, Section 394.29, is amended to read:

394.29 [MAY EMPLOY DIRECTOR AND STAFF.] To carry out the purposes of sections 394.21 to 394.37 the board may employ a planning director (AND INSPECTOR OR EITHER OF THEM) and such staff as it deems necessary (;) to assist the planning director in carrying out his assigned responsibilities, including but not limited to a zoning administrator, sanitary inspector and a building official. If no planning director is appointed, the board shall designate a chief administrative officer who shall administer the official controls. (OR) The board may employ or contract with a planning (AGENCY,) authority(,) or commission, any agency of the state or federal government, a regional development commission or with planning consultants, or with other specialists for such services as it requires.

Sec. 31. Minnesota Statutes 1971, Section 394.30, Subdivision 1, is amended to read:

394.30 [PLANNING COMMISSION.] Subdivision 1. (THE) Any board of county commissioners (WHICH HAS ADOPTED A RESOLUTION INDICATING ITS INTENT TO AVAIL ITSELF OF THE AUTHORITY GRANTED BY SECTIONS 394.21 TO 394.37) may (AT THAT TIME OR ANY SUBSEQUENT TIME) by ordinance appoint a planning (ADVISORY) commission composed of not less than five nor more than eleven members appointed by the chairman of the board. (FOUR MEMBERS OF SUCH COMMISSION SHALL BE CHOSEN FROM THE ELECTORS OF THE COUNTY PROVIDED THAT NOT LESS THAN THREE SHALL BE RESIDENTS OF THE PORTION OF THE COUNTY LYING OUT-

SIDE THE INCORPORATED LIMITS OF MUNICIPALITIES. ONE MEMBER OF SUCH COMMISSION SHALL BE A MEMBER OF THE BOARD.) *At least two members shall be residents of the portion of the county outside the corporate limits of municipalities. The manner of appointment and terms of office of the members shall be as provided in the ordinance. No more than one voting member of the commission shall be an officer or employee of the county. No voting member of the commission shall have received, during the two years prior to appointment, any substantial portion of his income from business operations involving the development of land within the county for urban and urban related purposes. (IN ADDITION) In the ordinance establishing the planning commission the board may designate any county officer or employee as an ex officio member of such commission. The term of office and removal of any member for nonperformance of duty or misconduct in office as well as filling vacancies on the board shall be as provided in the (RESOLUTION) ordinance creating the commission.*

Sec. 32. Minnesota Statutes 1971, Section 394.30, Subdivision 3, is amended to read:

Subd. 3. The members of (SUCH) *the* commission (SHALL SERVE WITHOUT COMPENSATION BUT) *may be compensated in an amount determined by the county board and may be paid their necessary expenses in attending meetings of the commission and in the conduct of the business of the commission.*

Sec. 33. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 4. *The planning commission shall elect a chairman and secretary from among its members and cooperate with the planning director and other employees of the county in preparing and recommending to the board for adoption a comprehensive plan and recommendations for plan execution in the form of official controls and other measures, and amendments thereto. In all instances in which the planning commission is not the final authority, as authorized in subdivision 5, the commission shall review all applications for conditional use permits and plans for subdivisions of land and report thereon to the board.*

Sec. 34. Minnesota Statutes 1971, Section 394.30, is amended by adding a subdivision to read:

Subd. 5. *The board may by ordinance assign additional duties and responsibilities to the planning commission including but not restricted to the conduct of public hearings, the authority to order the issuance of some or all categories of conditional use permits, the authority to approve some or all categories of subdivisions of land, and the authority to approve some or all categories of planned unit developments. The planning commission may be required by the board to review any comprehensive*

plans and official controls and any plans for public land acquisition and development sent to the county for that purpose by any local unit of government or any state or federal agency and shall report thereon in writing to the board.

Sec. 35. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.301] [CONDITIONAL USE PERMITS.] *Subdivision 1. The board may by ordinance designate certain types of developments, including planned unit developments and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved upon a showing by an applicant that standards and criteria stated in the ordinance will be satisfied. Such standards and criteria shall include both general requirements for all conditional uses and, insofar as practicable, requirements specific to each designated conditional use.*

Subd. 2. Conditional use permits shall be issued by the officer administering the official controls only upon the order of the board or the planning commission as designated by ordinance as the approval authority for one or more categories of conditional uses. The planning commission shall in all instances have an opportunity to review conditional uses prior to any final decision by the designated approval authority. Public hearings shall be held in accordance with section 394.26. In connection with ordering the issuance of a conditional use permit the designated approval authority may impose such additional restrictions or conditions as it deems necessary to protect the public interest, including but not limited to matters relating to appearance, lighting, hours of operation and performance characteristics. When appropriate, restrictive covenants may be entered into regarding such matters.

Subd. 3. A conditional use permit shall remain in effect for so long as the conditions agreed upon are observed, provided that nothing in this section shall prevent the board from enacting or amending official controls to change the status of conditional uses.

Subd. 4. A certified copy of any conditional use permit shall be filed with the register of deeds or registrar of titles for record. The conditional use permit shall include the legal description of the property involved. The board by ordinance shall designate the county official or employee responsible for meeting the requirements of the subdivision.

Sec. 36. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.312] [RELATION TO OTHER COUNTY AUTHORITY.] *All official controls in effect on the effective date of this*

act shall remain in full force and effect until amended or repealed whether such controls were adopted by resolution of the board or by ordinance and whether or not comprehensive plans had been adopted before the official controls were adopted. Any official controls and any procedures for the administration of official controls which are in existence on the effective date of this act shall be brought into compliance with this act within three years from the effective date of this act.

Sec. 37. Minnesota Statutes 1971, Section 394.32, Subdivision 2, is amended to read:

Subd. 2. The contract between the governing body of the municipality and the board may provide among other things for joint county-municipal planning activities, or it may designate (A COUNTY PLANNING AGENCY) *the board* as the planning agency for the municipality.

Sec. 38. Minnesota Statutes 1971, Section 394.32, Subdivision 3, is amended to read:

Subd. 3. The governing body of any municipality may request a county (PLANNING AGENCY) *board* to submit to such governing body a comprehensive plan for the municipality setting forth such provisions as the (PLANNING AGENCY) *board* deems applicable to the municipality and for its best interests, or to include the area within the municipality in a county-wide comprehensive plan, or to prepare official controls to apply to the area within the municipality. Notwithstanding the adoption of the comprehensive plan and recommendations for the municipality the plan and recommendations shall not be binding until official controls are adopted by the municipality in accordance with the plan or until the county adopts official controls for the areas within the incorporated limits of the municipality when requested by the governing body of the municipality. After the county adopts official controls for areas within a municipality, the county shall enforce the controls unless the county and municipality provided otherwise by agreement. A municipality may at any time, by resolution of its governing body, take over planning functions, including adoption and enforcement of official controls, with respect to areas within its corporate limits for which a county has adopted official controls.

Sec. 39. Minnesota Statutes 1971, Section 394.33, is amended to read:

394.33 [RELATIONS WITH TOWNS.] *Subdivision 1.* The governing body of any town including any town with the powers of a statutory city pursuant to law may continue to exercise the authority to plan and zone as provided by law, but after the adoption of official controls for a county or portion thereof by the board of county commissioners no town shall enact or

enforce official controls inconsistent with or less restrictive than the standards prescribed in the official (CONTROL) controls adopted by the board. Nothing in this section shall limit any town's power to (ZONE) adopt official controls, including shore-land regulations which are more (RESTRICTIVELY) restrictive than provided in the controls adopted by the county. Upon the adoption or amendment of any official controls the governing body of the town shall file a certified copy thereof with the register of deeds or registrar of titles for record. A certified copy of any official controls of any town which are in effect on the effective date of this act shall also be filed by the governing body of the town with the register of deeds or registrar of titles for record within one year from the effective date of this act.

Subd. 2. The board of supervisors of any town which has adopted or desires to adopt building and zoning regulations and restrictions pursuant to law shall have the authority granted the governing body of any municipality as provided in section 394.32.

Sec. 40. Minnesota Statutes 1971, Section 394.35, is amended to read:

394.35 [FILING WITH REGISTER OF DEEDS.] Upon the adoption of any ordinance or other official control including any maps or charts supplemented to or as part thereof, the county auditor shall file a certified copy thereof with the register of deeds for record. *Ordinances, resolutions, maps or regulations filed with the register of deeds or registrar of titles pursuant to sections 394.21 to 394.37 to not constitute encumbrances on real property.*

Sec. 41. Minnesota Statutes 1971, Section 394.36, Subdivision 1, is amended to read:

394.36 [NONCONFORMITIES.] Subdivision 1. *Any nonconformity including the lawful use or occupation of land or premises existing at the time of the adoption of an official control hereunder may be continued, except as regulated, terminated or acquired by the board as provided in subdivisions 2 or 3, although such use or occupation does not conform to the provisions thereof, but if such (NONCONFORMING USE) nonconformity or occupancy is discontinued for a period of more than one year, or any nonconforming building or structure is destroyed by fire or other peril to the extent of 50 percent of its market value, any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.*

Sec. 42. Minnesota Statutes 1971, Section 394.36, Subdivision 2, is amended to read:

Subd. 2. The board may by (RESOLUTION AS HEREIN PROVIDED PRESCRIBE) *ordinance adopt such regulations not contrary to law as it deems desirable or necessary to classify,*

regulate and control, (OR) reduce the number or extent of (OR) and provide for the gradual elimination of (NONCONFORMING USES) nonconformities and occupancies, including requiring nonconformities to conform with the official controls of the county or terminate within a reasonable time as specified in the official controls. The board may by ordinance impose upon nonconformities additional regulations relating to appearance, signs, lighting, hours of operation and other esthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke.

Sec. 43. Minnesota Statutes 1971, Section 394.36, is amended by adding a subdivision to read:

Subd. 3. A nonconformity that is determined by the board to be detrimental to the achievement of the goals and objectives of the comprehensive plan may be acquired by the board by purchase.

Sec. 44. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.361] [OFFICIAL MAP.] Subdivision 1. Land that is needed for future street and highway purposes and as sites for other necessary public facilities and services is frequently diverted to nonpublic uses which could have been located on other lands without hardship or inconvenience to the owners. When this happens, public uses of land may be denied or may be obtained later only at prohibitive cost or at the expense of dislocating the owners and occupants of the land. Identification on official maps of land needed for future public uses permits both the public and private property owners to adjust their building plans equitably and conveniently before investments are made which will make such adjustments difficult to accomplish.

Subd. 2. The planning commission may develop and recommend for adoption by the board official maps and amendments thereto covering all or any portion of the unincorporated area of the county. Public hearings on proposed official maps and amendments thereto shall be held in accordance with section 394.26. The official map may be adopted and amended by ordinance by the board.

All official maps shall be prepared in sufficient detail to permit the establishment of future acquisition lines on the ground. In unplatted areas a minimum of a centerline survey shall have been made prior to the preparation of the final draft of the official map. The accuracy of the future acquisition lines shown on the official map shall be attested to by the county surveyor. Copies of official maps and amendments shall be filed in accordance with section 394.35. One copy of the official map shall be furnished to the town clerk of each affected town.

