

STATE OF MINNESOTA

SIXTY-EIGHTH SESSION - 1974

ONE HUNDRED-FIFTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 28, 1974

The House convened at 9:00 a.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

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

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

A quorum was present.

Adams, S.; Cleary; Johnson, C.; Long; Stangeland; and Ulland were excused. Dahl was excused until 4:00 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 3558 and S. F. No. 3308 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communications were 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>
2558		238	March 26	March 26
2015		239	March 26	March 26
2136		240	March 26	March 26
2252		241	March 26	March 26
2264		242	March 26	March 26
2332		243	March 26	March 26
2875		244	March 26	March 26
3009		245	March 26	March 26
3115		246	March 26	March 26
3119		247	March 26	March 26
3212		248	March 26	March 26
3406		249	March 26	March 26

<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>
	818	250	March 26	March 26
	1409	251	March 26	March 26
	1489	252	March 26	March 26
	2517	253	March 26	March 26
	2554	254	March 26	March 26
	2588	255	March 26	March 26
	2699	256	March 26	March 26
	2883	257	March 26	March 26
	2967	258	March 26	March 26
	3276	259	March 26	March 26
	3279	260	March 26	March 26
	3289	261	March 26	March 26
	3321	262	March 26	March 26
	3328	263	March 26	March 26
	3395	264	March 26	March 26
	3422	265	March 26	March 26

Sincerely,

ARLEN I. ERDAHL
Secretary of State

INTRODUCTION OF BILLS

Vento; Pavlak, R.; Newcome; Munger; and Sabo introduced:

H. F. No. 3729, A bill for an act relating to outdoor recreation; establishing the Minnesota outdoor recreation system; classifying units of the outdoor recreation system and specifying the purposes and administration of each class of units; providing for authorization, acquisition, and establishment of units; requiring master plans for all units; establishing an outdoor recreation ad-

visory committee; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1971, Sections 84.029, Subdivision 1; 84.03; 85.20, Subdivision 1; 97.48, Subdivisions 15 and 25; 97.481; 99.251; 138.09; 138.52, Subdivision 1; 138.56, Subdivision 1; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivision 2; 161.10; Minnesota Statutes, 1973 Supplement, Sections 84.033; 97.48, Subdivision 13; 138.53, Subdivision 49, by adding subdivisions; 138.56, by adding subdivisions; and repealing Minnesota Statutes 1971, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20, Subdivisions 2, 3, 4, and 5; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, and 5; 138.53, Subdivisions 4, 11, 12, 17, 30, and 48; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 138.54, Subdivision 4.

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

Pavlak, R.; Quirin; Salchert; Haugerud; and Sieben, H., introduced:

H. F. No. 3730, A bill for an act creating a study commission to study the utility of a southern metropolitan council for Rice, Goodhue, Olmsted, Freeborn, Mower and Dakota counties; appropriating money.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the return of Senate File No. 2477 for further consideration:

S. F. No. 2477, A bill for an act adding a new route to the trunk highway system.

Senate File No. 2477 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, I., moved that the vote whereby S. F. No. 2477 was passed on Monday, March 18, 1974, be now reconsidered. The motion prevailed.

Anderson, I., moved that the action whereby S. F. No. 2477 was given a Third Reading on Monday, March 18, 1974, be now reconsidered. The motion prevailed.

S. F. No. 2477 was reported to the House.

Anderson, I., moved to amend S. F. No. 2477, the printed bill, as follows:

Add a new section to read:

"Sec. 3. This act shall become effective January 1, 1976."

The motion prevailed and the amendment was adopted.

S. F. No. 2477, A bill for an act adding a new route to the trunk highway system.

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

The bill was repassed, as amended, 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. 3310, A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 8, 9, 10, and by adding a subdivision; 490.125 Subdivision 2; and 490.128, by adding subdivisions.

PATRICK E. FLAHAVEN, Secretary of the Senate

Parish moved that the House refuse to concur in the Senate amendments to H. F. No. 3310, 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. 3310:

Vento, Parish, and Larson.

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. 2334, A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Salchert moved that the House concur in the Senate amendments to H. F. No. 2334 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2334, A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

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

The bill was repassed, as amended by the Senate, 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. 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.

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. 3059

March 27, 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. 3059, 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. 3059 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 375.01, is amended to read:

375.01 [MEMBERS, NUMBER OF.] Each county shall have a board of five commissioners who shall be known as the county board and whose terms of office shall be four years and until their successors qualify; but, in *St. Louis, Hennepin, and Ramsey* counties (HAVING AN AREA OF OVER 5,000 SQUARE MILES AND A POPULATION EXCEEDING 75,000,) the board shall consist of seven members.

Sec. 2. [RAMSEY COUNTY.] Subdivision 1. Within 15 days of the effective date of this section the board of Ramsey county commissioners shall redistrict commission district boundaries to establish seven districts for the county in accordance with the standards prescribed in subdivision 3. The plan establishing the district boundaries shall be filed with the Ramsey County Auditor and the chief judge of the District Court for Ramsey County, and published as provided in subdivision 3.

Subd. 2. In event the county commissioners do not file a redistricting plan with the county board upon the expiration of 15 days from the effective date of this section the district court shall appoint a redistricting commission on a bipartisan or nonpartisan basis to establish the districts for the county in accordance with the standards prescribed in subdivision 3. The commission shall be composed of not less than five nor more than nine residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership on the commission. Members of the commission shall not be eligible for election to the county board until two years after the determination of the district boundaries pursuant to this section. Members of the commission shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission. The commission shall complete its work within 45 days after its appointment.

Subd. 3. [DISTRICTS; STANDARDS.] At least three of the districts shall be composed entirely of area within the city of St. Paul and two of the districts shall be composed entirely of area outside the city of St. Paul. Each district shall be composed of contiguous territory as regular and compact in form and shall be as nearly equal in population as practicable. Except where necessary to comply with the standards set forth in this subdivision, the districts shall be bounded by city, town, ward, or precinct lines. The plan establishing the district boundaries shall be filed in the office of the county auditor, and after filing the plan the commission shall cause notice that the plan is on file to be published in the newspaper having the contract for publishing the commissioner's proceedings for the current year. The plan shall become effective upon the filing of the plan with the county auditor, and shall be effective as to the election of county commissioners in 1974.

Subd. 4. [REPEALER.] Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5 and Special Laws 1891, Chapter 438, as amended by Laws 1971, Chapter 386 are repealed effective November 1, 1974.

Subd. 5. Except as provided in subdivision 4, the provisions to section 1 applying to Ramsey County and this section shall be effective upon final enactment.

Sec. 3. [HENNEPIN COUNTY.] Subdivision 1. [REDISTRICTING.] The board of county commissioners of Hennepin county shall redistrict commissioner districts boundaries to provide seven districts as provided in section 1, and set the term of office therefor, except as hereinafter provided.

Subd. 2. [COMMISSIONER DISTRICTS.] Each district shall be composed of contiguous territory as regular and compact in form and as nearly equal in population as practicable. The plan shall provide that except for county commissioners elected in 1974 who shall serve for a four year term, five county commissioners shall be elected in 1976. Two of the commissioners elected in 1976 shall be elected for a two-year and three for a four-year term. Commencing in 1978 each commissioner shall be elected for a four-year term. The plan establishing the district boundaries shall be filed with the Hennepin county auditor and the secretary of state and the chief clerk of the house of representatives by July 15, 1975. After filing the plan shall be published in the newspaper having the contract for publishing the commissioners' proceedings for that year. The plan shall become effective as to the election of county commissioners in 1976.

Subd. 3. [REPEALER.] Laws 1963, Chapter 789 are repealed effective November 1, 1976.

Subd. 4. Except as provided in subdivision 3, the provisions of section 1 applying to Hennepin county and this section shall

become effective upon final enactment and shall apply to the election of county commissioners in 1976.

Sec. 4. [DAKOTA COUNTY.] Subdivision 1. The board of county commissioners of Dakota county shall redistrict commissioner districts to provide seven districts.

Subd. 2. The redistricting shall be done pursuant to the provisions of Laws 1974, Chapter 240 except that commissioners from the new districts shall be first elected in 1976.

Subd. 3. This section is effective upon its approval by the board of county commissioners of Dakota county and upon compliance with Minnesota Statutes, Section 645.021 and shall apply to the election of county commissioners in 1976.

Sec. 5. Commencing with the 1980 federal census redistricting of the counties as provided in sections 2, 3, and 4 shall be in accordance with Laws 1974, Chapter 240."

Further amend the title in line 2 thereof, at the end of the line strike the "and" and insert in lieu thereof the following ",". In line 3 after "Ramsey" insert "and Dakota".

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

Senate Conferees: EUGENE STOKOWSKI, JOHN C. CHENOWETH, ROBERT D. NORTH, WILLIAM G. KIRCHNER, and HARMON T. OGDAHL.

House Conferees: JOHN J. SALCHERT, JOHN D. TOMLINSON, RAY W. FARICY, and HARRY A. SIEBEN, JR.

Salchert moved that the report of the Conference Committee on S. F. No. 3059 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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 119, and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Graw Heinitz

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

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3512

March 27, 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. 3512, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 3512 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 360.101, is amended to read:

360.101 [DECLARATION OF PURPOSES.] It is the purpose of sections 360.101 to (360.123) *360.144* to promote the public welfare and national security; serve public interest, convenience, and necessity; promote air navigation and transportation, international, national, state, and local, in and through this state; (INCREASE AIR COMMERCE AND) promote the efficient, safe, and economical handling of (SUCH) *air* commerce; assure the inclusion of this state in national and international programs of air transportation; and to those ends to develop the full potentialities of the metropolitan (AREAS) *area* in this state as an aviation (CENTERS) *center*, and to correlate (THOSE AREAS) *that area* with all aviation facilities in the entire state so as to provide for the most economical and effective use of aeronautic facilities and services in (THOSE AREAS) *that area*; *assure the residents of the metropolitan area of the minimum environmental impact from air navigation and transportation, and to that end provide for noise abatement, control of airport area land use, and other protective measures*; and to this end the corporation shall cooperate with and assist *the metropolitan council*, the Federal government, the commissioner of aeronautics of this state and others engaged in aeronautics or the promotion and regulation of aeronautics and shall seek to coordinate its activities with the aeronautical activities of these bodies.

Sec. 2. Minnesota Statutes 1971, Section 360.102, Subdivision 2, is amended to read:

Subd. 2. "Commission" and "corporation(,)" each means (A CORPORATION CREATED UNDER LAWS 1943, CHAPTER 500, AS) a metropolitan airports commission, *organized and existing under the provisions of sections 360.101 to 360.144.*

Sec. 3. Minnesota Statutes 1971, Section 360.102, Subdivision 3, is amended to read:

Subd. 3. "City council" or "council" means the governing body of (A CITY, HOWEVER DESIGNATED BY LAW OR CHARTER) *each of the cities of Minneapolis and St. Paul.*

Sec. 4. Minnesota Statutes 1971, Section 360.102, Subdivision 4, is amended to read:

Subd. 4. "Commissioner" means a person appointed or otherwise selected as, and, after his qualification, acting as, a member of (A) *the corporation (CREATED UNDER LAWS 1943, CHAPTER 500).*

Sec. 5. Minnesota Statutes 1971, Section 360.102, Subdivision 5, is amended to read:

Subd. 5. "The commissioners" means a quorum of the members of (A) *the corporation (CREATED UNDER LAWS 1943,*

CHAPTER 500), acting as the governing body of (SUCH) *the corporation.*

Sec. 6. Minnesota Statutes 1971, Section 360.102, Subdivision 9, is amended to read:

Subd. 9. "City" or "each city" means one of the (TWO CONTIGUOUS) cities (OF THE FIRST CLASS IN AND FOR WHICH A CORPORATION SHALL BE CREATED UNDER LAWS 1943, CHAPTER 500) *Minneapolis and St. Paul.*

Sec. 7. Minnesota Statutes 1971, Section 360.102, is amended by adding a subdivision to read:

Subd. 11. "*Metropolitan area*" means the metropolitan area as defined in Minnesota Statutes 1971, Section 473B.02.