Subd. 3. After an official map has been adopted and filed, the issuance of building permits by the county shall be subject to the provisions of this section. Whenever any street or highway is widened or improved or any new street is opened, or interests in lands for other public purposes are acquired by the county, it is not required in such proceedings to pay for any building or structure placed without a permit or in violation of conditions of a permit within the limits of the mapped street or highway or outside of any building line that may have been established upon the existing street or within any area thus identified for public purposes. The adoption of official maps does not give the county any right, title or interest in areas identified for public purposes thereon, but the adoption of a map does authorize the county to acquire such interests without paying compensation for buildings or structures erected in such areas without a permit or in violation of the conditions of a permit. The provisions of this subdivision shall not apply to buildings or structures in existence prior to the filing of the official map.

Subd. 4. If a permit for a building in such location is denied, the board of adjustment shall have the power, upon appeal by the owner of the land to authorize the issuance of a permit for building in such location in any case in which the board finds, upon the evidence and the arguments presented to it, (a) that the entire property of the appellant of which such area identified for public purposes forms a part cannot be put to a reasonable use by the owner unless such a permit is granted, and (b) that balancing the interest of the county in preserving the integrity of the official map and the comprehensive plan and interest of the owner of the property in the use of his property and in the benefits of ownership, the issuance of such permit is required by considerations of justice and equity. Prior to reaching a decision upon the appeal, public hearings shall be held in accordance with section 394.26. If the board of adjustment authorizes the issuance of a permit the board shall have six months from the date of the decision of the board of adjustment to institute proceedings to acquire such land or interest therein, and if no such proceedings are started within that time, the officer responsible shall issue a permit in accordance with the conditions stated in the authorization specifying the exact location, ground area, height and other details as to the extent and character of the building for which the permit is granted.

Sec. 45. Minnesota Statutes 1971, Chapter 394, is amended by adding a section to read:

[394.362] *Subdivision 1. The applicant for a variance which, in the opinion of the board of adjustment, may result in a material adverse effect on the environment may be requested by the board to demonstrate the nature and extent of the effect.*

Subd. 2. The applicant for a conditional use permit which, in the opinion of the planning commission, may result in a mate-

rial adverse effect on the environment may be requested by the board to demonstrate the nature and extent of the effect.

Sec. 46. Minnesota Statutes 1971, Section 394.37, Subdivision 1, is amended to read:

394.37 [ENFORCEMENT.] Subdivision 1. The board shall provide for the enforcement of sections 394.21 to 394.37 and of ordinances (, RESOLUTIONS,) and regulations made thereunder, and may impose enforcement duties on any officer, department, agency, or employee of the county. (IN A COUNTY IN WHICH SUBDIVISION REGULATIONS OR CONTROLS ARE IN FORCE AND HAVE BEEN FILED OR RECORDED AS PROVIDED IN SECTION 394.35, NO CONVEYANCE OF LAND TO WHICH THE REGULATIONS ARE APPLICABLE SHALL BE FILED OR RECORDED IF THE LAND IS DESCRIBED IN THE CONVEYANCE BY METES AND BOUNDS OR BY REFERENCE TO AN UNAPPROVED REGISTERED LAND SURVEY MADE AFTER JUNE 4, 1971, OR TO AN UNAPPROVED PLAT MADE AFTER SUCH REGULATIONS HAVE BECOME EFFECTIVE. THE FOREGOING PROVISION DOES NOT APPLY TO A CONVEYANCE IF THE LAND DESCRIBED:)

((1) WAS A SEPARATE PARCEL OF RECORD ON THE DATE OF ADOPTION OF SUBDIVISION REGULATIONS UNDER SECTIONS 394.12 TO 394.37, OR)

((2) WAS THE SUBJECT OF A WRITTEN AGREEMENT TO CONVEY ENTERED INTO PRIOR TO SUCH TIME, OR)

((3) WAS A SEPARATE PARCEL OF NOT LESS THAN TWO AND ONE-HALF ACRES IN AREA AN 300 FEET.)

(IN ANY CASE IN WHICH COMPLIANCE WITH THE FOREGOING RESTRICTIONS WILL CREATE AN UNNECESSARY HARDSHIP AND FAILURE TO COMPLY DOES NOT INTERFERE WITH THE PURPOSE OF THE SUBDIVISION REGULATIONS, THE BOARD MAY WAIVE SUCH COMPLIANCE BY ADOPTION OF A RESOLUTION TO THAT EFFECT AND THE CONVEYANCE MAY THEN BE FILED OR RECORDED. ANY OWNER OR AGENT OF THE OWNER OF LAND WHO CONVEYS A LOT OR PARCEL IN VIOLATION OF THE PROVISIONS OF THIS SUBDIVISION SHALL FORFEIT AND PAY TO THE COUNTY A PENALTY OF NOT LESS THAN \$100 FOR EACH LOT OR PARCEL SO CONVEYED. A COUNTY MAY ENJOIN SUCH CONVEYANCE OR MAY RECOVER SUCH PENALTY BY A CIVIL ACTION IN ANY COURT OF COMPETENT JURISDICTION.)

Sec. 47. Minnesota Statutes 1971, Section 375.51, Subdivision 1, is amended to read:

375.51 [ORDINANCES; ENACTMENT, PUBLICATION.] Subdivision 1. [ENACTMENT.] In any instance in which a county board is authorized by law to enact ordinances, such county ordinances shall be adopted in the manner hereinafter prescribed except as otherwise provided by law. *A public hearing shall be held prior to the enactment of any ordinance adopting or amending a comprehensive plan or official control as defined in section 394.22.* Every county ordinance shall be enacted by a majority vote of all the members of the county board except where a larger number is required by law. It shall be signed by the chairman of the board and attested by the clerk of the board. The ordinance shall be published as hereinafter provided. Proof of the publication shall be attached to and filed with the ordinance in the office of the county auditor. Every ordinance shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances shall be suitably entitled and shall be substantially in the style: "The county board of County ordains:".

Sec. 48. Minnesota Statutes 1971, Section 375.51, Subdivision 2, is amended to read:

Subd. 2. [NOTICE OF INTENTION.] No ordinance of a county shall be enacted unless a notice of the intention to enact such ordinance has been published in the official newspaper of the county not less than ten days before the meeting *or public hearing required by subdivision 1* at which the ordinance is to be considered. *Public hearings may be continued from time to time and additional hearings may be held.* The notice shall state the subject matter and the general purpose of the proposed ordinance. Proof of the publication of the notice shall be attached to and filed with the ordinance, if enacted, in the office of the county auditor.

Sec. 49. Minnesota Statutes 1971, Section 375.51, Subdivision 3, is amended to read:

Subd. 3. [PUBLICATION.] Every ordinance enacted by a county board shall be published at least once as part of the proceedings of the meeting at which the ordinance was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance may be published in its entirety, or otherwise as hereinafter provided.

To the extent of the authority described in subdivision 1 of this section, a county may incorporate in an ordinance by reference any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county,

or any code. The term "code" as used herein means any compilation of regulations or standards or parts thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or general welfare.

In the case of lengthy ordinances, or ordinances which include charts or maps, the ordinance need not be published in its entirety if the title of the ordinance and a summary of the ordinance is included in the publication of the proceedings of the meeting at which the ordinance was enacted. In such case and in the case a statute, administrative rule or regulation or a code is adopted by reference, all requirements of statute for the publication of ordinances shall be satisfied if the summary of the ordinance or the ordinance incorporating the statute, regulation, ordinance or code is published in the required manner and if, prior to such publication, at least (THREE COPIES) *one copy* of the entire ordinance or of the statute, rule, regulation or code are marked as *the official (COPIES) copy* and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, regulation or code thus incorporated in such ordinance by reference shall be as much a part of the ordinance as if they had been set out in full therein.

Sec. 50. Minnesota Statutes 1971, Section 599.13, is amended to read:

599.13 [MUNICIPAL AND COUNTY ORDINANCES.] Copies of the ordinances, bylaws, resolutions, and regulations of any city, village, (OR) borough, *or county*, certified by the mayor or president of the council, and the clerk thereof, under its seal *or by the county auditor or chairman of the county board*, and copies of the same printed in any newspaper, book, pamphlet, or other form, and which purport to be published by authority of the council of such city or village, *or county board*, shall be prima facie evidence thereof and, after three years from the compilation and publication of any such book or pamphlet, shall be conclusive proof of the regularity of their adoption and publication.

Sec. 51. Minnesota Statutes 1971, Sections 394.06; 394.07; 394.08; 394.09; 394.10; 394.11; 394.12; 394.13; 394.14; 394.15; 394.16, as amended by Laws 1973, Chapter 35, Section 68; 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; 396.01; 396.02; 396.03; 396.04; 396.05; 396.051; 396.06; 396.07; 396.08; 396.09; 396.10; 396.11; 396.12; 396.13; 396.14; 396.15; 396.16; 396.17; 396.18; 396.19; 396.20; and 396.21, are repealed."

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

"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 subdivisions; 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, Subdivisions 1 and 2 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 394.15; 394.16, as amended; 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."

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

Senate Conferees: JERALD C. ANDERSON, ROBERT DUNN, and GERALD L. WILLET.

House Conferees: GLEN SHERWOOD, JOHN C. LINDSTROM, and ARLAN STANGELAND.

Sherwood moved that the report of the Conference Committee on S. F. No. 2576 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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 subdivisions; 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.

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 106, and nays 19, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Johnson, R.	Moe	Savelkoul
Adams, S.	Cummiskey	Jude	Munger	Searle
Andersen, R.	Dahl	Kahn	Myrah	Sherwood
Anderson, G.	Dieterich	Kelly	Nelson	Sieben, H.
Anderson, I.	Eken	Kempe	Newcome	Sieben, M.
Becklin	Enebo	Knickerbocker	Norton	Smith
Belisle	Erdahl	Knoll	Ojala	Stangeland
Bell	Faricy	Kostohryz	Parish	Stanton
Bennett	Ferderer	Laidig	Patton	Swanson
Berg	Forsythe	LaVoy	Pavlak, R.	Tomlinson
Berglin	Fudro	Lemke	Pavlak, R. L.	Ulland
Biersdorf	Graba	Lindstrom, E.	Pehler	Vanasek
Braun	Growe	Lindstrom, J.	Peterson	Vento
Brinkman	Hanson	Lombardi	Pleasant	Voss
Carlson, A.	Hangerud	Mann	Prahl	Wenzel
Carlson, B.	Heinitz	McArthur	Quirin	Wohlwend
Carlson, D.	Hook	McCarron	Resner	Wolcott
Carlson, L.	Jacobs	McCauley	Rice	Mr. Speaker
Casserly	Jaros	McMillan	Ryan	
Cleary	Johnson, C.	Menke	St. Onge	
Clifford	Johnson, D.	Miller, D.	Samuelson	
Connors	Johnson, J.	Miller, M.	Sarna	

Those who voted in the negative were:

Anderson, D.	Erickson	Klaus	McEachern	Skaar
DeGroat	Fjoslien	Kvam	Niehaus	Weaver
Dirlam	Hagedorn	Larson	Ohnstad	Wigley
Eckstein	Jopp	Long	Pieper	

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

Mr. Speaker:

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

S. F. No. 2367, A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2367

March 22, 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. 2367, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accedes to the amendments of the House.

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

Senate Conferees: JOSEPH T. O'NEILL, NICHOLAS D. COLEMAN, and BILL MCCUTCHEON.

House Conferees: ROBERT L. PAVLAK, FRED C. NORTON, NEIL B. DIETERICH, BRUCE F. VENTO, and JOHN D. TOMLINSON.

Pavlak, R. L., moved that the report of the Conference Committee on S. F. No. 2367 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2367, A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

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 118, and nays 5, as follows:

Those who voted in the affirmative were:

Adams, J.	Brinkman	Eken	Haugerud	Kostohryz
Adams, S.	Carlson, A.	Enebo	Heinitz	Kvam
Andersen, R.	Carlson, B.	Erdahl	Jacobs	Laidig
Anderson, D.	Carlson, D.	Erickson	Jaros	Larson
Anderson, G.	Carlson, L.	Esau	Johnson, C.	LaVoy
Anderson, I.	Casserly	Ferderer	Johnson, D.	Lemke
Becklin	Clifford	Fjoslien	Johnson, J.	Lindstrom, E.
Belisle	Connors	Forsythe	Jopp	Lindstrom, J.
Bell	Culhane	Fudro	Jude	Long
Bennett	Dahl	Fugina	Kahn	Mann
Berg	DeGroat	Graba	Kelly	McArthur
Berglin	Dieterich	Graw	Klaus	McCarron
Biersdorf	Dirlam	Growe	Knickerbocker	McCauley
Braun	Eckstein	Hagedorn	Knoll	McMillan

Menke	Ojala	Quirin	Sieben, H.	Vento
Miller, D.	Parish	Resner	Sieben, M.	Voss
Miller, M.	Patton	Rice	Skaar	Weaver
Moe	Pavlak, R.	Ryan	Smith	Wenzel
Munger	Pavlak, R. L.	Samuelson	Stangeland	Wigley
Myrah	Pehler	Sarna	Stanton	Wohlwend
Nelson	Peterson	Savelkoul	Swanson	Wolcott
Newcome	Pieper	Schreiber	Tomlinson	Mr. Speaker
Norton	Pleasant	Searle	Ulland	
Ohnstad	Prahl	Sherwood	Vanasek	

Those who voted in the negative were:

Hook	Johnson, R.	Kempe	Lombardi	Niehaus
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The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

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

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.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2818

March 21, 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. 2818, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments.

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

Senate Conferees: WAYNE OLHOFT, BALDY HANSEN, and ROGER HANSON.

House Conferees: DAVE CLEARY, HARRY A. SIEBEN, and GARY W. LAIDIG.

Cleary moved that the report of the Conference Committee on S. F. No. 2818 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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 127, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

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.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3311

March 21, 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. 3311, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments.

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

Senate Conferees: JOHN C. CHENOWETH, JOSEPH T. O'NEILL, and BILL MCCUTCHEON.

House Conferees: JOHN D. TOMLINSON and ROBERT J. FERDERER.

Tomlinson moved that the report of the Conference Committee on S. F. No. 3311 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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 114, and nays 13, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bell	DeGroat	Klaus	Myrah	Pleasant
Berglin	Erickson	Larson	Niehaus	
Cummiskey	Faricy	Long	Ohnstad	

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

Mr. Speaker:

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

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.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3123

March 21, 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. 3123, 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. 3123 be amended as follows:

Page 3, line 28, strike "one year" and insert "18 months".

Page 4, line 3, strike "one year" and insert "18 months".

Page 4, line 28, strike "a breach of contract,".

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

Senate Conferees: STEPHEN KEEFE, AL KOWALCZYK, and AL-LAN H. SPEAR.

House Conferees: RUSSELL P. STANTON, RODNEY N. SEARLE, and MIKE JAROS.

Stanton moved that the report of the Conference Committee on S. F. No. 3123 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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 124, and nays 4, as follows:

Those who voted in the affirmative were:

Adams, J.	Anderson, I.	Berg	Carlson, A.	Cleary
Adams, S.	Becklin	Berglin	Carlson, B.	Clifford
Andersen, R.	Belisle	Biersdorf	Carlson, D.	Connors
Anderson, D.	Bell	Braun	Carlson, L.	Culhane
Anderson, G.	Bennett	Brinkman	Casserly	Cummiskey

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

Those who voted in the negative were:

DeGroat Larson McEachern Miller, M.

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

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 3246

March 22, 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. 3246, 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. 3246 be amended as follows:

Strike everything after the enacting clause and insert:

Section 1. The county boards of Chisago county and Pine county, in order to implement the powers granted under Minnesota Statutes, 1973 Supplement, Section 378.31, may issue obligations and levy special assessments against property within the limits of their respective counties benefited by facilities constructed pursuant to that section in the manner provided by Minnesota Statutes, Chapter 429.

Sec. 2. In Chisago county, the authority of the county board to establish water or sewer or combined water and sewer systems pursuant to Minnesota Statutes, 1973 Supplement, Section 444.075, shall extend to areas of the county organized into cities when requested by resolution of the governing body of the affected city or when ordered by the Minnesota pollution control agency after notice and hearing. For the purpose of any petition filed or special assessment levied with respect to any system, the entire area to be served within any city shall be treated as if it were owned by a single person, and the governing body shall exercise all the rights and be subject to all the duties of an owner of the area, and shall have power to provide for the payment of all special assessments and other charges imposed upon the area with respect to the system by the appropriation of money, the collection of service charges, or the levy of taxes, which shall be deemed special levies within the meaning of Minnesota Statutes, Section 275.50, Subdivision 5, and shall be subject to no limitation of rate or amount.

Sec. 3. [DEFINITIONS.] Subdivision 1. For the purposes of sections 3 to 19 the terms defined in this section have the meanings given them.

Subd. 2. "Moose Lake and Windemere area sanitary sewer district" and "district" mean the area over which the sanitary sewer board has jurisdiction which shall include all of the town of Moose Lake in Carlton county and the town of Windemere in Pine county.

Subd. 3. "Sanitary sewer board" or "board" means the sanitary sewer board established for the Moose Lake and Windemere area sanitary sewer district as provided in section 2.

Subd. 4. "Person" means any individual, partnership, corporation, cooperative or other organization or entity, public or private.

Subd. 5. "Local government unit" or "government unit" means the town of Moose Lake and the town of Windemere.

Subd. 6. "Acquisition" and "betterment" shall have the meanings given to them in Minnesota Statutes, Chapter 475.

Subd. 7. "Agency" means the Minnesota pollution control agency created and established by Minnesota Statutes, Chapter 116.

Subd. 8. "Sewage" means all liquid or water-carried waste products from whatever sources derived, together with such ground water infiltration and surface water as may be present.

Subd. 9. "Pollution of water" and "sewer system" shall have the meanings given them in Minnesota Statutes, Section 115.01.

Subd. 10. "Treatment works" and "disposal system" shall have the meanings given them in Minnesota Statutes, Section 115.01.

Subd. 11. "Interceptor" means any sewer and necessary appurtenances thereto, including but not limited to, mains, pumping stations, and sewage flow regulating and measuring stations, which is designed for or used to conduct sewage originating in more than one local government unit, or which is designed or used to conduct all or substantially all the sewage originating in a single local government unit from a point of collection in that unit to an interceptor or treatment works outside that unit, or which is determined by the board to be a major collector of sewage used or designed to serve a substantial area in the district.

Subd. 12. "District disposal system" means any and all of the interceptors or treatment works owned, constructed or operated by the board unless designated by the board as local sanitary sewer facilities.

Subd. 13. "Municipality" means any city or town.

Subd. 14. "Total costs of acquisition and betterment" and "costs of acquisition and betterment" mean all acquisition and betterment expenses which are permitted to be financed out of bond proceeds issued in accordance with sections 13, whether or not the expenses are in fact financed out of the bond proceeds.

Subd. 15. "Current costs of acquisition, betterment and debt service" means interest and principal estimated to be due during the budget year on bonds issued to finance said acquisition and betterment and all other costs of acquisition and betterment estimated to be paid during the year from funds other than bond proceeds and federal or state grants.

Sec. 4. [SANITARY SEWER BOARD.] Subdivision 1. [ESTABLISHMENT.] A sewer district is established for the towns of Moose Lake in Carlton county and Windemere in Pine county, to be known as the Moose Lake and Windemere area sanitary sewer district. The sewer district shall be under the control and management of a sanitary sewer board. The board is established as a public corporation and political subdivision of the state with perpetual succession and all the rights, powers, privileges, immunities, and duties which may be validly granted to or imposed upon a municipal corporation, as provided in this act.

Subd. 2. [MEMBERS AND SELECTION.] The board shall be composed of five members selected as follows: The town boards of the government units shall meet jointly to appoint the members of the board and each town board member shall have one vote. The town boards at the joint meeting shall also designate the term of the first board members according to subdivision 5.

Subd. 3. [TIME LIMITS FOR SELECTION.] The board members shall be selected as provided in subdivision 2 within 60 days after this act becomes effective. The successor to each board member shall be selected at any time within 60 days before the expiration of his term in the same manner as his predecessor was selected. Any vacancy on the board shall be filled within 60 days after it occurs.

Subd. 4. [VACANCIES.] If the office of any board member becomes vacant, the vacancy shall be filled for the unexpired term in like manner as provided for selection of the member who vacated the office. The office shall be deemed vacant under the conditions specified in Minnesota Statutes, Section 351.02.

Subd. 5. [TERMS OF OFFICE.] The term of each of the first board members shall expire on January 1 in a calendar year to be determined in accordance with subdivision 2 by the governing body selecting the member, provided that the term shall not expire any later than January 1, 1978. Succeeding terms of all board members shall be for one, two, three or four years to be determined in accordance with subdivision 2, except that each member shall serve until his successor has been duly selected and qualified.

Subd. 6. [REMOVAL.] A board member may be removed by the unanimous vote of the governing body appointing him, with or without cause, or by the governor for malfeasance or nonfeasance in the performance of his official duties as provided by Minnesota Statutes, Sections 351.03 and 351.04.

Subd. 7. [QUALIFICATIONS.] Each board member shall be a resident of the district and may but need not be an elected public official.

Subd. 8. [CERTIFICATES OF SELECTION; OATH OF OFFICE.] A certificate of selection of every board member selected under subdivision 2 stating the term for which he was selected, shall be made by the respective town clerks. The certificates, with the approval appended by other authority, if required, shall be filed with the secretary of state. Counterparts thereof shall be furnished to the board member and the secretary of the board. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 5, Section 8. The oath, duly certified by the official administering the same, shall be filed with the Secretary of state and the secretary of the board.

Subd. 9. [BOARD MEMBERS' COMPENSATION.] Each board member, except the chairman, shall be paid a per diem compensation of \$35 for meetings and for other services as are specifically authorized by the board, not to exceed \$1,000 in any one year. The chairman shall be paid a per diem compensation of \$45 for meetings and for such other services as are specifically authorized by the board, not to exceed \$1,500 in any one year. All members of the board shall be reimbursed for all reasonable expenses incurred in the performance of their duties as determined by the board.