Sec. 8. Minnesota Statutes 1971, Section 360.103, Subdivision 1, is amended to read:

360.103 [METROPOLITAN AIRPORTS COMMISSION; CREATION.] Subdivision 1. For the purposes (HEREIN) provided (THERE SHALL BE) *in sections 360.101 to 360.144 the metropolitan airports commission has been created as a public corporation (IN AND FOR ANY TWO CONTIGUOUS CITIES OF THE FIRST CLASS IN THIS STATE, TO BE KNOWN AS THE METROPOLITAN AIRPORTS COMMISSION OF THOSE CITIES). Except as provided otherwise in this act, the existence and the powers, responsibilities, rights, and obligations of this corporation are confirmed and extended in accordance with the provisions of those sections, as they now exist and as they are now and may hereafter be amended and supplemented.*

Sec. 9. Minnesota Statutes 1971, Section 360.103, Subdivision 2, is amended to read:

Subd. 2. (LAWS 1943, CHAPTER 500, IS EXPRESSLY DECLARED TO BE APPLICABLE TO ALL SUCH CITIES WHETHER OR NOT THEY ARE NOW OR HEREAFTER EXISTING UNDER A CHARTER FRAMED AND ADOPTED UNDER SECTION 36 OF ARTICLE IV, OF THE STATE CONSTITUTION) *The commission shall be organized, structured and administered as provided in this act.*

Sec. 10. Minnesota Statutes 1971, Section 360.104, Subdivision 1, is amended to read:

360.104 [MEMBERSHIP, GOVERNMENT.] Subdivision 1. The following persons and their respective successors(, HEREIN TERMED COMMISSIONERS,) shall constitute the members and governing body of the corporation, namely:

(1) *All of the members and commissioners in office January 1, 1973, for the remainder of the terms for which they were appointed or otherwise selected, respectively;*

(2) The mayor of each of the (RESPECTIVE) cities, or a qualified voter appointed by him, *for his term of office as mayor*;

(3) A member of the council of each of the (RESPECTIVE) cities, appointed by (SUCH) *the council for a term of four years commencing in July, 1977*;

(4) A member of the *park board* of (COMMISSIONERS HAVING JURISDICTION AT THE TIME OF THE PASSAGE OF LAWS 1943, CHAPTER 500, OF AIRPORTS OF EACH OF THE RESPECTIVE CITIES,) *Minneapolis* appointed by (SUCH) *that board* (OR COMMISSION, OR, IN CASE THE COUNCIL OF EITHER OF SUCH CITIES HAS JURISDICTION OF AIRPORTS IN SAID CITY, THEN) *and a second member of (SUCH) the council of St. Paul, appointed by it, each for a term of two years commencing in July in 1979*;

(5) One additional (COMMISSIONER FROM) *resident of each city, who (IS A FREEHOLDER, HAS RESIDED IN THE CITY FROM WHICH HE IS APPOINTED AT LEAST TEN YEARS, AND) does not hold any office under the state or any of its political subdivisions except that of notary public, herein termed a "citizen commissioner," such member in (A CITY HAVING THE COMMISSION FORM OF GOVERNMENT) St. Paul to be appointed by the mayor, with the approval of the council, and in (OTHER CITIES) Minneapolis by the council, with the approval of the mayor; (ONE MEMBER APPOINTED BY THE GOVERNOR OF THE STATE, WHO SHALL BE A QUALIFIED VOTER OF A COUNTY NOT CONTIGUOUS TO EITHER OF THE COUNTIES IN WHICH THE RESPECTIVE CITIES ARE LOCATED, WHO SHALL BE CHAIRMAN OF THE CORPORATION.) each for a term of two years commencing in July 1979*;

(6) *Six additional members, each appointed by the governor on a non-partisan basis, and each holding no other office under the state or any of its political subdivisions except that of notary public; for terms and with residence qualifications as follows:*

(a) (1) *A resident of the area of the counties of Washington and Ramsey, outside of St. Paul, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981*;

(2) *A resident of the county of Anoka, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981*;

(3) *Three residents of the area of the counties of Carver, Scott and Hennepin, outside Minneapolis, for a two year term commencing in July, 1974, and their successors for a term ending July 1, 1981*;

(4) A resident of the county of Dakota, for a four year term commencing in July, 1974, and his successor for a term ending July 1, 1981;

(b) As successors to all members referred to in paragraphs (3) to (6) (a), whose terms will expire in July, 1981, a number of members appointed from precincts equal or nearest to but not exceeding half the number of districts which are provided by law for the selection of members of the metropolitan council in Minnesota Statutes, Section 473B.02. Each member shall be a resident of the precinct which he represents. The members shall be appointed by the governor as follows: a number as near as possible to one fourth, for a term of one year; a similar number for a term of two years; a similar number for a term of three years; and a similar number for a term of four years, all of which terms shall commence on July 1, 1981. The successors of each member shall be appointed for four year terms commencing in July of each fourth year after the expiration of the original term;

(7) One member appointed by the governor of the state, who shall be chairman of the corporation, appointed for a six year term commencing in July, 1977 and his successors for six year terms commencing in July in each sixth year thereafter.

Sec. 11. Minnesota Statutes 1971, Section 360.104, Subdivision 2, is amended to read:

Subd. 2. Each mayor, or any voter appointed by him in his stead, shall serve as a commissioner for the term of office of such mayor (, OR FOR THE CONSECUTIVE TERMS THEREOF IF HE BE RE-ELECTED. OF THE FIRST COMMISSIONERS, ONE APPOINTED BY EACH CITY COUNCIL FROM ITS MEMBERS SHALL SERVE FOR A TERM OF FOUR YEARS, AND ONE FOR SIX YEARS, OR IF ONE IS APPOINTED BY A BOARD OR COMMISSION HAVING JURISDICTION OF AIRPORTS INSTEAD OF BY THE COUNCIL, HE SHALL SERVE FOR SIX YEARS. THE COMMISSIONER APPOINTED BY THE GOVERNOR SHALL SERVE FOR FOUR YEARS, AND EACH OF THE CITIZEN COMMISSIONERS FOR SIX YEARS. EACH OF SAID TERMS SHALL DATE FROM THE ELECTION OR APPOINTMENT AND QUALIFICATION OF THE COMMISSIONER. THEREAFTER THE TERM OF EACH COMMISSIONER, EXCEPT THAT OF A MAYOR, OF AN APPOINTEE OF SUCH MAYOR IN HIS STEAD, AND OF ONE APPOINTED TO FILL A VACANCY, SHALL BE FOR SIX YEARS. NOTWITHSTANDING THE FOREGOING PROVISIONS OF THIS SUBDIVISION, THE TERM). *The office of any commissioner who is a member of a city council or board (OR COMMISSION HAVING JURISDICTION OF AIRPORTS) shall (TERMINATE) become vacant when for any reason he ceases to hold the city office to which he was elected, and (A SUCCESSOR SHALL BE IMMEDIATELY APPOINTED TO FILL HIS UNEXPIRED TERM) the of-*

fice of any commissioner shall become vacant upon the occurrence of any event referred to in section 351.02. Except as provided in the (LAST SENTENCE) preceding sentences of this subdivision, each commissioner shall serve until his successor is duly appointed and has qualified. Any vacancy in the office of a commissioner shall immediately be filled for the unexpired term, and in such case, or when the term of a commissioner expires, his successor shall be chosen in the same manner as was his predecessor, and his appointment shall be evidenced in the same manner.

Sec. 12. Minnesota Statutes 1971, Section 360.104, Subdivision 3, is amended to read:

Subd. 3. (WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF LAWS 1943, CHAPTER 500, THE COMMISSIONERS SHALL BE SELECTED AS PROVIDED IN SUBDIVISION 1.) The clerk, secretary, or other appropriate official of each appointing public body shall immediately (THEREAFTER) file with the secretary of state a certified copy (OR COPIES) of (THE) *each* resolution (OR RESOLUTIONS OF SUCH APPOINTING BODY) appointing commissioners (FROM ITS OWN MEMBERSHIP). (AT THE SAME TIME) The city clerk of each city, *upon the election and qualification of each new mayor thereof*, shall file with the secretary of state a certificate stating (THE) *his* full name and address (OF THE MAYOR OF SUCH CITY), and that such mayor has elected to act as a commissioner, or, in the event such mayor has appointed some other qualified voter in his place, shall file a certified copy of the order of the mayor appointing such commissioner. (SUCH CITY CLERK SHALL ALSO FILE A CERTIFIED COPY OF THE RECORD OF APPOINTMENT OF THE CITIZEN COMMISSIONER.) The governor shall file his (APPOINTMENT) *appointments* in the same office. Each person selected as a commissioner shall thereupon file in the same office the oath of office prescribed by the State Constitution, Article V, Section 8, subscribed by him and certified by the officer administering the same.

Sec. 13. Minnesota Statutes 1971, Section 360.104, Subdivision 4, is amended to read:

Subd. 4. Should any of the said appointments not be made (, OR ANY CERTIFICATION OF APPOINTMENTS OR ANY CERTIFICATE AS TO A MAYOR ELECTING TO ACT AS A COMMISSIONER, OR ANY OATH OF OFFICE, NOT BE FILED AS REQUIRED, ALL WITHIN THE TIME LIMITS SPECIFIED HEREIN) *within 60 days after the commencement of the term for which it is to be made*, the governor shall (THEREUPON) *upon the request of the chairman* select and appoint such commissioners as have not been so designated. Any commissioner so appointed by the governor shall be a legal voter of the city, county, or precinct for which he was appointed. Upon his filing the oath of office required by subdivision 3, he shall

have all the rights, privileges, and powers of a commissioner duly (ELECTED OR) appointed as provided (HEREIN) *in subdivision 2*. If thereafter any vacancy in the office of a commissioner shall not be promptly filled, the governor may *upon request of the chairman* proceed as in this subdivision provided.

Sec. 14. Minnesota Statutes 1971, Section 360.106, Subdivision 5, is amended to read:

Subd. 5. The corporation shall have the power to appoint engineers and other consultants, attorneys, and such other officers, agents, and employees as it may see fit, who shall perform such duties and receive such compensation as the corporation may determine, and be removable at the pleasure of the corporation. *The corporation shall by July 1, 1974, adopt an affirmative action plan, which shall be submitted to the appropriate agency or office of the state for review and approval. The plan shall include a yearly progress report to the agency or office.* Officers and employees of the corporation who cannot qualify and participate in the municipal employees retirement fund under chapter 422, shall be separated from service at the retirement age applicable to officers or employees of the state of Minnesota in the classified service of the state civil service as provided in section 43.051, subdivision 1, or as the same may from time to time be amended, regardless of the provisions of the veteran's preference act. Whenever the corporation performs any work within the limits of a city of the first class, or establishes a minimum wage for skilled or unskilled labor in the specifications or any contract for work within one of the cities, the rate of pay to such skilled and unskilled labor shall be the prevailing rate of wage for such labor in that city.

Sec. 15. Minnesota Statutes 1971, Section 360.104, is amended by adding a subdivision to read:

Subd. 5a. [REGULAR AND SPECIAL MEETINGS.] *The commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution 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. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of all the members. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.*

Sec. 16. Minnesota Statutes 1971, Section 360.105, is amended by adding a subdivision to read:

Subd. 2a. [COMPENSATION.] Each commission member shall be paid a per diem compensation of \$35 for each meeting and for such other services as are specifically authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive such compensation as the commission shall determine and shall be reimbursed for reasonable expenses to the same extent as a member.

Sec. 17. Minnesota Statutes 1971, Section 360.105, Subdivision 4, is amended to read:

Subd. 4. The removal of residence of any commissioner from the (CITY OF) *area from which he was appointed or otherwise selected as a representative shall operate as a resignation of his office. Any commissioner may be removed from office by the body or person appointing him (, OR BY THE GOVERNOR,)* for misfeasance, malfeasance, or nonfeasance in office, upon written charges and after an opportunity to be heard in his defense.

Sec. 18. Minnesota Statutes 1971, Section 360.107, Subdivision 2, is amended to read:

Subd. 2. It may acquire by lease, purchase, gift, devise, or condemnation proceedings all necessary right, title, and interest in and to lands and personal property required for airports and all other real or personal property required for the purposes contemplated by Laws 1943, Chapter 500, (EITHER WITHIN OR WITHOUT THE LIMITS OF THE CITIES IN AND FOR WHICH IT IS CREATED) *within the metropolitan area*, pay therefor out of funds obtained as hereinafter provided, and hold and dispose of the same, subject to the limitations and conditions herein prescribed. Title to any such property acquired by condemnation or purchase shall be in fee simple, absolute, unqualified in any way, but any such real or personal property or interest therein otherwise acquired may be so acquired or accepted subject to any condition which may be imposed thereon by the grantor or donor and agreed to by the corporation, not inconsistent with the proper use of the property by the corporation for the purposes herein provided. Any properties, real or personal, acquired, owned, leased, controlled, used, and occupied by the corporation for any of the purposes of Laws 1943, Chapter 500, 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 of its political subdivisions. Nothing contained in Laws 1943, Chapter 500, or sections 360.101 through 360.144, shall be construed as exempting properties, real or personal, leased from the metropolitan airports commission to a tenant or lessee who is a private person, association, or corporation from assessments or taxes.

Sec. 19. Minnesota Statutes 1971, Section 360.107, Subdivision 15, is amended to read:

Subd. 15. Without limitation upon any other powers in Laws 1943, Chapter 500, granted, whether general or special, it may contract with any person for the use by such person of any property and facilities under its control, for such purposes, and to such an extent as will, in the opinion of the commissioners, further the interests of aeronautics in this state and particularly (IN AND ABOUT THE CITIES IN AND FOR WHICH THE CORPORATION HAS BEEN CREATED) *within the metropolitan area*, including, but without limitation, the right to lease any such property or facilities, or any part thereof, for a term not to exceed 99 years, to any person, the national government, or any foreign government, or any department of either, or to the state or any municipality; provided, however, that said corporation shall not have the authority to lease, in its entirety, any municipal airport taken over by it under the provisions of this act. Without intending hereby to limit the generality of the purposes aforementioned, it may contract with any person for the use of any property and facilities under its control, or lease the same as aforementioned, for motel, hotel and garage purposes, and for such other purposes as, in the opinion of the commissioners, are desirable to furnish goods, wares, services and accommodations to or for the passengers and other users of airports under the control of the corporation, provided however that nothing herein shall be interpreted to permit the sale of intoxicating liquor upon such property or facilities.

Sec. 20. Minnesota Statutes 1971, Section 360.107, Subdivision 17, is amended to read:

Subd. 17. (1) It may from time to time make, adopt and enforce such rules, regulations, and ordinances as it may find expedient or necessary for carrying into effect the purposes of this act, including those relating to the internal operation of the corporation and to the management of airports and the operation thereof owned or operated by it, subject to the conditions and limitations hereinafter set forth. Any person violating any such rule, regulation or ordinance shall be guilty of a misdemeanor.

(2) The prosecution may be in any municipal court sitting within either city, or before a municipal court or justice of the peace having jurisdiction over the place where the violation occurs. Every sheriff, constable, policeman, and other peace officer shall see that all rules, regulations, and ordinances are obeyed, and shall arrest and prosecute offenders. The fines collected shall be paid into the treasury of the corporation, provided, however, that the corporation shall pay and there shall be first deducted and paid over to the office of the clerk of any municipal court processing and prosecuting violations such portion of such fines as shall be necessary to cover all costs and disbursements incurred in the matter of the processing and prosecuting of such violations in such court. All persons com-

mitted shall be received into any penal institution in the county in which the offense was committed. All persons shall take notice of such rules, regulations, and ordinances without pleading or proof of the same.

(3) As to rules, regulations and ordinances relating to the internal operation of the commission or to the management of airports or operation thereof, owned or operated by it, unless such rule, regulation or ordinance affects substantial rights thereon, a public hearing need not be held.

(4) As to all other rules, regulations or ordinances where deemed immediately necessary by the corporation, it may adopt and put the same into effect, but it shall within 30 days thereafter hold a public hearing thereon, after giving at least 15 days notice thereof by publication in a legal newspaper in each of the cities of Minneapolis and St. Paul, mailing a copy thereof at least 15 days prior to the hearing to all interested parties who have registered their names with the corporation for that purpose. As to all such other rules, regulations, or ordinances which the corporation does not deem immediately necessary, the corporation shall hold a public hearing thereon following the giving of at least 15 days notice thereof by publication and mailing as aforesaid, and such rules, regulations, or ordinances shall not be adopted and put into effect until after said hearing.

(5) (NOT LATER THAN 90 DAYS AFTER THE DATE ON WHICH THIS AMENDATORY ACT BECOMES EFFECTIVE THE CORPORATION SHALL PREPARE AND FILE WITH THE SECRETARY OF STATE ITS RULES, REGULATIONS, AND ORDINANCES IN EFFECT AT THE TIME OF THE PASSAGE OF THIS AMENDATORY ACT, NOT THERETOFORE FILED WITH THE SECRETARY OF STATE, AND AS TO RULES, REGULATIONS AND ORDINANCES ADOPTED HEREAFTER, SAID) *From and after January 1, 1975, notice of the adoption of rules, regulations and ordinances, (, BEFORE GOING INTO FORCE AND EFFECT,) shall, (WITHIN 20 DAYS) as soon as possible after the adoption thereof, be published in a legal newspaper of general circulation in (EACH OF THE CITIES OF MINNEAPOLIS AND ST. PAUL) the metropolitan area and (FILED WITH) proof of such publication shall be filed with the secretary of state. (, UPON SUCH FILING WITH THE SECRETARY OF STATE), together with a copy of the rule, regulation, or ordinance, (AS THE CASE MAY BE,) which shall thenceforth be in full force and effect.*

(6) Any person substantially interested or affected in his rights as to person or property by a rule, regulation or ordinance adopted by the corporation, may petition the corporation for a reconsideration of such rule, regulation or ordinance, or for an amendment, modification or waiver thereof. Such petition shall set forth a clear statement of the facts and grounds upon which

reconsideration, amendment, modification or waiver is sought. The corporation shall grant the petitioner a public hearing within 30 days after the filing of said petition.

Sec. 21. Minnesota Statutes 1971, Section 360.108, Subdivision 5, is amended to read:

Subd. 5. (THIRTY DAYS AFTER THE SUBMISSION OF THE FINDINGS AND PROPOSED PLANS PROVIDED FOR IN THIS SECTION, PUBLIC HEARINGS, OF WHICH TWO WEEKS PUBLISHED NOTICE SHALL BE GIVEN BY THE CORPORATION, SHALL BE HELD IN THE CITIES INVOLVED, BY THE CORPORATION. AFTER SUCH HEARINGS THE CORPORATION SHALL ADOPT AND FILE WITH THE GOVERNOR AND THE CITY COUNCILS AND BOARDS OR COMMISSIONS HAVING JURISDICTION OF AIRPORTS OF THE CITIES, A PERMANENT PLAN OF OPERATION, WHICH SHALL BE SUBJECT TO SUCH ADDITIONS, REVISIONS AND MODIFICATIONS AS MAY FROM TIME TO TIME SEEM TO THE CORPORATION TO BE PROPER AND BEST CALCULATED TO CARRY OUT THE PURPOSES OF LAWS 1943, CHAPTER 500, AS AMENDED, PROVIDED THAT WHEN A MATERIAL CHANGE IN SUCH PLAN IS PROPOSED BY THE CORPORATION, THERE SHALL BE PUBLIC HEARINGS OF WHICH TWO WEEKS' PUBLISHED NOTICE SHALL BE GIVEN BY THE CORPORATION.) *Any plans adopted by the commission pursuant to this section after January 1, 1975, shall be consistent with the development guide of the metropolitan council.*

Sec. 22. Minnesota Statutes 1971, Section 360.109, Subdivision 1, is amended to read:

360.109 [EXERCISE OF POWERS.] Subdivision 1. Immediately after the adoption and filing of its permanent plan of operation, the corporation shall proceed to exercise the powers herein granted. These powers may be exercised at any place within (25) *either 35 miles of the city hall of either city, or within the metropolitan area*, except as limited by section 360.111 as amended.

Sec. 23. Minnesota Statutes 1971, Section 360.109, is amended by adding a subdivision to read:

Subd. 5. *The investment of the cities of Minneapolis and St. Paul in the metropolitan airports system, from date of the original enactment of this section to January 1, 1973, includes the land comprising airports owned by them and taken over pursuant to subdivision 2, and taxes levied on property within the cities in the years 1944 to 1969, the proceeds of which, together with revenues of the system and federal funds, were expended for the operation, administration, maintenance, improvement, and extension of the system and the service of debt incurred for*

such improvement and extension, including improvement of the city lands. The aggregate amount of such taxes was \$19,816,873, of which \$7,294,022 would have been assessed and extended against property outside the cities if the entire metropolitan area, which will be taxable by the corporation in 1974 and subsequent years under section 360.114, as amended, had been within its taxing jurisdiction when those levies were made. If it should become necessary for the corporation to levy any such taxes for any purpose other than the payment of bonds and interest, they shall be extended and assessed exclusively against taxable property outside the cities until the total amount so assessed and extended equals \$7,294,022, with interest from April 1, 1974, at the rate of six percent per annum on the unpaid balance. In the event that the airport land owned by either city should no longer be used for airport purposes, the corporation's control thereof shall cease, and title to the land and all improvements shall be and remain in the city, but the city shall become liable to the corporation for the repayment, without interest, of an amount of the taxes so paid which is proportionate to its own share of the cities' original investment, being 60 percent for Minneapolis and 40 percent for St. Paul. In the event that any other land or improvements owned or controlled by the corporation should ever cease to be used for airport purposes, all income therefrom and all proceeds received upon disposal thereof shall continue to be used for purposes of the metropolitan airports systems, subject to federal laws and regulations governing such disposal; or if the operation of the system should ever be terminated, all such income and proceeds shall be distributed to the seven counties in the metropolitan area, in amounts proportionate to the assessed valuation of taxable property in each county at the time of such distribution.

Sec. 24. Minnesota Statutes 1971, Section 360.109, is amended by adding a subdivision to read:

Subd. 6. All capital projects of the commission requiring the expenditure of more than \$2,000,000 shall be submitted to the metropolitan council for review. No such project which has a significant effect on the orderly and economic development of the metropolitan area may be commenced without the approval of the metropolitan council.

Sec. 25. Minnesota Statutes 1971, Section 360.111, is amended to read:

360.111 [EXISTING AIRPORTS; CONTROL, JURISDICTION.] (AFTER TAKING OVER OPERATION AND MAINTENANCE OF THE MUNICIPALITY OWNED AIRPORTS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 360.109, SUBDIVISION 2,) The corporation shall exercise control and jurisdiction over any other airport within (25 MILES OF THE CITY HALL OF EITHER CITY) *either 35 miles of the city hall of either city or within the metropolitan area. Con-*

trol and jurisdiction of the corporation over any (SUCH OTHER) *privately or publicly owned airport*(, WHETHER LICENSED AND OPERATING AT THE TIME OF THE PASSAGE OF THIS ACT OR HEREAFTER ESTABLISHED,) shall be limited to control and jurisdiction of the flight and traffic patterns of such airport in the interests of safety of the operation of any airport owned or operated by the corporation. No airport shall be acquired or operated within the *metropolitan area* (ABOVE SET FORTH) without first securing the approval of the corporation, provided, however, such approval shall not be withheld except after notice to all interested parties and a public hearing held thereon, as provided in Minnesota Statutes (1945), Section 360.018, Subdivision 7, (AS AMENDED BY THIS ACT,) and then only upon a finding by the corporation that the acquisition or operation of such airport would create a flight hazard to any airport or airports owned or operated by it. As to any airport once licensed with the approval of the corporation, approval of the continued operation of such airport shall at no time be withdrawn by the corporation except after notice to all interested parties, a public hearing had, and a finding by the corporation based on substantial evidence that the operation of such airport is inconsistent with the safety of flight to and from an airport owned or operated or presently to be or being constructed to be operated by the corporation, and then only after payment of just compensation to cover the loss sustained by reason of such withdrawal, such just compensation, if not arrived at by agreement, to be ascertained in the condemnation of said airport by the corporation under the power of eminent domain, the commission to institute the condemnation proceedings promptly and to pay in connection with the prosecution thereof all reasonable and necessary expenses incurred not only by it but also by the owner of such airport.