Sec. 5. [GENERAL PROVISIONS FOR ORGANIZATION AND OPERATION OF BOARD.] Subdivision 1. [ORGANIZATION; OFFICERS; MEETINGS; SEAL.] After the selection and qualification of all board members, they shall meet to organize the board at the call of any two board members, upon seven days notice by registered mail to the remaining board members, at a time and place within the district specified in the notice. A majority of the members shall constitute a quorum at that meeting and all other meetings of the board, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members. At the first meeting the board shall select its officers as hereinafter provided and conduct such other organizational business as may be necessary. Thereafter the board shall meet regularly at such time and place as the board shall by resolution designate. Special meetings may be held at any time upon call of the chairman or any two members, upon written notice sent by mail to each member at least three days prior to the meeting, or upon such other notice as the board by resolution may provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Except as otherwise provided in this act, any action within the authority of the board may be taken by the affirmative vote of a majority of the board and may be taken by regular or adjourned regular meeting or at a duly held special meeting, but in any case only if a quorum is present. All meetings of the board shall be open to the public. The board may adopt a seal, which shall be officially and judicially noticed, to authenticate instruments executed by its authority, but omission of the seal shall not affect the validity of any instrument.

Subd. 2. [CHAIRMAN.] The board shall elect a chairman from its membership. The term of the first chairman of the board shall expire on January 1, 1976, and the terms of successor chairmen shall expire on January 1 of each succeeding year. The chairman shall preside at all meetings of the board, if present, and shall perform all other duties and functions usually incumbent upon such an officer, and all administrative functions assigned to him by the board. The board shall elect a vice chairman from its membership to act for the chairman during his temporary absence or disability.

Subd. 3. [SECRETARY AND TREASURER.] The board shall select a person or persons who may but need not be a member or members of the board, to act as its secretary and treasurer. The secretary and treasurer shall hold office at the pleasure of the board, subject to the terms of any contract of employment which the board may enter into with the secretary or treasurer. The secretary shall record the minutes of all meetings of the board, and shall be custodian of all books and records of the board except such as the board shall entrust to the custody of a designated employee. The treasurer shall be the custodian of all moneys received by the board except such as the board shall entrust to the custody of a designated employee. The board may appoint a deputy to perform any and all functions of either the secretary or the treasurer. No secretary or treasurer who is not a member of the board or a deputy of either shall have any right to vote.

Subd. 4. [EXECUTIVE DIRECTOR.] The board shall appoint an executive director who shall be selected solely upon the basis of his training, experience and other qualifications and who shall serve at the pleasure of the board and at a compensation to be determined by the board. The executive director need not be a resident of the district. He may also be selected by the board to serve as either secretary or treasurer, or both, of the board. As executive director, he shall attend all meetings of the board, but shall not vote, and shall have the following powers and duties:

(a) He shall see that all resolutions, rules, regulations, or orders of the board are enforced.

(b) He shall appoint and remove, upon the basis of merit and fitness, all subordinate officers and regular employees of the board except the secretary and the treasurer and their deputies.

(c) He shall present to the board plans, studies and other reports prepared for board purposes and recommend to the board for adoption such measures as he deems necessary to enforce or carry out the powers and duties of the board, or the efficient administration of the affairs of the board.

(d) He shall keep the board fully advised as to its financial condition, and he shall prepare and submit to the board, and to the governing bodies of the local government units, the board's annual budget and other financial information as the board may request.

(e) He shall recommend to the board for adoption such rules and regulations as he deems necessary for the efficient operation of the district disposal system.

(f) He shall perform such other duties as may be prescribed by the board.

Subd. 5. [PUBLIC EMPLOYEES.] The executive director and all persons employed by him shall be public employees, and shall have all the rights and duties conferred on public employees under Minnesota Statutes, Sections 179.61 to 179.76. The board may elect to have employees become members of either the public employees retirement association or the Minnesota state retirement system. The compensation and conditions of employment of the employees shall not be governed by any rule applicable to state employees in the classified service nor to any of the provisions of Minnesota Statutes, Chapter 15A, unless the board so provides.

Subd. 6. [PROCEDURES.] The board shall adopt resolutions or bylaws establishing procedures for board action, personnel administration, keeping records, approving claims, authorizing or making disbursements, safekeeping funds, and audit of all financial operations of the board.

Subd. 7. [SURETY BONDS AND INSURANCE.] The board may procure surety bonds for its officers and employees and in amounts as are deemed necessary to assure proper performance of their duties and proper accounting for funds in their custody. It may procure insurance against risks to property and liability of the board and its officers, agents, and employees for personal injuries or death and property damage and destruction and in amounts as may be deemed necessary or desirable, with the force and effect stated in Minnesota Statutes, Chapter 466.

Sec. 6. [GENERAL POWERS OF BOARD.] Subdivision 1. The board shall have all powers which may be necessary or convenient to discharge the duties imposed upon it by law. The powers shall include those herein specified, but the express grant or enumeration of powers shall not be deemed to limit the generality or scope of the grant of power contained in this subdivision.

Subd. 2. The board may sue or be sued.

Subd. 3. The board may enter into any contract necessary or proper for the exercise of its powers or the accomplishment of its purposes.

Subd. 4. The board may adopt rules and regulations relating to the board's responsibilities and may provide penalties for the violation thereof not exceeding the maximum which may be specified for a misdemeanor, and the cost of prosecution may be added to the penalties imposed. Any rule or regulation prescribing a penalty for violation shall be published at least once in a newspaper having general circulation in the district. The violations may be prosecuted before any court in the district having jurisdiction of misdemeanors, and every court having misdemeanor jurisdiction shall have jurisdiction of the violations. Any constable or other peace officer of any government unit in the district may make arrests for violations committed anywhere in the district in like manner and with like effect as for violations of city ordinances or for statutory misdemeanors. All fines collected in cases arising under this subdivision shall be deposited in the treasury of the board, or may be allocated between the board and the government unit in which such prosecution occurs on such basis as the board and the government unit agree.

Subd. 5. The board may accept gifts, apply for and accept grants or loans of money or other property from the United States, the state, or any person for any of its purposes, enter into any agreement required in connection herewith, and hold, use and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto; and, with respect to any loans or grants of funds or real or personal property or other assistance from any state or federal government or any agency or instrumentality thereof, the board may contract to do and perform all acts and things required as a condition or consideration therefor pursuant to state or federal law or regulations, whether or not included among the powers expressly granted to the board in this act.

Subd. 6. The board may act under the provisions of Minnesota Statutes, Section 471.59, or any other appropriate law providing for joint or cooperative action between governmental units.

Subd. 7. The board may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with the design, construction and operation of the district disposal system.

Subd. 8. The board may employ on terms as it deems advisable, persons or firms performing engineering, legal or other services of a professional nature; require any employee to obtain and file with it an individual bond or fidelity insurance policy; and procure insurance in amounts as it deems necessary against liability of the board or its officers or both, for personal injury or death and property damage or destruction, with the force and effect stated in Minnesota Statutes, Chapter 466, and against

risks of damage to or destruction of any of its facilities, equipment, or other property as it deems necessary.

Subd. 9. The board may acquire by purchase, lease, condemnation, gift, or grant, any real or personal property including positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain, and operate any interceptor, treatment works, or water facility determined to be necessary or convenient for the collection and disposal of sewage in the district. Any local government unit and the commissioners of highways and natural resources are authorized to convey to or permit the use of any of the abovementioned facilities owned or controlled by it, by the board, subject to the rights of the holders of any bonds issued with respect thereto, with or without compensation, without an election or approval by any other government unit or agency. All powers conferred by this subdivision may be exercised both within or without the district as may be necessary for the exercise by the board of its powers or the accomplishment of its purposes. The board may hold, lease, convey or otherwise dispose of the abovementioned property for its purposes upon terms and in a manner as it deems advisable. Unless otherwise provided, the right to acquire lands and property rights by condemnation shall be exercised in accordance with Minnesota Statutes, Sections 117.01 to 117.202, and shall apply to any property or interest therein owned by any local government unit; provided, that no property devoted to an actual public use at the time, or held to be devoted to such use within a reasonable time, shall be so acquired unless a court of competent jurisdiction shall determine that the use proposed by the board is paramount to the existing use. Except in case of property in actual public use, the board may take possession of any property on which condemnation proceedings have been commenced at any time after the issuance of a court order appointing commissioners for its condemnation.

Subd. 10. The board may construct or maintain its systems or facilities in, along, on, under, over, or through public waters, streets, bridges, viaducts, and other public rights of way without first obtaining a franchise from a county or municipality having jurisdiction over them; but the facilities shall be constructed and maintained in accordance with the ordinances and resolutions of the county or municipality relating to construction, installation, and maintenance of similar facilities on public properties and shall not unnecessarily obstruct the public use of such rights of way.

Subd. 11. The board may sell, lease or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes. The property may be sold in the manner provided by Minnesota Statutes, Section 458.196, insofar as practical. The board may give notice of sale as it shall deem appropriate. When the board determines that any property or any part of the district disposal system

which has been acquired from a local government unit without compensation is no longer required but is required as a local facility by the government unit from which it was acquired, the board may by resolution transfer it to such government unit.

Subd. 12. The board may contract with the United States or any agency thereof, any state or agency thereof, or any regional public planning body in the state with jurisdiction over any part of the district, or any other municipal or public corporation, or governmental subdivision or agency or political subdivision in any state, for the joint use of any facility owned by the board or such entity, for the operation by such entity of any system or facility of the board, or for the performance on the board's behalf of any service, including but not limited to planning, on terms as may be agreed upon by the contracting parties. Unless designated by the board as a local sanitary sewer facility, any treatment works or interceptor jointly used, or operated on behalf of the board, as provided in this subdivision, shall be deemed to be operated by the board for purposes of including said facilities in the district disposal system.

Sec. 7. [COMPREHENSIVE PLAN.] Subdivision 1. [BOARD PLAN AND PROGRAM.] The board shall adopt a comprehensive plan for the collection, treatment and disposal of sewage in the district for a designated period the board deems proper and reasonable. The board shall prepare and adopt subsequent comprehensive plans for the collection, treatment and disposal of sewage in the district for each succeeding designated period as the board deems proper and reasonable. The first plan, as modified by the board, and any subsequent plan shall take into account the preservation and best and most economic use of water and other natural resources in the area; the preservation, use and potential for use of lands adjoining waters of the state to be used for the disposal of sewage; and the impact such a disposal system will have on present and future land use in the area affected thereby. The plans shall include the general location of needed interceptors and treatment works, a description of the area that is to be served by the various interceptors and treatment works, a long range capital improvements program and any other details as the board shall deem appropriate. In developing the plans, the board shall consult with persons designated for the purpose by governing bodies of any government unit within the district to represent the entities and shall consider the data, resources and input offered to the board by the entities and any planning agency acting on behalf of one or more of the entities. Each plan, when adopted, shall be followed in the district and may be revised as often as the board deems necessary.

Subd. 2. [COMPREHENSIVE PLANS; HEARING.] Before adopting any subsequent comprehensive plan the board shall hold a public hearing on the proposed plan at such time and place in the district as it shall determine. The hearing may be con-

tinued from time to time. Not less than 45 days before the hearing, the board shall publish notice thereof in a newspaper or newspapers having general circulation in the district, stating the date, time and place of the hearing, and the place where the proposed plan may be examined by any interested person. At the hearing, all interested persons shall be permitted to present their views on the plan.