Sec. 26. Minnesota Statutes 1971, Section 360.113, Subdivision 1, is amended to read:

360.113 [PUBLIC AND GOVERNMENTAL PURPOSES.] Subdivision 1. It is hereby determined and declared that the purposes of (LAWS 1943, CHAPTER 500,) *Sections 360.101 to 360.144* are public and governmental(, AND); that the (ESTABLISHMENT) *development* of (AIRPORT SYSTEMS, IN THE STATE OF MINNESOTA, INCLUDING) the (AIRPORT) *metropolitan airports* system (TO BE ESTABLISHED) by the corporation (CREATED BY LAWS 1943, CHAPTER 500, WILL PROMOTE) *be consistent with the airport chapter of the metropolitan council's development guide and promote the public safety and welfare of the state; and that the* (ACQUISITION, CONSTRUCTION,) *development, extension, maintenance, and operation of* (SUCH AIRPORT SYSTEMS ARE) *the system in such a manner as to assure the residents of the metropolitan area of the minimum environmental impact from air navigation and transportation, with provision for noise abatement, control of airport area land use, and other protective measures, is essential to the development of air navigation and trans-*

portation in and through this state, and (ARE) is necessary in order to assure the inclusion of this state in national and international systems of air transportation (NOW BEING PLANNED; THAT THE AIRPORT SYSTEMS TO BE DEVELOPED UNDER LAWS 1943, CHAPTER 500, WILL BENEFIT), *benefits* the people of the state as a whole, (AND WILL RENDER) *renders* a general public service(; THAT THE ESTABLISHMENT OF SUCH AIRPORT SYSTEMS AS SOON AS PRACTICABLE IS ESSENTIAL IN ORDER TO MAKE ADEQUATE PROVISIONS FOR STATE AND NATIONAL DEFENSE THAT THE DEVELOPMENT OF SUCH AIRPORT SYSTEMS WILL PROVIDE), *and provides* employment (AND WILL REDUCE UNEMPLOYMENT AFTER THE WAR), and (WILL THEREBY AID IN OTHER WAYS AND BE) is of great public economic benefit (IN POST WAR RE-ADJUSTMENT).

Sec. 27. Minnesota Statutes 1971, Section 360.114, Subdivision 1, is amended to read:

360.114 [BUDGET.] Subdivision 1. (THEREAFTER,) The commissioner shall, on or before the first day of July of each year, prepare a detailed budget of the needs of the corporation for the next fiscal year, specifying separately in said budget the amounts to be expended for acquisition of property, construction, payments on bonded indebtedness, if any, operation, and maintenance, respectively, (AND SHALL CERTIFY THE SAME ON SAID DATE TO THE COUNCIL OF EACH CITY, TOGETHER WITH A STATEMENT OF THE PROPORTION OF THE BUDGET TO BE PROVIDED BY EACH CITY, DETERMINED AS PROVIDED IN SECTION 360.113, SUBDIVISION 5. THE COUNCIL OF EACH SUCH CITY SHALL REVIEW THE BUDGET, AND THE COMMISSIONERS, UPON NOTICE FROM ANY SUCH CITY, SHALL HEAR OBJECTIONS TO THE BUDGET AND MAY, AFTER HEARING, MODIFY OR AMEND IT, AND SHALL GIVE DUE NOTICE TO THE CITIES OF SUCH MODIFICATION OR AMENDMENT. IT SHALL BE THE DUTY OF THE COUNCIL OF EACH CITY IN AND FOR WHICH THE CORPORATION IS CREATED TO PROVIDE THE FUNDS NECESSARY TO MEET ITS PROPORTION OF THE TOTAL COST FOR ACQUISITION OF PROPERTY, PAYMENT ON BONDED INDEBTEDNESS, IF ANY, CONSTRUCTION, OPERATION, AND MAINTENANCE AS FINALLY CERTIFIED BY THE COMMISSIONERS, SUCH FUNDS TO BE RAISED BY THE TAX LEVIES, BOND SALES, OR BY OTHER MEANS WITHIN THE AUTHORITY OF SAID CITIES, AND TO PAY THE SAME OVER TO THE TREASURER OF THE CORPORATION IN SUCH AMOUNTS AND AT SUCH TIMES AS HE MAY REQUIRE. EACH CITY IS AUTHORIZED TO ISSUE AND SELL SUCH BONDS AS MAY BE NECESSARY TO MEET ITS OBLIGATIONS UNDER THIS SECTION IRRESPECTIVE OF ANY LIMITATION IN ANY HOME RULE CHARTER OR SPECIAL OR GENERAL LAW, WITHOUT A VOTE UPON

SAID QUESTION BY THE ELECTORS OF SAID CITY, AND BONDS SO DETERMINED TO BE ISSUED AND SOLD SHALL BE ISSUED AND SOLD IN THE MANNER PROVIDED BY SECTION 360.113 AND SECTION 360.121) *subject only to such changes as the commissioners may from time to time approve.*

Sec. 28. Minnesota Statutes 1971, Section 360.114, Subdivision 2, is amended to read:

Subd. 2. (IF ANY SUCH CITY SHALL FAIL TO TAKE THE NECESSARY ACTION TO PROVIDE THE FUNDS REQUIRED BY THE CORPORATION AS IN SECTION 360.113 AND THIS SECTION PROVIDED,) The commissioners shall on or before October 10th of each calendar year, certify to the county auditor of (THE) *each* county in (WHICH THE CITY SO FAILING TO COMPLY SHALL BE LOCATED, THE AMOUNT DETERMINED BY THE COMMISSIONERS TO BE RAISED BY THAT CITY, AND) *the metropolitan area the total amount to be raised by the commissioners during the next calendar year through taxation, and each county auditor shall extend and assess against all property in his county which is then taxable by the corporation for the purpose for which the levy is made under the provisions of section 360.109, subdivision 5, that sum which bears the same proportion to the total amount as the assessed valuation of such taxable property bears to the assessed valuation of all property in the metropolitan area which is then taxable by the corporation for the purpose for which the levy is made.* The county auditor shall extend, spread, and include the same with and as a part of the general taxes for state, county, and municipal purposes, to be collected and enforced therewith, together with penalties and interest and costs, and the county treasurer, upon collection of the same, shall transfer the same to the treasurer of the corporation.

Sec. 29. Minnesota Statutes 1971, Section 360.114, Subdivision 3, is amended to read:

Subd. 3. In any budget certified by the commissioners, pursuant to any of the provisions of this section (OR OF SECTION 360.113), the amount included for operation and maintenance shall not exceed an amount which, when (APPORTIONED TO THE CITIES AFFECTED) *extended against the assessed valuation of property then taxable therefor under the provisions of section 360.109, subdivision 5, will require (THE PAYMENT BY EITHER CITY FOR THOSE ITEMS OF AN AMOUNT GREATER THAN WOULD BE PRODUCED BY) a levy at the rate of one third of one mill upon (THE) such assessed valuation (OF SUCH CITY).* Taxes levied by the corporation shall not affect the amount or rate of taxes which may be levied by any other local government unit within the metropolitan area under the provisions of any law or charter.

Sec. 30. Minnesota Statutes 1971, Section 360.116, is amended to read:

360.116 [LIMIT OF TAX LEVY.] The taxes levied against the property of (EACH CITY) *the metropolitan area* in any one year shall not exceed *one third* of one mill upon the assessed valuation thereof, exclusive of the taxes it may be necessary to levy to pay the principal or interest on any bonds or indebtedness of said city issued by it under the provisions of Laws 1943, Chapter 500, and exclusive of any amounts required to pay the share of such city for payments on bonded indebtedness of the corporation provided for in Laws 1943, Chapter 500. The levy of taxes authorized in Laws 1943, Chapter 500, shall be in addition to the maximum rate allowed to be levied to defray the cost of government under the provisions of the charter of any city affected by Laws 1943, Chapter 500.

Sec. 31. Minnesota Statutes 1971, Chapter 360, is amended by adding a section to read:

[360.1161] *Notwithstanding the provisions of section 360.116 or any other provision of chapter 360, any tax levy required to be made to pay debt service on any bonds heretofore or hereafter issued by the commission shall not be restricted to the cities of Minneapolis and Saint Paul but shall be levied against all the taxable property in the metropolitan area in accordance with the provisions of section 32 of this act.*

Sec. 32. [360.120] [GENERAL OBLIGATION REVENUE FINANCING.] Subdivision 1. [SCOPE.] The Metropolitan Airports Commission shall have all the powers and duties set forth in this section, in addition to the powers granted and the duties imposed and notwithstanding any limitations of such powers set forth in any other law or city charter provision. These powers and duties are likewise granted to and imposed upon any successor public corporation, agency, or subdivision of the state in which the commission's property, rights, powers, obligations, and duties, or any of them, may in the future be vested by law.

Subd. 2. [BORROWING AUTHORIZATION.] No additional bonds shall be issued under the provisions of section 360.117, over and above the amount outstanding April 1, 1974. Except for refunding bonds and certificates of indebtedness, the amount of borrowing authorized by this section, over and above the amount of bonds of the commission outstanding July 1, 1974, is limited to \$20,000,000 until and unless this limitation is increased by law. The pledge of revenues of the commission to its debt service fund in lieu of the taxes otherwise required by section 360.117 to be assessed and extended shall be and remain a first charge on all current revenues of the commission to the extent required annually to cancel such taxes.

Subd. 3. [GENERAL OBLIGATION REVENUE BONDS.] Subject to the provisions of subdivision 2 the commission may issue bonds for the acquisition and betterment of airports and air navigation facilities, and for the refunding of such bonds and of certificates of indebtedness issued under subdivision 10, in the same manner and with the same powers and duties as a municipality under the provisions of chapter 475 except as otherwise provided in this section. The bonds shall be designated as general obligation revenue bonds, and shall be payable primarily from and secured under resolutions of the commission by an irrevocable pledge and appropriation of the revenues to be derived from rates, fees, charges, and rentals to be imposed, maintained, and collected for all use, service, and availability of airport and air navigation facilities owned and to be owned or operated by the commission. They shall be further secured by the pledge of the full faith and credit of the commission, which shall be obligated to levy upon all taxable property within the metropolitan area a tax at such times and in such amounts, if any, as may be required to provide funds sufficient to pay all of the bonds and interest thereon when due and to maintain a reserve securing such payments in the manner and to the extent provided in this section. This tax, if ever required to be levied, shall not be subject to any limitation of rate or amount. The security afforded by this section extends equally and ratably to all general obligation revenue bonds of the commission, except that nothing herein shall prevent the commission from pledging current revenues from a particular facility or group of facilities first to the payment and security of bonds issued to finance such facilities.

Subd. 4. [DEBT SERVICE FUND.] The commission shall maintain permanently on its official books and records an account or accounts referred to herein collectively as the debt service fund, separate from all other funds and accounts, to record all receipts and disbursements of money for principal and interest payments on its bonds, and on certificates of indebtedness issued pursuant to subdivision 10. At or before the due date of each principal and interest payment on said bonds and certificates the treasurer shall remit from the debt service fund to the payment agent for the issue an amount sufficient for such payment, without further order from the commission. At or before the time of delivery of any series of bonds the commission shall withdraw from the proceeds thereof, or from revenues then on hand and available for the purpose, and shall deposit in the debt service fund such amount, if any, as may be required to establish in the fund a balance of cash and investments at least equal to the total amount of principal and interest then due and to become due on bonds of the commission to the end of the following year. The commission shall also deposit in the fund as needed and available, from revenues received in excess of budgeted current expenses of operation and maintenance of its property and of carrying on its business and activities, and in excess of amounts required to cancel taxes under subdivision 2, such amounts as shall be required to reimburse the fund for

bond and certificate payments and to produce a balance of cash and investments therein by October 10 in each year at least equal to the total amount of principal and interest due and to become due on general obligation revenue bonds of the commission to the end of the following year. If the revenues are insufficient in any year to produce the required balance, then unless provision is made for restoring the deficiency in accordance with the provisions of subdivision 8, the commission shall levy and appropriate to the debt service fund, and certify to the county auditors of all counties in the metropolitan area, a tax in accordance with subdivision 3 in an amount at least five percent in excess of the deficiency. For the purpose of determining the balance in the debt service fund at any time, investments held therein shall be valued at the principal amount payable at maturity if they mature in the following year, or otherwise at market value, plus the amount of interest receivable thereon to the end of the following year.

Subd. 5. [RATES, FEES, CHARGES, AND RENTALS.] The commission shall be obligated to the holders of its bonds, and to the owners of all property subject to taxation for the payment thereof, to establish, revise from time to time, and collect rates, fees, charges, and rentals for all airport and air navigation facilities and service used by and made available to any person, firm, association, or corporation according to schedules such as to produce revenues at all times sufficient for the requirements of the debt service fund as provided in subdivision 4, and sufficient also to pay when due all expenses of operation and maintenance of the commission's property and of carrying on its business and activities in accordance with law. The payment of such rates, charges, fees, and rentals by any party for the use of any facility or service for any period, other than use permitted to the public generally, shall be secured by a lease or other agreement requiring such party to pay each year an amount sufficient to provide for the payment of a share of the principal and interest due during this period on all bonds of the commission, proportionate to the amount of such bonds issued to provide the facility or service and to the amount of use thereof assured to such party in comparison with others. If a tax is ever required to be levied for a debt service fund deficiency under the provisions of subdivision 4, the commission shall immediately take all action permitted by law and under its leases and other agreements to enforce the payment of rates, fees, charges, and rentals then due, and to raise the amounts thereof payable in the future to the extent required for conformity with subdivision 4 and for repayment of the deficiency with interest at six percent per annum.

Subd. 6. [REIMBURSEMENT OF DEBT SERVICE FUND DEFICIENCIES.] If a debt service fund deficiency tax is ever certified in accordance with subdivision 4, each county auditor shall extend it on the tax roll of his county in that proportion

which the assessed valuation of taxable property within his county then bears to the assessed valuation of all taxable property within the metropolitan area, and shall certify to the commission the amount so extended. Thereafter the commission shall be obligated to repay to the treasurer of each county the amount extended upon its tax roll with interest at six percent per annum from the dates of payment of the deficiency tax to the commission to the date or dates of repayment. The commission shall certify to each county auditor the principal amount to be so paid to the county before October 10 in each subsequent year, and the county auditor shall reduce by this amount the taxes levied by the county which are to be extended upon its tax rolls then in preparation.

Subd. 7. [CONDITIONS.] Bonds of the commission shall not be conditioned upon an election, but no bonds shall be issued at any time, except for refunding in the cases described in subdivision 8, unless the required balance in the debt service fund is first established in accordance with subdivision 4, and the commission determines on one of the bases described in this subdivision that the revenues to be received by it each year during the term of the proposed issue will be at least sufficient to pay when due all of the commission's bonds and interest thereon, including the new issue but excluding any bonds refunded thereby, and to establish the balance required in the debt service fund by October 10. Before the bonds are delivered to the purchaser, the commission shall secure either:

(a) A report of audit of the commission's financial records for the fiscal year most recently ended or, if this is not yet available, a report for the preceding year, prepared by a nationally recognized firm of certified public accountants, showing that the net revenues received that year, computed as the gross receipts less any refunds of rates, fees, charges, and rentals for airport and air navigation facilities and service, less the aggregate amount of current expenses, paid or accrued, of operation and maintenance of property and carrying on the commission's business and activities, equaled or exceeded the maximum amount of then outstanding bonds of the commission and interest thereon to become due in any future fiscal year; or

(b) A lease or other agreement or agreements for the operation or use by one or more airline corporations of the facility for which the bonds are proposed to be issued, requiring such corporation or corporations to pay all costs of operation and maintenance thereof and to pay additional rentals or charges at the times and in not less than the amounts required to pay all of the bonds and interest thereon when due and to establish the annual balance required in the debt service fund to secure such payments, together with a report of audit showing net revenues fulfilling the condition in clause (a) as to all other bonds then outstanding or then to be issued; or

(c) A written report prepared by a nationally recognized consultant on airport management and financing, projecting gross receipts, current expenses, and net revenues at least sufficient during each year of the term of the proposed bonds to pay all principal and interest due on all bonds and to establish and maintain the required annual debt service fund balance, and stating the estimates of air traffic, rate increases, inflation, and other factors on which the projection is based.

Subd. 8. [REFUNDING DEFICIENCIES.] If in any year the revenues available for transfer to the debt service fund are or will in the judgment of the commission be insufficient to produce the balance required thereon on October 10 under the provisions of subdivision 4, or to make any interest or principal payment due on certificates of indebtedness issued under the provisions of subdivision 10, the commission may, with the approval of the council, issue refunding bonds and appropriate the proceeds to the debt service fund in the amount needed to restore the deficiency, provided that the refunding bonds shall not mature earlier than the date or dates when the commission estimates that the revenues from enforced or increased rates, fees, charges, and rentals will be sufficient to pay them and to meet all other requirements of the debt service fund as stated in subdivision 4.

Subd. 9. [ADDITIONAL TAXES.] Nothing herein shall prevent the commission from levying a tax not to exceed in any year one twentieth of one mill on the assessed valuation of taxable property within its taxing jurisdiction, over and above any levies found necessary for the debt service fund as authorized by section 360.116. Nothing herein shall prevent the levy and appropriation for purposes of the commission of any other tax on property or on any income, transaction, or privilege, when and if authorized by law. All collections of any taxes so levied shall be included in the revenues appropriated for the purposes referred to in this section, unless otherwise provided in the law authorizing such levies; but no covenant as to the continuance or as to the rate and amount of any such levy shall be made with the holders of the commission's bonds unless specifically authorized by law.

Subd. 10. [EMERGENCY BORROWING.] If in any budget year revenue receipts should from any unforeseen cause become insufficient to pay budgeted current expenses, or if a public emergency should necessitate expenditures in excess of revenues anticipated to meet the current budget, the commission may make an emergency appropriation sufficient to meet the deficiency and may authorize the issuance and sale of general obligation certificates of indebtedness in this amount, maturing not later than October 10 in the following budget year, at public or private sale and upon such other terms and conditions as the commission may determine. The principal of and interest on such certificates of indebtedness, unless paid from other revenues, shall be payable from the debt service fund.

Sec. 33. Minnesota Statutes 1971, Section 360.124, is amended by adding a subdivision to read:

Subd. 4. The metropolitan airports commission shall not initiate land acquisition for a new major airport without explicit authorization from the legislature.

Sec. 34. Minnesota Statutes 1971, Sections 360.104, Subdivisions 5 and 6; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5; and 360.119 are repealed.

Sec. 35. [EFFECTIVE DATE.] This act is effective on the day following final enactment."

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

"A bill for an act relating to the metropolitan airports commission; purposes; jurisdiction; definitions; membership and organization; taxing powers; land acquisition; amending Minnesota Statutes 1971, Sections 360.101; 360.102, Subdivisions 2, 3, 4, 5, 9, and by adding a subdivision; 360.103, Subdivisions 1 and 2; 360.104, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 360.105, Subdivision 4, and by adding a subdivision; 360.106, Subdivision 5; 360.107, Subdivisions 2, 15, and 17; 360.108, Subdivision 5; 360.109, Subdivision 1, and by adding subdivisions; 360.111; 360.113, Subdivision 1; 360.114, Subdivisions 1, 2, and 3; 360.116; 360.124, by adding a subdivision; and Chapter 360, by adding a section; repealing Minnesota Statutes 1971, Sections 360.104, Subdivisions 5 and 6; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5; 360.119."

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

House Conferees: BRUCE F. VENTO, JOHN J. SALCHERT, and ROBERT C. BELL.

Senate Conferees: JOHN C. CHENOWETH, WILLIAM G. KIRCHNER, and EDWARD J. GEARTY.

Vento moved that the report of the Conference Committee on H. F. No. 3512 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3512, A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

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 107, and nays 16, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Munger	Savelkoul
Andersen, R.	Eckstein	Kempe	Nelson	Schreiber
Anderson, D.	Eken	Klaus	Newcome	Schulz
Anderson, G.	Enebo	Knickerbocker	Norton	Searle
Anderson, I.	Erdahl	Knoll	Ojala	Sherwood
Becklin	Erickson	Kostohryz	Parish	Sieben, H.
Belisle	Esau	Kvam	Patton	Sieben, M.
Bell	Faricy	Laidig	Pavlak, R.	Smith
Bennett	Ferderer	Larson	Pavlak, R. L.	Spanish
Berg	Fudro	LaVoy	Pehler	Stanton
Biersdorf	Fugina	Lemke	Peterson	Swanson
Braun	Graba	Lindstrom, E.	Pieper	Tomlinson
Brinkman	Grove	Lindstrom, J.	Pleasant	Vento
Carlson, A.	Hagedorn	Mann	Prahl	Voss
Carlson, B.	Hanson	McCarron	Quirin	Wenzel
Carlson, D.	Heinitz	McCauley	Resner	Wigley
Carlson, L.	Hook	McEachern	Rice	Wohlwend
Cassery	Jacobs	McMillan	Ryan	Wolcott
Connors	Jaros	Menke	St. Onge	Mr. Speaker
Culhane	Johnson, D.	Miller, D.	Salchert	
Cummiskey	Johnson, R.	Miller, M.	Samuelson	
Dieterich	Kahn	Mueller	Sarna	

Those who voted in the negative were:

Clifford	Graw	Lombardi	Niehaus	Skaar
DeGroat	Johnson, J.	McArthur	Ohnstad	Weaver
Fjoslien	Jopp	McFarlin		
Forsythe	Jude	Myrah		

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3707

March 27, 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. 3707, 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. [PUBLIC POLICY.] It is declared to be the public policy of the state of Minnesota that taxation of the income of individuals who do not earn enough to support them-

selves or their dependents adequately is unfair. To remedy this, a tax credit shall be granted to these individuals sufficient to offset their income tax liability.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 2 and 3, the terms defined in this section have the meanings given them unless the context clearly requires otherwise.

Subd. 2. "Claimant" means the individual taxpayer whose income, together with that of his spouse, if any, brings him within the provisions of sections 2 and 3.

Subd. 3. "Dependent" means an individual dependent upon and receiving his chief support from the claimant. Payments for support of minor children as provided in section 290.072, subdivision 3, shall be considered as payments by the claimant for the support of a dependent. For the purposes of section 3, a spouse except a divorced or separated spouse shall be considered to be a dependent.

Subd. 4. "Income" means the sum of gross income as defined in Minnesota Statutes, Section 290.01, Subdivision 20, net income from sources outside the state, alimony, support money, and relief, not including relief granted under unemployment compensation, the gross amount of any pension or annuity, including railroad retirement benefits, all payments received under the federal social security act, and veterans disability pensions, non-taxable interest received from the state or federal governments or any of their instrumentalities, the gross amount of "loss of time" insurance and cash public assistance and relief, not including relief granted under sections 290.0601 to 290.0618. It does not include gifts from nongovernmental sources, or surplus food or other relief in kind supplied by a governmental agent.

Sec. 3. Minnesota Statutes 1971, Section 290.06, is amended by adding a subdivision to read:

Subd. 3d. [CREDITS AGAINST TAX.] The taxes due as computed in accordance with section 290.06, subdivision 2c and 3c shall be credited with the following amounts:

(1) *A credit equal to his tax liability in the case of:*

(a) *An unmarried claimant with an income of \$3,200 or less;*

(b) *A claimant with one dependent, with an income of \$3,800 or less;*

(c) *A claimant with two dependents, with an income of \$4,600 or less;*

(d) *A claimant with three dependents, with an income of \$5,400 or less;*

(e) *A claimant with four dependents, with an income of \$6,000 or less; and*

(f) *A claimant with five or more dependents, with an income of \$6,400 or less.*

(2) *In the case of a claimant with an income in excess of that set forth in the appropriate category of clause (1), he may pay a tax equal to 15 percent of that portion of his income that is in excess of the amount set forth in the appropriate category of clause (1), or his tax obligation as it would have been in the absence of sections 2 and 3, whichever is less.*

(3) *The total income of the claimant and his spouse, if any, shall be the figure employed for the purposes of this subdivision. No dependent may be a claimant under sections 2 and 3. The commissioner of revenue shall prescribe the additional forms or alterations in existing forms as necessary to comply with the provisions of sections 2 and 3. All claimants shall submit their returns on these forms.*

Sec. 4. [EFFECTIVE DATE.] Sections 1 to 3 are effective for taxable years beginning January 1, 1975.