Subd. 3. [GOVERNMENT UNIT PLANS AND PROGRAMS; COORDINATION WITH BOARD'S RESPONSIBILITIES.] Once the board's plan is adopted, no construction project involving the construction of new sewers or other disposal facilities shall be undertaken by the local government unit unless its governing body shall first find the project to be in accordance with the government unit's comprehensive plan and program as approved by the board. Prior to approval by the board of the comprehensive plan and program of any local government unit in the district, no sanitary sewer construction project shall be undertaken by the government unit unless approval of the project is first secured from the board as to those features of the project affecting the board's responsibilities as determined by the board.

Sec. 8. [SEWAGE COLLECTION AND DISPOSAL; POWERS.] Subdivision 1. [POWERS.] In addition to all other powers conferred upon the board in this act, it shall have the powers specified in this section.

Subd. 2. [DISCHARGE OF TREATED SEWAGE.] The board shall have the right to discharge the effluent from any treatment works operated by it into any waters of the state, subject to approval of the agency if required and in accordance with any effluent or water quality standards lawfully adopted by the agency, any interstate agency or any federal agency having jurisdiction.

Subd. 3. [UTILIZATION OF DISTRICT SYSTEM.] The board may require any person or local government unit to provide for the discharge of any sewage, directly or indirectly, into the district disposal system, or to connect any disposal system or a part thereof with the district disposal system wherever reasonable opportunity therefore is provided; may regulate the manner in which such connections are made; may require any person or local government unit discharging sewage into the disposal system to provide preliminary treatment therefor; may prohibit the discharge into the district disposal system of any substance which it determines will or may be harmful to the system or any persons operating it; and may require any local government unit to discontinue the acquisition, betterment, or operation of any facility for the unit's disposal system wherever and so far as adequate service is or will be provided by the district disposal system.

Subd. 4. [SYSTEM OF COST RECOVERY TO COMPLY WITH APPLICABLE REGULATIONS.] Any charges, connection fees or other cost recovery techniques imposed on persons discharging sewage directly or indirectly into the district disposal system shall comply with applicable state and federal law, including but not limited to state and federal regulations governing grant applications.

Sec. 9. [BUDGET.] The board shall prepare and adopt, on or before October 1, 1974 and on or before October 1, 1975, and each year thereafter, a budget showing for the following calendar year or other fiscal year determined by the board, sometimes referred to in this act as the budget year, estimated receipts of money from all sources, including but not limited to payments by each local government unit, federal or state grants, taxes on property, and funds on hand at the beginning of the year, and estimated expenditures for:

(1) costs of operation, administration and maintenance of the district disposal system;

(2) cost of acquisition and betterment of the district disposal system; and

(3) debt service, including principal and interest, on general obligation bonds and certificates issued pursuant to section 13, and any money judgments entered by a court of competent jurisdiction. Expenditures within these general categories, and any other categories as the board may from time to time determine, shall be itemized in detail as the board shall prescribe. The board and its officers, agents and employees shall not spend money for any purpose other than debt service without having set forth the expense in the budget nor in excess of the amount set forth in the budget therefor, and no obligation to make an expenditure of the abovementioned type shall be enforceable except as the obligation of the person or persons incurring it; provided that the board may amend the budget at any time by transferring from one purpose to another any sums except money for debt service and bond proceeds or by increasing expenditures in any amount by which cash receipts during the budget year actually exceed the total amounts designated in the original budget. The creation of any obligation pursuant to section 13 or the receipt of any federal or state grant is a sufficient budget designation of the proceeds for the purpose for which it is authorized, and of the tax or other revenue pledged to pay the obligation and interest on it, whether or not specifically included in any annual budget.

Sec. 10. [ALLOCATION OF COSTS.] Subdivision 1. [DEFINITION OF CURRENT COSTS.] The estimated cost of administration, operation, maintenance and debt service of the district disposal system to be paid by the board in each fiscal year and the estimated costs of acquisition and betterment of

the system which are to be paid during the year from funds other than state or federal grants and bond proceeds and all other previously unallocated payments made by the board pursuant to this act to be allocated in the fiscal year are referred to as current costs and shall be allocated by the board as hereinafter provided in the budget for such year.

Subd. 2. [METHOD OF ALLOCATION OF CURRENT COSTS.] All current costs shall be allocated in the district on an equitable basis as the board may from time to time determine by resolution to be in the best interests of the district. The adoption or revision of any method of allocation used by the board shall be by the affirmative vote of at least two thirds the members of the board.

Sec. 11. [TAX LEVIES.] To accomplish any duty imposed on it the board may, in addition to the powers granted in this act and in any other law or charter, exercise the powers granted any municipality by Minnesota Statutes, Chapters 117, 412, 429, 475, Sections 115.46, 444.075 and 471.59 with respect to the area in the district. In addition, the board may levy taxes upon all taxable property in the district for all or a part of the amount payable to the board, pursuant to section 10, to be assessed and extended as a tax upon such taxable property by the county auditor for the next calendar year, free from any limitation of rate or amount imposed by law or charter. The tax shall be collected and remitted in the same manner as other general taxes.

Sec. 12. [PUBLIC HEARING AND SPECIAL ASSESSMENTS.] Subdivision 1. [PUBLIC HEARING REQUIREMENT ON SPECIFIC PROJECT.] Before the board orders any project involving the acquisition or betterment of any interceptor or treatment works, all or a part of the cost of which will be allocated pursuant to section 10 as current costs, the board shall hold a public hearing on the proposed project following two publications in a newspaper or newspapers having general circulation in the district, stating the time and place of the hearing, the general nature and location of the project, the estimated total cost of acquisition and betterment, that portion of costs estimated to be paid out of federal and state grants, and that portion of costs estimated to be allocated. The two publications shall be a week apart and the hearing shall be at least three days after the last publication. Not less than 45 days before the hearing, notice thereof shall also be mailed to each clerk of all local government units in the district, but failure to give mailed notice or any defects in the notice shall not invalidate the proceedings. The project may include all or part of one or more interceptors or treatment works. No hearing shall be held on any project unless the project is within the area covered by the comprehensive plan adopted by the board pursuant to section 7 except that the hearing may be held simultaneously with a hearing on a comprehensive plan. A hearing is not required with respect to a proj-

ect, no part of the costs of which are to be allocated as the current costs of acquisition, betterment and debt service.

Subd. 2. [NOTICE TO BENEFITTED PROPERTY OWNERS.] If the board proposes to assess against benefitted property within the district all or any part of the allocable costs of the project as provided in subdivision 5, the board shall, not less than ten days prior to the hearing provided for in subdivision 1 cause mailed notice thereof to be given to the owner of each parcel within the area proposed to be specially assessed and shall also give one week's published notice of the hearing. The notice of hearing shall contain the same information provided in the notice published by the board pursuant to subdivision 1, and in addition, a description of the area proposed to be assessed. For the purpose of giving mailed notice, owners shall be those shown to be on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. However, as to properties which are tax exempt or subject to taxation on a gross earnings basis and are not listed on the records of the county auditor or the county treasurer, the owners thereof shall be ascertained by any practicable means and mailed notice shall be given them as herein provided. Failure to give mailed notice or any defects in the notice shall not invalidate the proceedings of the board.

Subd. 3. [BOARD PROCEEDINGS PERTAINING TO HEARING.] Prior to adoption of the resolution calling for a hearing brought pursuant to this section the board shall secure from the district engineer or some other competent person of the board's selection a report advising it in a preliminary way as to whether the proposed project is feasible and as to whether it should best be made as proposed or in connection with some other project and the estimated costs of the project as recommended; but no error or omission in the report shall invalidate the proceeding. The board may also take such other steps prior to the hearing, as will in its judgment provide helpful information in determining the desirability and feasibility of the project, including but not limited to preparation of plans and specifications and advertisement for bids thereon. The hearing may be adjourned from time to time and a resolution ordering the project may be adopted at any time within six months after the date of hearing. In ordering the project the board may reduce but not increase the extent of the project as stated in the notice of hearing and shall find that the project as ordered is in accordance with the comprehensive plan and program adopted by the board pursuant to section 7.

Subd. 4. [EMERGENCY ACTION.] If the board by resolution adopted by the affirmative vote of not less than two thirds of its members determines that an emergency exists requiring the immediate purchase of materials or supplies or the making of emergency repairs, it may order the purchase of such supplies

and materials and the making of such repairs prior to any hearing required under this section, provided that the board shall set as early a date as practicable for such hearing at the time it declares such emergency. All other provisions of this section shall be followed in giving notice of and conducting such hearing. Nothing herein shall be construed as preventing the board or its agents from purchasing maintenance supplies or incurring maintenance costs without regard to the requirements of this section.

Subd. 5. [POWER OF THE BOARD TO SPECIALLY ASSESS.] The board may specially assess all or any part of the costs of acquisition and betterment as herein provided, of any project ordered pursuant to this section. The special assessments shall be levied in accordance with the provisions of Minnesota Statutes, Sections 429.051 to 429.081, except as otherwise provided in this subdivision. No other provisions of Minnesota Statutes, Chapter 429 shall apply. For purposes of levying the special assessments, the hearing on the project required in subdivision 1 shall serve as the hearing on the making of the original improvement provided for by Minnesota Statutes, Section 429.051. The area assessed may be less than but may not exceed the area proposed to be assessed as stated in the notice of hearing on the project provided for in subdivision 2.

Sec. 13. [BONDS, CERTIFICATES AND OTHER OBLIGATIONS.] Subdivision 1. [BUDGET ANTICIPATION CERTIFICATES OF INDEBTEDNESS.] At any time after adoption of its annual budget and in anticipation of the collection of tax and other revenues estimated and set forth by the board in the budget, except in the case of:

- (a) Deficiency taxes levied pursuant to this subdivision, and
- (b) Taxes levied for the payment of certificates issued pursuant to subdivision 2, the board may, by resolution, authorize the issuance, negotiation and sale, in accordance with subdivision 4 in the form and manner and upon terms as it may determine, of its negotiable general obligation certificates of indebtedness in aggregate principal amounts not exceeding 50 percent of the total amount of tax collections and other revenues and maturing not later than three months after the close of the budget year in which issued. The proceeds of the sale of the certificates shall be used solely for the purposes for which the tax collections and other revenues are to be expended pursuant to the budget.

All the tax collections and other revenues included in the budget for the budget year, after the expenditure of the tax collections and other revenues in accordance with the budget, shall be irrevocably pledged and appropriated to a special fund to pay the principal and interest on the certificates when due. If for any reason the tax collections and other revenues are insufficient to pay the certificates and interest when due, the board shall levy a tax in the amount of the deficiency on all taxable property in

the district and shall appropriate this amount when received to the special fund.

Subd. 2. [EMERGENCY CERTIFICATES OF INDEBTEDNESS.] If in any budget year the receipts of tax and other revenues should for some unforeseen cause become insufficient to pay the board's current expenses, or if any calamity or other public emergency should subject it to the necessity of making extraordinary expenditures, the board may by resolution authorize the issuance, negotiation, and sale, in accordance with subdivision 4 in the form and manner and upon such terms and conditions as it may determine, of its negotiable general obligation certificates of indebtedness in an amount sufficient to meet the deficiency, and the board shall forthwith levy on all taxable property in the district a tax sufficient to pay the certificates and interest thereon and shall appropriate all collections of the tax to a special fund created for the payment of the certificates and the interest thereon. Certificates issued under this subdivision shall mature not later than April 1 in the year following the year in which such tax is collectible.