Sec. 5. Minnesota Statutes 1971, Section 33.10, Subdivision 1, is amended to read:

33.10 [TAX ON OLEOMARGARINE.] Subdivision 1. There is hereby imposed, levied, and assessed an inspection fee and excise tax (OF TEN CENTS) *in the amount specified in section 6* upon each pound of oleomargarine which: (1) is artificially colored to a shade of yellow which has a tint containing more than one and six-tenths degrees of yellow, or of yellow and red collectively, but with an excess of yellow over red, as measured in terms of the Lovibond tintometer scale, and (2) is sold, offered or exposed for sale, or given or delivered to a consumer. Such fee and tax shall be paid to the commissioner of taxation prior to any such sale, gift, or delivery, except where otherwise provided in cases where tax metering devices are used.

Sec. 6. Minnesota Statutes 1971, Section 33.10, is amended by adding a subdivision to read:

Subd. 3. The inspection fee and excise tax on oleomargarine provided for in subdivisions 1 and 2 of this section shall be in the amounts and for the periods of time set out in the following schedule:

<i>Period of Time</i>	<i>Tax per pound</i>
<i>July 1, 1974 to June 30, 1975</i>	<i>5 cents</i>
<i>July 1, 1975 and thereafter</i>	<i>none</i>

Sec. 7. Minnesota Statutes 1971, Section 270.35, is amended to read:

270.35 [STUMPAGE VALUE, USE IN COMPUTING TAX.] The stumpage value for each species to be used in computing the tax in any county shall be computed in each even numbered year and shall be the average sale price received by the (COUNTY) *state* upon all of its sales of sound standing timber of the species during the previous two calendar years. In the event there have been no sales of the species or products within the county within the previous two calendar years, or less than 500 cords of the various products have been sold which is insufficient to estimate a fair and equitable stumpage price for the various products grown, (THE COUNTY BOARD, WITH THE APPROVAL OF) the commissioner of natural resources(,) shall set a stumpage price for such species, with the right of appeal by any aggrieved persons to the commissioner of taxation as set forth in section 270.34 in the event any such person deems himself to be aggrieved by such determination.

Sec. 8. Minnesota Statutes 1971, Section 270.38, Subdivision 5, is amended to read:

Subd. 5. The owner of any timber lands made subject to sections 270.31 to 270.39 may at any time apply to withdraw any governmental subdivisions from taxation under sections 270.31 to 270.39. Such application made in writing and giving the reasons for withdrawal may be approved by the county board subject to the payment of all back taxes and penalties on the basis of ad valorem taxes in the area giving due credit for taxes paid under sections 270.31 to 270.39; provided that after an agreement has been in effect for more than (SIX) *ten* years, (NO) penalties (OR) *and* ad valorem taxes as above specified shall be assessed and the owner shall (NOT) be required to pay such penalties (OR) *and* ad valorem taxes *only for the ten years prior to the date of withdrawal from the agreement.* If approved, the lands shall be deemed to be withdrawn from taxation under sections 270.31 to 270.39 and shall be returned to taxation under the general real property tax law beginning with the calendar year next immediately following the date upon which the withdrawal was approved by the county board.

Sec. 9. [EFFECTIVE DATE.] Sections 7 and 8 are effective for taxable years beginning January 1, 1974 and thereafter.

Sec. 10. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 4. [IRON ORE.] Newly discovered iron ore shall be entered on the assessment books for the six years immediately preceding the year of discovery and taxed as omitted property. The tax on such omitted property shall be determined by applying the rates of levy for the respective years in which the property was omitted. This subdivision shall not apply to any iron ore discovered in the course of mining operations, which has not been known to exist by drillings or operations in previous years, provided that the company that would otherwise be taxed therefor is not a company that would be disqualified from receiving discount credits pursuant to Minnesota Statutes, Section 298.031, Subdivision 3.

Sec. 11. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 5. Any taxpayer having paid real estate taxes on valuations of iron ore, considered to be commercially mineable, which was believed to have existed, and was subsequently determined not to exist, may apply to the commissioner of revenue for a refund of taxes paid thereon, as provided herein. Such application for refund shall be filed in the year in which it is determined that the iron ore does not exist. No refund shall be made for taxes paid or payable more than six years previous to the date of said application. The refunds shall be paid from the special fund established in subdivision 6 of this section, and so much as is needed to pay such refunds is hereby appropriated.

Sec. 12. Minnesota Statutes 1971, Section 273.02, is amended by adding a subdivision to read:

Subd. 6. The taxes collected in accordance with subdivision 4 of this section shall be transmitted by the county treasurer to the state treasurer and deposited in a special fund. There shall be paid from this special fund the amount of refunds determined in accordance with subdivision 5 of this section. In the event the amount in such fund is not sufficient to pay such refunds, the refunds shall be paid as soon as sufficient amounts are available in the fund.

The balance in such fund shall be distributed at the end of each fiscal year to the iron range resources and rehabilitation commission account.

Sec. 13. Sections 10 to 12 are effective for the calendar year 1974 and subsequent years.

Sec. 14. Minnesota Statutes, 1973 Supplement, Section 273.11, Subdivision 2, is amended to read:

Subd. 2. In the case of property described in section 273.13, subdivisions 6, 7, 7B, 10, 12, 17, 17b, and 19, plus all agricultural property and all real estate devoted to temporary and seasonal

residential occupancy for recreational purposes (WHERE SUCH PROPERTY IS HELD BY THE SAME OWNER, BY THE SURVIVING SPOUSE OF A DECEASED OWNER, OR BY A SURVIVING JOINT TENANT, FOR A PERIOD OF ONE YEAR PRIOR TO ANY ASSESSMENT DATE), the assessor after determining the value of any such property shall compare the value with that determined in the preceding assessment. If the increase exceeds five percent of the preceding valuation, the amount of the increase entered in the current assessment shall not exceed five percent; the excess (not exceeding five percent of the latest assessors market valuation (OR THE FULL AMOUNT OF THE EXCESS IF THE PROPERTY IS NO LONGER HELD BY THE SAME OWNER, BY THE SURVIVING SPOUSE OF A DECEASED OWNER, OR BY A SURVIVING JOINT TENANT)) may be entered in the following years assessment, notwithstanding the provisions of section 273.17.

Sec. 15. [EFFECTIVE DATE.] Section 14 is effective for the calendar year 1974 and thereafter.

Sec. 16. Minnesota Statutes, 1973 Supplement, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the market value thereof. The property tax to be paid on class 3c property as otherwise determined by law, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of \$12,000, the amount in excess of that sum shall be valued and assessed at 40 percent of market value. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel-chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature

of the veteran's disability; or by any person who is permanently and totally disabled and who is receiving aid from any state as a result of that disability, or who is receiving Supplemental Security Income for the disabled, or who is receiving Workmen's Compensation based on a finding of total and permanent disability, or who is receiving Social Security Disability, which aid is at least 90 percent of the total income of such disabled person from all sources, shall constitute class 3cc and shall be valued and assessed at five percent of the market value thereof. Permanently and totally disabled for the purpose of this subdivision means a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, regardless of whether or not the market value is in excess of \$12,000, for all purposes except the payment of principal or interest on non-school district bonded indebtedness, shall be reduced by 45 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$325. If the market value is in excess of the sum of \$24,000, the amount in excess of that sum shall be valued and assessed at 33 1/3 percent in the case of agricultural land used for a homestead and 40 percent in the case of all other real estate used for a homestead.

Sec. 17. Section 16 is effective for taxes levied in 1974 and payable in 1975 and thereafter.

Sec. 18. Minnesota Statutes 1971, Section 290.02, is amended to read:

290.02 [INCOME TAX ON CORPORATIONS; IMPOSITION, MEASUREMENT.] An annual (EXCISE) income tax is hereby imposed upon every domestic corporation, except those included within section 290.03, for the privilege of existing as a corporation during any part of its taxable year, and upon every foreign corporation doing business within this state, except those included within section 290.03, including but not limited to railroad companies for the grant to it of the privilege of transacting or for the actual transaction by it of any local business within this state during any part of its taxable year, in corporate or organized form.

The tax so imposed shall be measured by such corporations' taxable net income for the taxable year for which the tax is imposed, and computed in the manner and at the rates provided in this chapter.

The legislature finds that the income tax imposed by this section is not a tax or assessment upon real estate, roads, rolling stock, or other personal property of railroad companies within the contemplation of Article IV, Section 32(a) of the Minnesota Constitution.

Sec. 19. [EFFECTIVE DATE.] Section 18 is effective for taxable years beginning January 1, 1975.

Sec. 20. Minnesota Statutes 1971, Section 290.086, is amended by adding a subdivision to read:

Subd. 9. The commissioner shall not require reimbursement or restitution of any such credits or refunds previously granted, where such recipients were legally entitled thereto under laws in effect at the time such claim was filed by the applicant, or to seek recovery of any such amounts by legal action.

Sec. 21. [EFFECTIVE DATE.] Section 20 is effective on the day following final enactment.

Sec. 22. Minnesota Statutes 1971, Section 297.31, Subdivision 2, is amended to read:

Subd. 2. (a) "Tobacco products" means cigars; *little cigars as defined herein*; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps; clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but shall not include cigarettes as defined in Minnesota Statutes, Section 297.01, Subdivision 2.

(b) *"Little cigar" means any roll for smoking, made wholly or in part of tobacco, which has a factory list price not exceeding \$12 per thousand, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made wholly or in part of tobacco, and where such roll weighs not more than three pounds per thousand.*

Sec. 23. Minnesota Statutes 1971, Section 297.32, Subdivision 1, is amended to read:

297.32 [TAX ON TOBACCO PRODUCTS.] Subdivision 1. A tax is hereby imposed upon all tobacco products in this state and upon any person engaged in business as a distributor thereof, at the rate of 20 percent of the wholesale sales price of such tobacco products *except little cigars as defined in section 297.31, subdivision 2, clause (b). Little cigars shall be subject to the same rate of tax imposed on cigarettes in section 297.02, subdivision 1, clause (1), subject to the discount provided in section 297.35, subdivision 1.* Such tax shall be imposed at the time the distributor (1) brings, or causes to be brought, into this state from without the state tobacco products for sale; (2) makes, manufactures, or fabricates tobacco products in this state for sale in

this state; or (3) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

Sec. 24. Minnesota Statutes 1971, Section 297.32, Subdivision 2, is amended to read:

Subd. 2. A tax is hereby imposed upon the use or storage by consumers of tobacco products in this state, and upon such consumers, at the rate of 20 percent of the cost of such tobacco products, *except little cigars as defined in section 297.31, subdivision 2, clause (b). Little cigars shall be subject to the same rate of tax imposed on cigarettes in section 297.22, subdivision 1, clause (1).*

The tax imposed by this subdivision shall not apply if the tax imposed by subdivision 1 on such tobacco products has been paid.

This tax shall not apply to the use or storage of tobacco products in quantities of:

1. Not more than 50 cigars;
2. Not more than 10 oz. snuff or snuff powder;
3. Not more than 1 lb. smoking or chewing tobacco or other tobacco products not specifically mentioned herein, in the possession of any one consumer.

Sec. 25. [EFFECTIVE DATE.] *Sections 22 to 24 shall be effective on the day following final enactment, and shall apply to little cigars as defined in section 22, in the possession of distributors, as defined in Minnesota Statutes, Section 297.01, Subdivision 7, on the effective date.*

Sec. 26. Minnesota Statutes 1971, Section 297A.251, is amended to read:

297A.251 [TACONITE PLANT MATERIAL; EXEMPTIONS.] Notwithstanding the provisions of chapter 297A, there shall be exempt from the tax imposed therein, all materials and supplies or equipment consumed in constructing or incorporated into the construction of a new taconite plant or the expansion of an existing plant the construction of which is commenced prior to (JULY) *February 1, (1974) 1975*, which are purchased and used or consumed in connection with such construction, or incorporated into such taconite plant prior to July 1, 1978, provided that in the case of the expansion of an existing plant, such construction results in an increase in productive capacity of at least 10 percent.

Sec. 27. Minnesota Statutes 1971, Section 298.03, is amended to read:

298.03 [VALUE OF ORE; HOW ASCERTAINED.] The valuation of iron or other ores for the purposes of determining the amount of tax to be paid under the provisions of section 298.01 shall be ascertained by subtracting from the value of such ore, at the place where the same is brought to the surface of the earth, such value to be determined by the commissioner of (TAXATION) *revenue*:

(1) The reasonable cost of supplies used and labor performed at the mine in separating the ore from the ore body, including hoisting, elevating, or conveying the same to the surface of the earth;

(2) If the ore is taken from an open pit mine, an amount for each ton of ore mined or produced during the year equal to the cost of removing the overburden, divided by the number of tons of ore uncovered, the number of tons of ore uncovered in each case to be determined by the commissioner of (TAXATION) *revenue*;

(3) If the ore is taken from an underground mine, an amount for each ton of ore mined or produced during the year equal to the cost of sinking and constructing shafts and running drifts, divided by the number of tons of ore that can be advantageously taken out through such shafts and drifts, the number of tons of ore that can be advantageously taken out in each case to be determined by the commissioner of (TAXATION) *revenue*;

(4) The amount of royalties paid on the ore mined or produced during the year;

(5) A percentage of the ad valorem taxes levied for such year against the realty in which the ore is deposited equal to the percentage that the tons mined or produced during such year bears to the total tonnage in the mine;

(6) In the case of taconite, semi-taconite and iron sulphide operations, the tax payable under Minnesota Statutes, Sections 298.24 and 298.35, on the concentrates produced in said year and any taxes paid under Laws 1955, Chapters 391, 429, 514, 576 or 540, or any other law imposing on such taconite operations a specific tax for school or other governmental purposes;

(7) The amount or amounts of all the foregoing subtractions shall be ascertained and determined by the commissioner of (TAXATION) *revenue*. *Deductions for interest on plant investment shall not exceed the greater of (a) four percent of book value, or (b) the amount actually paid but not exceeding six percent of book value. No subtraction shall be allowed for shrinkage of iron ore, except that which can be measured in a manner determined by the commissioner of revenue. In no case shall the shrinkage subtraction exceed one fourth of one percent of the value of the ore.*

Sec. 28. [EFFECTIVE DATE.] Except as provided herein, the provisions of this act shall be effective on July 1, 1974."

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

"A bill for an act relating to taxation; imposing certain credits on taxes measured by net income; eliminating the tax on oleomargarine; providing for stumpage values in computing certain taxes; providing for omitted taxes on iron ore; imposing an income tax on certain corporations; establishing the means for valuing certain real property and property owned by certain disabled persons; imposing taxes on certain tobacco products; providing for taconite taxes; and waiving the collection of credits or refunds of certain taxes; amending Minnesota Statutes 1971, Sections 33.10, Subdivision 1, and by adding a subdivision; 270.35; 270.38, Subdivision 5; 273.02, by adding subdivisions; 290.02; 290.06, by adding a subdivision; 290.086, by adding a subdivision; 297.31, Subdivision 2; 297.32, Subdivisions 1 and 2; 297A.251; 298.03; and Minnesota Statutes, 1973 Supplement, Sections 273.11, Subdivision 2; and 273.13, Subdivision 7."

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

House Conferees: R. PAVLAK, MARTIN OLAV SABO, IRVIN N. ANDERSON, DOUGLAS J. JOHNSON, and AUBREY W. DIRLAM.

Senate Conferees: NICHOLAS D. COLEMAN, GEORGE R. CONZEMIUS, WINSTON W. BORDEN, ALEC G. OLSON, and MEL FREDERICK.

Johnson, D., moved that the report of the Conference Committee on H. F. No. 3707 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

The bill was read for the third time, 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 122, and nays 5, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Klaus	McFarlin	Niehaus	Schulz	Searle
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The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2928

March 26, 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. 2928, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recedes from its amendments and that H. F. No. 2928 be amended as follows:

Page 1, line 15, strike "and II".

Page 1, line 16, strike "\$140,000" and insert in lieu thereof "\$30,000".

Page 1, line 18, within the blank insert "150,000".

Page 1, before line 19 insert:

"The board of regents, prior to legislative consideration of any request for new money for buildings or planning of buildings

on the Minneapolis campus, shall complete a comprehensive and detailed study of present and future utilization of existing and proposed space and land use on the Minneapolis campus. A report of the findings, alternatives and recommendations of the comprehensive and detailed study shall be submitted to the house appropriations and senate finance committees no later than February 15, 1975."

Page 1, strike lines 19 and 20.

Page 1, strike lines 24 and 25.

Renumber subdivisions in section 2.

Page 1, line 29, strike "\$50,000" and insert "\$40,000".

Page 2, line 2, strike "January" and insert "February".

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

House Conferees: HOWARD E. SMITH, RODNEY N. SEARLE, and RAY W. FARICY.

Senate Conferees: EDWARD G. NOVAK, ROBERT O. ASHBACH, and ROBERT J. TENNESSEN.

Smith moved that the report of the Conference Committee on H. F. No. 2928 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2928, A bill for an act reappropriating moneys for capital and related improvements for university and college purposes.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 123, and nays 2, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, D.	Esau	Jacobs	Laidig
Andersen, R.	Carlson, L.	Faricy	Jaros	Larson
Anderson, D.	Cassery	Ferderer	Johnson, D.	LaVoy
Anderson, G.	Clifford	Fjoslien	Johnson, J.	Lemke
Anderson, I.	Connors	Forsythe	Johnson, R.	Lindstrom, E.
Becklin	Culhane	Fudro	Jopp	Lindstrom, J.
Belisle	Cummiskey	Fugina	Jude	Lombardi
Bell	DeGroat	Graba	Kahn	Mann
Bennett	Dieterich	Graw	Kelly	McArthur
Berg	Dirlam	Grove	Kempe	McCarron
Berglin	Eckstein	Hagedorn	Klaus	McCauley
Biersdorf	Eken	Hanson	Knickerbocker	McEachern
Brinkman	Enebo	Haugerud	Knoll	McMillan
Carlson, A.	Erdahl	Heinitz	Kostohryz	Menke
Carlson, B.	Erickson	Hook	Kvam	Miller, D.

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

Those who voted in the negative were:

Braun Schulz

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

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:

S. F. No. 2964, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

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. 2964

March 25, 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. 2964, 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, 1973 Supplement, Section 254A.02, is amended by adding a subdivision to read:

Subd. 11. "Native American" means a person of one quarter or more Indian blood.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 254A.03, is amended to read:

254A.03 [STATE AUTHORITY ON ALCOHOL AND DRUG ABUSE.] *Subdivision 1.* There is hereby created an alcohol and other drug abuse section in the department of public welfare. This section shall be headed by a director who shall be in the unclassified service. The section shall:

(a) conduct and foster basic research relating to the cause, prevention and methods of diagnosis, treatment and rehabilitation of alcoholic and other drug dependent persons;

(b) coordinate all activities and programs of all the various state departments as they relate to alcohol and other drug dependency and abuse problems;

(c) develop and demonstrate new methods and techniques for the prevention, treatment and rehabilitation of alcohol and other drug abuse and dependency problems;

(d) gather and disseminate facts and information about alcoholism and other drug dependency and abuse to public and private agencies and the courts so requesting such information for guidance to and assistance in prevention, treatment and rehabilitation;

(e) inform and educate the general public on alcohol and other drug dependency and abuse problems;

(f) serve as the state authority concerning alcohol and other drug dependency and abuse;

(g) establish a state plan which shall set forth goals and priorities within a comprehensive alcohol and other drug dependency and abuse program for Minnesota. All governmental units operating alcohol and other drug abuse or dependency programs or administering state or federal funds for such programs shall annually set their program goals and priorities and allocate funds in accordance with the comprehensive state plan;

(h) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals for the provisions of comprehensive program services;

(i) solicit and accept any gift of money or property for purposes of Laws 1973, Chapter 572, and any grant of money, services, or property from the federal government, the state, any political subdivision thereof, or any private source(.);

(j) with respect to alcohol and other drug abuse programs serving the native American community, establish guidelines for the employment of personnel with considerable practical experience in alcohol and other drug abuse problems, and understanding of social and cultural problems related to alcohol and other drug abuse, in the native American community.

Subd. 2. [OFFICE OF NATIVE AMERICAN PROGRAMS.]
There is hereby created, within the alcohol and drug abuse section of the department of public welfare, the position of special assistant for native American programs on alcoholism and drug abuse and an assistant to that position. The special assistant position shall be filled by a person with considerable practical experience in and understanding of alcohol and other drug abuse problems in the native American community, who shall be responsible to the director of the alcohol and drug abuse section created in subdivision 1 and shall be in the unclassified service. The special assistant with the approval of the director shall:

(a) Administer funds appropriated for native American groups, organizations and reservations within the state for native American alcoholism and drug abuse programs,

(b) Establish policies and procedures for such native American programs with the assistance of the citizens advisory council created by Minnesota Statutes, 1973 Supplement, Section 254A.04, and the native American advisory board.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 254A.07, Subdivision 2, is amended to read:

Subd. 2. The department of public welfare may make grants to community mental health boards for comprehensive programs for prevention, care, and treatment of alcohol and other drug abuse as developed and defined by the state authority. Grants made for programs serving the native American community shall take into account the guidelines established in section 254A.03, subdivision 1, clause (j). Grants may be made for the cost of these comprehensive programs and services whether provided directly by community mental health boards or by other public and private agencies and organizations, both profit and non-profit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs.

Sec. 4. The sum of \$35,000 is appropriated from the general fund to the alcohol and drug abuse section of the department of public welfare for the purposes of sections 1, 2, and 3.

Sec. 5. Sections 1 to 4 are effective on April 1, 1974.

Sec. 6. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.065] [VENEREAL DISEASE TREATMENT CENTERS.] *The state board of health shall assist local health agencies and organizations throughout the state with the development and maintenance of services for the detection and treatment of venereal diseases. These services shall provide for diagnosis, treatment, case finding, investigation, and the dissemination of appropriate educational information. The state board of health shall promulgate regulations relative to the composition of such services and shall establish a method of providing funds to local health agencies and organizations which offer such services. The state board of health shall provide technical assistance to such agencies and organizations in accordance with the needs of the local area.*

Sec. 7. There is hereby appropriated to the board of health from the general fund the sum of \$100,000 to be available for the biennium ending June 30, 1975, for the purposes of section 6.

Sec. 8. Subdivision 1. To the extent of the appropriation for this specific purpose, the commissioner shall provide emergency supplementary grants to recipients of aid to dependent children for major home repairs, repair of major home appliances, and supplemental dietary needs medically authorized, but not covered by medical assistance. The commissioner shall immediately by rule and regulation:

(a) Establish procedures for determination of need and verification of proper payment of supplementary grants authorized by this section; and

(b) Establish procedures for the proration among the counties of the funds appropriated for supplementary grants; and

(c) Establish fiscal procedures to assure the sufficiency of the funds appropriated for supplementary grants until June 30, 1975. These emergency rules and regulations shall be promulgated immediately by the commissioner pursuant to the provisions of Minnesota Statutes 1971, Section 15.0412, Subdivision 5.

This shall be a final and nonrecurring appropriation and shall expire June 30, 1975. The commissioner shall submit quarterly reports to the subcommittee on welfare-corrections of finance in the senate and the welfare-corrections division of appropria-

tions in the house regarding expenditures for supplementary grants.

Subd. 2. There is appropriated to the commissioner of public welfare from the general fund the sum of \$250,000 for the purposes of subdivision 1.

Subd. 3. This section is effective July 1, 1974.

Sec. 9. Subdivision 1. The sums hereinafter stated, or so much thereof as may be necessary, are hereby appropriated to the commissioner of public welfare from the general fund in the state treasury not otherwise appropriated; to be expended for the purposes specified in this section, to be available for the biennium ending June 30, 1975.