Subd. 3. [GENERAL OBLIGATION BONDS.] The board may by resolution authorize the issuance of general obligation bonds for the acquisition or betterment of any part of the district disposal system, including but without limitation the payment of interest during construction and for a reasonable period thereafter, or for the refunding of outstanding bonds, certificates of indebtedness, or judgments. The board shall pledge its full faith and credit and taxing power for the payment of the bonds and shall provide for the issuance and sale and for the security of the bonds in the manner provided in Minnesota Statutes, Chapter 475, and shall have the same powers and duties as a municipality issuing bonds under that law, except that no election shall be required and the debt limitations of Minnesota Statutes, Chapter 475, shall not apply to the bonds. The board may also pledge for the payment of such bonds and deduct from the amount of any tax levy required under Minnesota Statutes, Section 475.61, Subdivision 1, and any revenues receivable under any state and federal grants anticipated by the board and may covenant to refund such bonds if and when and to the extent that for any reason such revenues, together with other funds properly available and appropriated for such purpose, are not sufficient to pay all principal and interest due or about to become due thereon, provided that such revenues have not been anticipated by the issuance of certificates under subdivision 1.

Subd. 4. [MANNER OF SALE AND ISSUANCE OF CERTIFICATES.] Certificates issued under subdivisions 1 and 2 may be issued and sold by negotiation, without public sale, and may be sold at a price equal to the percentage of the par value thereof, plus accrued interest, and bearing interest at a rate as may be determined by the board. No election shall be required to authorize the issuance of the certificates. The certificates shall bear the same rate of interest after maturity as before and

the full faith and credit and taxing power of the board shall be pledged to the payment of such certificates.

Sec. 14. [DEPOSITORIES.] The board shall from time to time designate one or more national or state banks, or trust companies authorized to do a banking business, as official depositories for money of the board, and thereupon shall require the treasurer to deposit all or a part of the money in such institutions. The designation shall be in writing and shall set forth all the terms and conditions upon which the deposits are made, and shall be signed by the chairman and treasurer, and made a part of the minutes of the board. A bank or trust company so designated shall qualify as a depository by furnishing a corporate surety bond or collateral in the amounts required by Minnesota Statutes, Section 118.01. However, no bond or collateral shall be required to secure any deposit insofar as it is insured under federal law.

Sec. 15. [MONEYS, ACCOUNTS AND INVESTMENTS.] Subdivision 1. [RECEIPT AND APPLICATION.] All money received by the board shall be deposited or invested by the treasurer and disposed of as the board may direct in accordance with its budget; provided that any moneys that have been pledged or dedicated by the board to the payment of obligations or interest thereon or expenses incident thereto, or for any other specific purpose authorized by law, shall be paid by the treasurer into the fund to which they have been pledged.

Subd. 2. [FUNDS AND ACCOUNTS.] The board's treasurer shall establish funds and accounts as may be necessary or convenient to handle the receipts and disbursements of the board in an orderly fashion.

Subd. 3. [DEPOSIT AND INVESTMENT.] The money on hand in said funds and accounts may be deposited in the official depositories of the board or invested as hereinafter provided. The amount thereof not currently needed or required by law to be kept in cash on deposit may be invested in obligations authorized for the investment of municipal sinking funds by Minnesota Statutes, Section 475.66. Such moneys may also be held under certificates of deposit issued by any official depository of the board.

Subd. 4. [BOND PROCEEDS.] The use of proceeds of all bonds issued by the board for the acquisition and betterment of the district disposal system, and the use, other than investment, of all money on hand in any sinking fund or funds of the board, shall be governed by the provisions of Minnesota Statutes, Chapter 475, the provisions of this act, and the provisions of resolutions authorizing the issuance of such bonds. The bond proceeds when received shall be transferred to the treasurer of the board for safekeeping, investment and payment of the costs for which they were issued.

Subd. 5. [AUDIT.] The board shall provide for and pay the cost of an independent annual audit of its official books and records by the state auditor or a public accountant authorized to perform such a function under Minnesota Statutes, Section 214.33.

Sec. 16. [SERVICE CONTRACTS WITH GOVERNMENTAL ENTITIES OUTSIDE THE JURISDICTION OF THE BOARD.] The board may contract with the United States or any agency thereof, any state or any agency thereof, or any municipal or public corporation, governmental subdivision or agency or political subdivision in any state, outside the jurisdiction of the board, for furnishing to the above mentioned entities services, including but not limited to planning for and the acquisition, betterment, operation, administration and maintenance of any or all interceptors, treatment works and local sanitary sewer facilities, provided that the board may further include as one of the terms of the contract that the entity also pay to the board an amount as may be agreed upon as a reasonable estimate of the proportionate share properly allocable to the entity of costs of acquisition, betterment and debt service previously allocated in the district. When payments are made by entities to the board, they shall be applied in reduction of the total amount of costs thereafter allocated in the district, on an equitable basis as the board deems to be in the best interests of the district, applying so far as practicable and appropriate the criteria set forth in section 10, subdivision 2. Any municipality in the state of Minnesota may enter into such contract and perform all acts and things required as a condition or consideration therefor consistent with the purposes of this act, whether or not included among the powers otherwise granted to such municipality by law or charter.

Sec. 17. [CONTRACTS FOR CONSTRUCTION, MATERIALS, SUPPLIES, AND EQUIPMENT.] Subdivision 1. [PLANS AND SPECIFICATIONS.] When the board orders a project involving the acquisition or betterment of a part of the district disposal system, it shall cause plans and specifications of the project to be made, or if previously made, to be modified, if necessary, and to be approved by the agency if required, and after any required approval by the agency, one or more contracts for work and materials called for by the plans and specification may be awarded as provided in this section.

Subd. 2. [CONTRACTS IN EXCESS OF \$5,000.] No contract for any construction work, or for the purchase of materials, supplies, or equipment, estimated to cost more than \$5,000 shall be made by the board without publishing once in a newspaper having general circulation in the district and once in a trade paper or legal newspaper published in any city of the first class, not less than 14 days before the last day for submission of bids, notice that bids or proposals will be received. The notice shall state the nature of the work or purchase, the terms and con-

ditions upon which the contract is to be awarded, and the time and place where such bids will be received, opened, and read publicly. After the bids have been duly received, opened, read publicly, and recorded, the board shall within a reasonable time award such contract to the lowest responsible bidder or it may reject all bids and readvertise. Each contract shall be duly executed in writing and the party to whom the contract is awarded shall give sufficient bond or security to the board for the faithful performance of the contract as required by law. If the board by an affirmative vote of not less than two thirds of its members declares that an emergency exists requiring the immediate purchase of materials or supplies or in making emergency repairs, at a cost estimated to be in excess of \$5,000, it shall not be necessary to advertise for bids.

Subd. 3. [CONTRACTS OR PURCHASES FOR \$5,000 OR LESS.] The board may, without advertising for bids, enter into any contract or purchase any materials, supplies or equipment of the type referred to in subdivision 2 the cost of which is estimated to be \$5,000 or less, or it may in the alternative authorize the executive director to enter into a contract on behalf of the board for such work or to make such purchases without prior approval of the board and without advertising for bid.

Subd. 4. [UNIFORM MUNICIPAL CONTRACTING LAW.] Except as otherwise provided in this section, Minnesota Statutes, Section 471.345 shall apply.

Sec. 18. [PROPERTY EXEMPT FROM TAXATION.] Any properties, real or personal, owned, leased, controlled, used, or occupied by the sanitary sewer board for any purpose under this act are declared to be acquired, owned, leased, controlled, used and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any political subdivision of the state, provided that the properties shall be subject to special assessments levied by a political subdivision for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from the improvement. No possible use of any properties in any manner different from their use as part of a disposal system at the time shall be considered in determining the special benefit received by the properties. All assessments shall be subject to final approval by the board, whose determination of the benefits shall be conclusive upon the political subdivision levying the assessment. All bonds, certificates of indebtedness or other obligations of the board, and the interest thereon, shall be exempt from taxation by the state or any political subdivision of the state.

Sec. 19. [RELATION TO EXISTING LAWS.] The provisions of this act shall be given full effect notwithstanding the provisions of any law or charter inconsistent therewith. The powers conferred on the board under this act shall in no way diminish or supersede the powers conferred on the agency by Minnesota Statutes, Chapters 115 and 116.

Sec. 20. Subdivision 1. This act is effective as to the county of Chisago when approved by the county board and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 2. This act is effective as to the county of Pine when approved by the county board and upon compliance with Minnesota Statutes, Section 645.021.

Subd. 3. This act is effective as to the towns of Moose Lake and Windemere when approved by the town boards of each town and upon compliance with Minnesota Statutes, Section 645.021.

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to local government in Chisago and Pine county and the towns of Moose Lake in Carlton County and Windemere in Pine county; authorizing the county boards of Chisago and Pine counties to issue obligations and levy special assessments for improvements to bodies of water; authorizing the county board of Chisago county to establish water or sewer or combined water and sewer systems within cities; providing for the creation of a sewer district and a sanitary sewer board to administer the district; providing for the collection, treatment, and disposal of sewage in the Moose Lake and Windemere area."

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

Senate Conferees: JERALD C. ANDERSON, FLORIAN CHMIELEWSKI, and LEW LARSON.

House Conferees: DOUGLAS CARLSON, BERNARD CARLSON, and HARRY PETERSON.

Carlson, D., moved that the report of the Conference Committee on S. F. No. 3246 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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 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 130, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Johnson, J.	Menke	St. Onge
Adams, S.	Dirlam	Johnson, R.	Miller, D.	Samuelson
Andersen, R.	Eckstein	Jopp	Miller, M.	Sarna
Anderson, D.	Eken	Jude	Moe	Savelkoul
Anderson, G.	Enebo	Kahn	Mueller	Schreiber
Anderson, I.	Erdahl	Kelly	Munger	Searle
Becklin	Erickson	Kempe	Myrah	Sherwood
Belisle	Esau	Klaus	Nelson	Sieben, H.
Bell	Faricy	Knickerbocker	Newcome	Sieben, M.
Bennett	Ferderer	Knoll	Niehaus	Skaar
Berg	Fjoslien	Kostohryz	Norton	Smith
Berglin	Forsythe	Kvam	Ohnstad	Spanish
Biersdorf	Fudro	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	Mann	Pleasant	Weaver
Clifford	Hook	McArthur	Prahl	Wenzel
Connors	Jacobs	McCarron	Quirin	Wigley
Culhane	Jaros	McCauley	Resner	Wohlwend
Cummiskey	Johnson, C.	McEachern	Rice	Wolcott
Dahl	Johnson, D.	McMillan	Ryan	Mr. Speaker

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

Mr. Speaker:

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

S. F. No. 3350, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

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. 3350

March 23, 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. 3350, 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. 3350 be further amended as follows:

Page 1, line 12, delete "\$7,000,000" and insert "\$5,600,000".

Page 2, following line 1, insert:

"Sec. 4. Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 4, is amended to read:

Subd. 4. The authority, acting through its board of directors, may contract with the governing body (OR OFFICIALS) *and the owners* of the Ramsey county hospital and of any other hospital or institution, for the joint maintenance and operation of the Gillette children's hospital in conjunction with existing or contemplated facilities at the Ramsey county hospital. Contracts may include agreements for the joint employment and utilization of personnel, the joint purchase of supplies and equipment, and joint construction, acquisition, or leasing of space for offices, outpatient facilities, operating rooms, and other medical facilities for use in training in the care and treatment of crippled and handicapped children, the operation of a brace shop, and the conduct of patient education programs. No contract shall however, provide for the expenditure of funds for additional patient bed capacity. The authority shall be subject to the certificate of need act provided in sections 145.71 to 145.83. In any case where in a certificate of need is required, the authority shall, at the time of application, notify the house committee on appropriations and the senate finance committee, whose opinion shall be advisory only."

Page 2, line 4, delete "Chapter" and insert "Section".

Re number the remaining section.

Further, amend the title in line 7 after "authority" by inserting "; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 4".

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

Senate Conferees: JOSEPH T. O'NEILL and JEROME M. HUGHES.

House Conferees: FRED C. NORTON and ROBERT C. BELL.

Norton moved that the report of the Conference Committee on S. F. No. 3350 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 64, and nays 60, as follows:

Those who voted in the affirmative were:

Adams, J.	Eken	Kahn	Munger	Ryan
Andersen, R.	Enebo	Kelly	Nelson	St. Onge
Anderson, I.	Fudro	Knoll	Norton	Sherwood
Bell	Fugina	Lemke	Ojala	Sieben, H.
Berg	Graba	Lindstrom, J.	Parish	Sieben, M.
Berglin	Growe	Mann	Patton	Smith
Brinkman	Hanson	McCarron	Pavlak, R.	Stangeland
Carlson, B.	Haugerud	McEachern	Pavlak, R. L.	Stanton
Casserly	Jacobs	McMillan	Pehler	Swanson
Cummiskey	Jaros	Menke	Peterson	Vento
Dahl	Johnson, C.	Miller, D.	Prahl	Wenzel
Dieterich	Johnson, D.	Miller, M.	Quirin	Mr. Speaker
Eckstein	Jude	Moe	Rice	

Those who voted in the negative were:

Adams, S.	Culhane	Hook	Lindstrom, E.	Savelkoul
Anderson, D.	DeGroat	Johnson, J.	Lombardi	Schreiber
Becklin	Dirlam	Johnson, R.	Long	Searle
Belisle	Erdahl	Jopp	McArthur	Skaar
Bennett	Erickson	Kempe	McCauley	Tomlinson
Biersdorf	Esau	Klaus	Myrah	Ulland
Braun	Faricy	Knickerbocker	Newcome	Vanasek
Carlson, A.	Ferderer	Kostohryz	Niehaus	Voss
Carlson, D.	Forsythe	Kvam	Ohnstad	Weaver
Cleary	Graw	Laidig	Pieper	Wigley
Clifford	Hagedorn	Larson	Pleasant	Wohlwend
Connors	Heinitz	LaVoy	Resner	Wolcott

The motion prevailed.

S. F. No. 3350, A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

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 88, and nays 36, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Carlson, L.	DeGroat	Ferderer
Andersen, R.	Berg	Casserly	Dieterich	Fjoslien
Anderson, G.	Brinkman	Clifford	Eckstein	Fudro
Anderson, I.	Carlson, A.	Culhane	Eken	Fugina
Belisle	Carlson, B.	Cummiskey	Enebo	Graba
Bell	Carlson, D.	Dahl	Erickson	Growe

Hagedorn	Laidig	Miller, D.	Pavlak, R. L.	Smith
Hanson	Larson	Miller, M.	Pehler	Stangeland
Haugerud	Lemke	Moe	Peterson	Stanton
Heinitz	Lindstrom, E.	Myrah	Prahl	Swanson
Jacobs	Lindstrom, J.	Nelson	Quirin	Tomlinson
Johnson, C.	Mann	Niehaus	Rice	Ulland
Johnson, D.	McArthur	Norton	Ryan	Vento
Johnson, J.	McCarron	Ohnstad	St. Onge	Wenzel
Jude	McCauley	Ojala	Searle	Wohlwend
Kahn	McEachern	Parish	Sherwood	Mr. Speaker
Kelly	McMillan	Patton	Sieben, H.	
Knoll	Menke	Pavlak, R.	Sieben, M.	

Those who voted in the negative were:

Adams, S.	Erdahl	Klaus	Newcome	Vanasek
Anderson, D.	Esau	Knickerbocker	Pieper	Voss
Becklin	Forsythe	Kostohryz	Pleasant	Weaver
Biersdorf	Graw	Kvam	Resner	Wigley
Braun	Hook	LaVoy	Samuelson	
Cleary	Johnson, R.	Lombardi	Savelkoul	
Connors	Jopp	Long	Schreiber	
Dirlam	Kempe	Munger	Skaar	

The bill was repassed, as amended by Conference, 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. 2360, A bill for an act authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article IX, Section 6; and Article XVI, Section 12; and the expenditure of the proceeds thereof.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, B., moved that the House refuse to concur in the Senate amendments to H. F. No. 2360, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 2129, A bill for an act relating to labor; regulating the employment of child labor; prescribing penalties; repealing

Minnesota Statutes 1971, Sections 181.18 to 181.27; 181.31 to 181.51; 181.69; and 181.72.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 2129 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2129, A bill for an act relating to labor; regulating the employment of child labor; prescribing penalties; repealing Minnesota Statutes 1971, Sections 181.18 to 181.27; 181.31 to 181.51; 181.69; and 181.72.

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 127, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2323, A bill for an act relating to travel expenses of the state board of education; amending Minnesota Statutes 1971, Section 121.02, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fugina moved that the House concur in the Senate amendments to H. F. No. 2323 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2323, A bill for an act relating to travel expenses of the state board of education; providing for free higher education of dependents of prisoners of war and persons missing in action; appropriating money; amending Minnesota Statutes 1971, Sections 121.02, Subdivision 1; and 197.09.

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 127, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. No. 3059, A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

And the Senate respectfully requests that a Conference Committee of 5 members be appointed thereon. Messrs. Stokowski, Chenoweth, McCutcheon, Kirchner and Ogdahl 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 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 3059. The motion prevailed.

Mr. Speaker:

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

S. F. No. 2703, A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review commission; authorizing tax levies upon property within the metropolitan transit taxing district.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

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. 2703. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 3059:

Salchert, Tomlinson, Faricy, Bell, and Sieben, H.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 2703:

Salchert, Tomlinson, and Andersen, R.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2360:

Carlson, B.; Kvam; and Sieben, H.

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. 102, A bill for an act relating to public employment; providing for leave of absence for employees who serve in the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Faricy moved that the House concur in the Senate amendments to H. F. No. 102 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 102, A bill for an act relating to the legislature; providing for the continuation in or return of members to their employment after legislative sessions; providing for restoration to their position of employment and all other rights incident to employment; providing for enforcement; amending Minnesota Statutes 1971, Section 3.087; and Chapter 3, by adding sections; repealing Minnesota Statutes 1971, Sections 3.085; and 3.086.

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 114, and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, G.	Hook	Klaus	Lindstrom, E.	Lombardi
Fjoslien	Johnson, J.	Larson		

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. 2848, A bill for an act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Sections 204.19, Subdivision 2; and 204.21, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McCarron moved that the House concur in the Senate amendments to H. F. No. 2848 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2848, A bill for an act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Section 204.19, Subdivision 2.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Fjoslien Klaus

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. 2125, A bill for an act relating to education; providing for waiver of tuition for foreign students; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 2125 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2125, A bill for an act relating to education; providing for waiver of tuition for foreign students; appropriating money.

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 105, and nays 16, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Belisle	Cleary	DeGroat	Eken	Kempe
Biersdorf	Connors	Dirlam	Erdahl	Kvam

Larson Myrah Niehaus Pieper St. Onge
Long

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. 2974, A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jacobs moved that the House concur in the Senate amendments to H. F. No. 2974 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2974, A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

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 127, and nays 0, as follows:

Those who voted in the affirmative were:

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

Pehler	Ryan	Sieben, H.	Tomlinson	Wigley
Peterson	St. Onge	Sieben, M.	Ulland	Wohlwend
Pieper	Samuelson	Skaar	Vanasek	Wolcott
Pleasant	Sarna	Smith	Vento	Mr. Speaker
Quirin	Savelkoul	Stangeland	Voss	
Resner	Schreiber	Stanton	Weaver	
Rice	Sherwood	Swanson	Wenzel	

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

Ferderer was excused between the hours of 3:15 p.m. and 4:15 p.m.

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. 2680, A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the crime of prostitution; creating a cause of action for solicitation or inducement into prostitution; amending Minnesota Statutes 1971, Sections 540.07; and 609.32, Subdivisions 2 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kahn moved that the House concur in the Senate amendments to H. F. No. 2680 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2680, A bill for an act relating to the crime of prostitution; amending Minnesota Statutes 1971, Section 609.32, Subdivisions 2 and 4.

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 124, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Carlson, B.	Cummiskey	Erickson
Adams, S.	Bennett	Carlson, D.	Dahl	Esau
Andersen, R.	Berg	Carlson, L.	Dieterich	Faricy
Anderson, D.	Berglin	Casserly	Dirlam	Fjoslien
Anderson, G.	Biersdorf	Cleary	Eckstein	Forsythe
Anderson, I.	Braun	Clifford	Eken	Fudro
Becklin	Brinkman	Connors	Enebo	Fugina
Belisle	Carlson, A.	Culhane	Erdahl	Graba

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

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. 234, A bill for an act relating to taxation; definition of terms in relation to the motor vehicle excise tax; amending Minnesota Statutes 1971, Section 297B.01, Subdivision 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dieterich moved that the House concur in the Senate amendments to H. F. No. 234 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 234, A bill for an act relating to taxation; increasing the rate of interest penalties on delinquent real estate taxes; definition of terms in relation to the motor vehicle excise tax; amending Minnesota Statutes 1971, Sections 279.01, and 297B.01, Subdivision 7.

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 109, and nays 14, as follows:

Those who voted in the affirmative were:

Adams, J.	Andersen, R.	Anderson, I.	Belisle	Bennett
Adams, S.	Anderson, D.	Becklin	Bell	Biersdorf

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

Those who voted in the negative were:

Anderson, G.	Culhane	Long	Moe	Ohnstad
Berg	Erickson	McCauley	Myrah	Skaar
Berglin	Fjoslien	Miller, M.	Niehaus	

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. 2191, A bill for an act relating to state government; advisory councils; and information services facilities; amending Minnesota Statutes 1971, Sections 16.91; 16.911; and 16.93; repealing Minnesota Statutes 1971, Section 16.92.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kahn moved that the House concur in the Senate amendments to H. F. No. 2191 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2191, A bill for an act relating to state government; advisory councils; and information services facilities; amending Minnesota Statutes 1971, Sections 16.91; 16.911; and 16.93; repealing Minnesota Statutes 1971, Section 16.92.

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 123, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ohnstad

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. 2608, A bill for an act relating to cable communications; providing for interim certificates of confirmation; amending Laws 1973, Chapter 568, Sections 2, Subdivision 8, and by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivisions; 9, Subdivision 13 and adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kelly moved that the House concur in the Senate amendments to H. F. No. 2608 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2608, A bill for an act relating to cable communications; providing for interim certificates of confirmation; amending Laws 1973, Chapter 568, Sections 2, Subdivision 8, and by adding a subdivision; 4, Subdivision 9; 5, Subdivisions 2, 3, 6, and 7; 6, by adding subdivisions; 9, by adding a subdivision; and 13.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 125, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Cleary

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

Anderson, I., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Lemke and Savelkoul were excused for the remainder of today's session.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker :

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

H. F. No. 2992, A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and decedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

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

H. F. No. 1316, A bill for an act relating to the collection, security and dissemination of records and information by the state; providing penalties; amending Minnesota Statutes 1971, Chapter 16, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lindstrom, J., moved that the House concur in the Senate amendments to H. F. No. 1316 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1316, A bill for an act relating to the collection, security and dissemination of records and information by the state and its political subdivisions; providing a civil cause of action; providing penalties.

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 112, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Patton

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. 1662, A bill for an act relating to pollution; providing for a deputy director of the Minnesota pollution control agency; removing certain exemptions from the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; abolishing the water pollution control advisory committee; amending Minnesota Statutes 1971, Sections 43.09, Subdivision 2; 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding a subdivision; 116.07, Subdivisions 2, 4, and 4a; 116.08, Subdivision 1; 116.081, Subdivision 1; 161.242, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Hanson moved that the House concur in the Senate amendments to H. F. No. 1662 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1662, A bill for an act relating to pollution; providing for a deputy director and an assistant director of the Minnesota pollution control agency; changing the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; amending Minnesota Statutes 1971, Sections 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding subdivisions; 116.07, Subdivisions 4 and 4a; 116.081, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Sections 43.09, Subdivision 2; 116.07, Subdivision 2; and 161.242, Subdivision 2.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 106, and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Erickson	Esau	Klaus	Ohnstad	Wigley
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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. 1834, A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the Interstate Civil Defense and Disaster Compact; providing penalties; repealing Minnesota Statutes 1971, Chapter 12, as amended; and Laws 1951, Chapter 669.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 1834 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1834, A bill for an act relating to civil defense; changing the name of the division of civil defense to the division of emergency services; providing for the purchase of excess property by the state for civil defense 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 102, and nays 7, as follows:

Those who voted in the affirmative were:

Adams, J.	Culhane	Jaros	McCarron	Samuelson
Andersen, R.	Cummiskey	Johnson, C.	McEachern	Sarna
Anderson, D.	Dahl	Johnson, D.	McMillan	Searle
Anderson, G.	DeGroat	Johnson, J.	Menke	Sherwood
Anderson, I.	Dieterich	Johnson, R.	Miller, M.	Sieben, H.
Becklin	Dirlam	Jopp	Moe	Sieben, M.
Belisle	Eken	Jude	Myrah	Skaar
Bell	Enebo	Kahn	Nelson	Smith
Bennett	Erdahl	Kelly	Newcome	Stangeland
Berg	Faricy	Kempe	Niehaus	Stanton
Berglin	Fjoslien	Knickerbocker	Norton	Swanson
Biersdorf	Forsythe	Knoll	Ojala	Tomlinson
Braun	Fudro	Kostohryz	Parish	Vanasek
Brinkman	Fugina	Laidig	Patton	Vento
Carlson, A.	Graba	LaVoy	Pavlak, R.	Wenzel
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R. L.	Wohlwend
Carlson, L.	Grove	Lindstrom, J.	Pehler	Wolcott
Casserly	Hanson	Lombardi	Peterson	Mr. Speaker
Cleary	Haugerud	Long	Prahl	
Clifford	Heinitz	Mann	Resner	
Connors	Jacobs	McArthur	Ryan	

Those who voted in the negative were:

Erickson
Hagedorn

Klaus
Ohnstad

Pieper

Ulland

Wigley

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. 2525, A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter 438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371 as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as

amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55, as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapters 236, 237, 238, 373, 451, 497, 523 and Extra Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35 as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556 as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and 611, and Chapter 851, as amended by Laws 1973, Chapter 695, 950 as amended by Laws 1973, Chapter 372, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 2525 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2525, A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter 438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371 as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55,

as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapters 236, 237, 238, 373, 451, 497, 523 and Extra Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35 as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556 as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and 611, and Chapter 851, as amended by Laws 1973, Chapter 695, 950 as amended by Laws 1973, Chapter 372 and subsequent acts, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

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 119, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 3030, A bill for an act relating to public health; requiring employees of school districts, private or parochial schools, day care centers and nursery schools to show freedom from tuberculosis; amending Minnesota Statutes 1971, Section 123.69.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dahl moved that the House concur in the Senate amendments to H. F. No. 3030 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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 118, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 3157, A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 3157 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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 121, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 3129, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to receive and administer conservation restrictions by gift, purchase or exchange.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sherwood moved that the House concur in the Senate amendments to H. F. No. 3129 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3129, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to acquire conservation restrictions by gift, purchase or exchange.

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 122, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2333, A bill for an act relating to welfare; providing for mandatory certification to the commissioner of manpower services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berglin moved that the House concur in the Senate amendments to H. F. No. 2333 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2333, A bill for an act relating to welfare; providing for mandatory certification to the commissioner of employment services; amending Minnesota Statutes 1971, Section 256.736, Subdivisions 3 and 4.

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 122, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 1839, A bill for an act relating to workmens compensation; adjusting certain schedules of and provisions for compensation benefits; relating to injuries occurring out of state and occupation diseases; amending Minnesota Statutes 1971, Sections 176.021, Subdivision 3; 176.041, Subdivision 3; 176.101, Subdivisions 2, 3, and 7; 176.662; Chapter 176, by adding a section; repealing Minnesota Statutes 1971, Section 176.041, Subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 1839 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1839, A bill for an act relating to workmens compensation; adjusting certain schedules of and provisions for compensation benefits; relating to injuries occurring out of state and occupation diseases; amending Minnesota Statutes 1971, Section 176.101, Subdivision 7; Chapter 176, by adding a section; and Minnesota Statutes, 1973 Supplement, Sections 176.021, Subdivision 3; and 176.101, Subdivisions 2 and 3; repealing Minnesota Statutes 1971, Section 176.041, Subdivision 5.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 120, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2349, A bill for an act relating to the city of Virginia; authorizing one additional on-sale intoxicating liquor license.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fugina moved that the House concur in the Senate amendments to H. F. No. 2349 and that the bill be repassed as amended by the Senate.

Newcome moved that the House refuse to concur in the Senate amendments to H. F. No. 2349, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses.

A roll call was requested and properly seconded.

The question was taken on the Newcome motion and the roll being called, there were yeas 91, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	Clifford	Hanson	Mann	St. Onge
Andersen, R.	Culhane	Heinitz	McArthur	Sarna
Anderson, D.	Dahl	Hook	McCauley	Schreiber
Anderson, G.	DeGroat	Johnson, C.	McMillan	Searle
Anderson, I.	Dirlam	Johnson, J.	Menke	Sherwood
Becklin	Eckstein	Johnson, R.	Moe	Sieben, H.
Belisle	Eken	Jopp	Munger	Skaar
Bell	Enebo	Jude	Myrah	Smith
Bennett	Erdahl	Kelly	Newcome	Stangeland
Berg	Erickson	Kempe	Niehaus	Swanson
Berglin	Esau	Knickerbocker	Ohnstad	Weaver
Biersdorf	Faricy	Kostohryz	Parish	Wenzel
Braun	Ferderer	Kvam	Pavlak, R. L.	Wigley
Brinkman	Fjoslien	Laidig	Pehler	Wohlwend
Carlson, A.	Forsythe	Larson	Peterson	Wolcott
Carlson, B.	Fudro	Lindstrom, E.	Pieper	
Carlson, D.	Graba	Lindstrom, J.	Pleasant	
Carlson, L.	Graw	Lombardi	Quirin	
Cleary	Hagedorn	Long	Ryan	

Those who voted in the negative were:

Casserly	Jaros	Miller, M.	Resner	Ulland
Connors	Johnson, D.	Nelson	Rice	Vanasek
Cummiskey	Kahn	Norton	Samuelson	Voss
Dieterich	Klaus	Ojala	Sieben, M.	Mr. Speaker
Fugina	LaVoy	Patton	Stanton	
Jacobs	McCarron	Prahl	Tomlinson	

The motion prevailed.

Mr. Speaker:

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

H. F. No. 3090, A bill for an act relating to towns; requiring a city to confer jointly with the governing body of a town and county planning commission before extending certain municipal services into the area governed by the town.

PATRICK E. FLAHAVEN, Secretary of the Senate

Niehaus moved that the House refuse to concur in the Senate amendments to H. F. No. 3090, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2349:

Fugina, Newcome and Salchert.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 3090:

Niehaus, Patton, and LaVoy.

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. 1191, A bill for an act relating to employment agencies; the licensing and regulation thereof; prescribing penalties; amending Minnesota Statutes 1971, Sections 184.21, Subdivision 2, and by adding subdivisions; 184.22; 184.26, Subdivision 1; 184.29; 184.30, Subdivision 1; 184.32; 184.33; 184.35; 184.37; 184.38, Subdivisions 1, 2, 3, and 13; and 184.41; repealing Minnesota Statutes 1971, Sections 184.31 and 184.39.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Resner moved that the House concur in the Senate amendments to H. F. No. 1191 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1191, A bill for an act relating to employment agencies; the licensing and regulation thereof; prescribing penalties; amending Minnesota Statutes 1971, Sections 184.21, Subdivision 2, and by adding subdivisions; 184.22; 184.26, Subdivision 1; 184.29; 184.30, Subdivision 1; 184.32; 184.35; 184.37; 184.38, Subdivisions 1, 2, 3, and 13; 184.41; and Minnesota Statutes, 1973 Supplement, Section 184.33, Subdivision 1; repealing Minnesota Statutes 1971, Sections 184.31 and 184.39.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

S. F. Nos. 2604 and 3306.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2604, A bill for an act relating to distinctions based upon sex; abolishing these distinctions in the law relating to the dependent care deduction, inheritance tax, and gift tax; amending Minnesota Statutes 1971, Sections 290.09, Subdivision 26; 291.03, as amended; 291.05, as amended; 292.05, Subdivision 1, as amended; 292.07, Subdivision 3, as amended, and Subdivision 5, as amended.

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

S. F. No. 3306, A bill for an act relating to taxation; providing for a reduction of ad valorem taxes paid by certain persons; amending Minnesota Statutes, 1973 Supplement, Sections 273.011, Subdivisions 2 and 5; 273.012, Subdivision 2; Minnesota Statutes 1971, Chapter 273, by adding sections; and repealing Minnesota Statutes, 1973 Supplement, Section 290.066.

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

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Wednesday, March 27, 1974. The motion prevailed.

Mr. Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Wednesday, March 27, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