Subd. 2. There is appropriated from the general fund the sum of \$3,900,000 or so much thereof as may be necessary for medical assistance to the needy, supplemental payments for Supplemental Security Income recipients, and aid to families with dependent children. This appropriation shall be added to the appropriations made in Laws 1973, Chapter 765, Section 2, Subdivision 8.

Subd. 3. There is appropriated from the general fund the sum of \$700,000 for daytime activity centers for the mentally retarded. This appropriation shall be added to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 12. None of the moneys appropriated by this subdivision shall be used to supplant county funds.

Subd. 4. There is appropriated from the general fund the sum of \$20,000 for Red Lake band of Chippewa Indians. This appropriation shall be in addition to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 15.

Subd. 5. There is appropriated from the general fund the sum of \$200,000 for contingent funds for state institutions. This appropriation shall be in addition to the appropriation made in Laws 1973, Chapter 765, Section 9.

Subd. 6. To provide for day care services to children of migrant workers utilizing Title IV-A funds there is appropriated to the division of social services in the department of public welfare from the general fund in the state treasury the sum of \$60,000.

Subd. 7. There is appropriated from the general fund the amount of \$20,000 for regional library for the blind. This appropriation shall be added to the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 21(c).

Sec. 10. Any unexpended balance not to exceed \$235,000 remaining on June 30, 1974 from the appropriation made in Laws 1973, Chapter 765, Section 2, Subdivision 2, for special computer projects, shall not cancel but shall be made available for expenditure in fiscal year 1974-1975.

Sec. 11. Subdivision 1. This appropriation shall be available to allocate and to finance statewide operations formerly funded in whole or in part under the Economic Opportunity Act of 1964, Public Law 88-452, as amended; provided that the recipient municipality or other public body shall have expended all funds received under Title II, Section 221 of the Economic Opportunity Act of 1964, as amended, that no agency or program receiving funds hereunder shall receive more than 20 percent annually of the amount of money received under the last year of funding under the Economic Opportunity Act, and provided further that the recipient agency or program certifies that it has appropriated a sum of no less than 50 percent of the amount to be disbursed to the agency or program by the state.

Subd. 2. A portion of these funds may be expended in those counties currently without economic opportunity programs.

Subd. 3. The funds appropriated by this section shall not be available until the economic opportunity program requests have been reviewed by the welfare-corrections subcommittee on finance in the Senate and the welfare-corrections division of appropriations in the House. At least 30 days before action by the legislative advisory committee the commissioner shall submit the individual project requests to the respective committees enumerated above for review.

Subd. 4. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Subd. 5. Any unexpended balance not to exceed \$300,000 remaining on June 30, 1974, from the appropriation made in Laws 1973, Chapter 765, Section 8, Subdivision 1, is hereby reappropriated to the commissioner of administration for the biennium ending June 30, 1975.

Subd. 6. The sum of \$900,000 is appropriated to the commissioner of administration for economic opportunity programs from the general fund of the state treasury for the purposes of this section.

Sec. 12. Commencing July 1, 1974, the department of public welfare shall not reimburse any county for administrative expenses appropriated by Laws 1973, Chapter 650, Article XXI, Section 31, until such county is participating in a food stamp quality control system. The department of public welfare shall certify the acceptability of each county plan. No county may discontinue its food stamp program to avoid state sanctions. The

department of public welfare shall not be granted additional complement or funds as a result of this section.

Sec. 13. There is appropriated to the commissioner of public welfare from the general fund the sum of \$50,000 for the purpose of providing a grant-in-aid to the Bridge Runaway Youth Inc. of Minneapolis, Minnesota for their activities to assist runaway youth in reestablishing useful associations with their families. The funds shall be expended subject to the direction of the commissioner of public welfare in accordance with the purposes of this act. Notwithstanding Minnesota Statutes, 1973 Supplement, Section 16.17 or other law, this appropriation expires June 30, 1975. It is the intention of the legislature that this shall be a final and non-recurring appropriation.

Sec. 14. Minnesota Statutes 1971, Section 641.11, is amended to read:

641.11 [COMPENSATION FOR BOARDING PRISONERS.] Every sheriff in charge of a county jail shall receive from the county compensation for board and washing for prisoners, as follows:

On the last day of each month he shall render to the county board a verified statement showing the name of each prisoner and the number of days boarded. The pay shall be determined by the county board of commissioners but shall not be less than (\$2.50) \$3.50 a day nor more than (\$3.50) \$4.50 for each day or fractional day for each prisoner. In every county where the sheriff's compensation for board of prisoners is fixed by special law it shall so continue unless the county board by unanimous vote shall elect to come under the general law after which it shall be governed by this section provided that the provisions of this section shall not apply to any county in this state now or hereafter having a population of more than 100,000.

Sec. 15. Subdivision 1. Notwithstanding any law to the contrary, welfare allowances for clothing and personal needs for individuals receiving medical assistance while confined in any skilled nursing home or intermediate care facility in this state shall not be less than \$25 per month.

Subd. 2. Neither the skilled nursing home, the intermediate care facility nor the department of public welfare shall withhold or deduct any amount of this allowance for any purpose contrary to this section.

Sec. 16. In addition to the personal allowance established in section 15, any handicapped or mentally retarded recipient of medical assistance confined in a skilled nursing home or intermediate care facility shall also be permitted a special personal allowance drawn solely from earnings from any productive employment under an individual plan of rehabilitation. This special

personal allowance shall not exceed (1) the limits set therefor by the commissioner, or (2) the amount of disregarded income the individual would have retained had he or she been a recipient of aid to the disabled benefits in December, 1973, whichever amount is lower.

Sec. 17. Sections 15 and 16 are effective the day following final enactment; however, the personal allowance established in section 15 shall be allowed retroactive to January 1, 1974, and the accumulated amount shall be prorated over the six months immediately following final enactment.

Sec. 18. Minnesota Statutes 1971, Section 256.73, is amended by adding a subdivision to read:

Subd. 5. For the purposes of section 256.72 to 256.87, dependent children shall include the unborn during the final three months of pregnancy and, insofar as possible, the provisions applicable to dependent children shall also be applicable to the unborn during the final three months of pregnancy. The commissioner of public welfare shall promulgate, pursuant to the administrative procedures act, regulations to implement this subdivision.

Sec. 19. The sum of \$20,000 is appropriated from the general fund to the Indian affairs commission for the expenses of operation for the current biennium ending June 30, 1975. This sum shall be in addition to sums previously appropriated.

Sec. 20. Except as otherwise provided for in this act, the provisions hereof are in effect upon final enactment."

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

"A bill for an act relating to the organization, operation and financing of the state government; appropriating and reappropriating money for various programs relating to public welfare including supplementary aids; authorizing the establishment of alcohol and drug abuse programs for native Americans; providing for venereal disease treatment centers; prescribing fees for boarding prisoners; amending Minnesota Statutes 1971, Chapter 144, by adding a section; Sections 256.73, by adding a subdivision; 641.11; Minnesota Statutes, 1973 Supplement, Sections 254A.02, by adding a subdivision; 254A.03; and 254A.07, Subdivision 2."

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

Senate Conferees: ROGER D. MOE, BILL MCCUTCHEON, WILLIAM G. KIRCHNER, and JOHN L. OLSON.

House Conferees: DONALD B. SAMUELSON, WALTER R. HANSON, JAMES I. RICE, M. J. MCCAULEY, and MARY M. FORSYTHE.

Samuelson moved that the report of the Conference Committee on S. F. No. 2964 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2964, A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

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

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

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 452

March 27, 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. 452, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 452 be further amended as follows:

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

"Section 1. [TITLE.] This act shall be known as the Minnesota crime victims reparations act.

Sec. 2. [DEFINITIONS.] For the purposes of this act the following terms shall have the meanings given them:

(1) "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to Minnesota Statutes, Section 609.05.

(2) "Board" means the crime victims reparation board established by section 5.

(3) "Claimant" means a person entitled to apply for reparations pursuant to this act.

(4) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to him, from:

(a) the offender;

(b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;

(c) social security, medicare, and medicaid;

(d) state required temporary non-occupational disability insurance;

- (e) workmen's compensation;
- (f) wage continuation programs of any employer;
- (g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;
- (h) a contract providing prepaid hospital and other health care services, or benefits for disability; or
- (i) any private source as a voluntary donation or gift.

The term does not include a life insurance contract.

- (5) (a) "Crime" means conduct that
 - (i) occurs or is attempted in this state,
 - (ii) poses a substantial threat of personal injury or death, and
 - (iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include conduct arising out of the use of a motor vehicle, as defined in Minnesota Statutes, Section 169.01, Subdivision 2, an aircraft or watercraft unless

(i) the conduct was intended to cause personal injury or death, or

(ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative, and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived; and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of (a) a crime; (b) the good faith effort of any person to prevent a crime; or (c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

Sec. 3. [ELIGIBILITY FOR REPARATIONS.] Subdivision 1. Except as provided in subdivision 2, the following persons shall be entitled to reparations upon a showing by a preponderance of the evidence that the requirements for reparations have been met:

(a) a victim who has incurred economic loss;

- (b) a dependent who has incurred economic loss;
- (c) the estate of a deceased victim if the estate has incurred economic loss;
- (d) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 2, clauses (a) (i) and (a) (ii) for a victim;
- (e) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

- (a) the crime was not reported to the police within five days of its occurrence or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;
- (b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;
- (c) the victim is the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother or sister of the offender or his accomplice unless the board determined that the interests of justice otherwise required in a particular case;
- (d) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or
- (e) no claim was filed with the board within one year of victim's injury or death;
- (f) the claim is less than \$100.

Sec. 4. [AMOUNT OF REPARATIONS.] Reparations shall equal economic loss except that:

- (1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source;
- (2) reparations shall be reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims and by the first \$100 of economic loss; and
- (3) reparations paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed \$10,000.

Sec. 5. [CRIME VICTIMS REPARATIONS BOARD.] Subdivision 1. There is created in the department of public safety, for budgetary and administrative purposes, the crime victims reparations board, which shall consist of three members appointed by the governor with the advice and consent of the senate. One of the members shall be designated as chairman by the governor and serve as such at his pleasure. At least one member shall be a person who is admitted to the bar of this state, and at least one member shall be a medical or osteopathic physician licensed to practice in this state.

Subd. 2. The term of office of each board member shall be six years except that of the members first appointed one each shall serve for terms of six, four, and two years. Any person appointed to fill a vacancy shall be appointed for the remainder of the unexpired term.

Subd. 3. Members of the board shall serve part time and receive \$35 per diem and be reimbursed for reasonable and necessary expenses incurred in performance of their duties in the same manner and amount as state employees.

Sec. 6. [POWERS AND DUTIES OF THE BOARD.] Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in this act or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to Minnesota Statutes, Chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of this act rules to implement this act, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; and

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in this act or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;

(b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without of this state;

(c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(d) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under this act;

(g) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(h) reconsider any decision granting or denying reparations or determining their amount.

Sec. 7. [DETERMINATION OF CLAIMS.] Subdivision 1. A claim, when accepted for filing, shall be assigned by the chairman to himself or to another member of the board.

Subd. 2. The board member to whom the claim is assigned shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of the claim.

Subd. 3. The board member to whom a claim is assigned may decide the claim in favor of a claimant in the amount claimed on the basis of the papers filed in support of it and the report of the investigation of such claim. If the board member is unable to decide such claim upon the basis of the papers and report, he shall order a hearing.

Subd. 4. After examining the papers filed in support of the claim and the report of investigation, and after a hearing, if any, the board member to whom the claim was assigned shall make a decision either granting an award or deny the claim.

Subd. 5. The board member making a decision shall file with the board a written report setting forth such decision and his

reasons therefor. The board shall notify the claimant and furnish him a copy of the report.

Sec. 8. [CONSIDERATION OF DECISIONS BY FULL BOARD.] Subdivision 1. The claimant may, within 30 days after receipt of the report of the decision of the board member to whom his claim was assigned, make an application in writing to the board for consideration of the decision by the full board.

Subd. 2. Any member of the board may, within 30 days after the filing of the report, make an application in writing to the board for consideration of the decision by the full board.

Subd. 3. The board shall treat all claims considered pursuant to this section as contested cases within the meaning of Minnesota Statutes, Chapter 15.

Sec. 9. [REPARATIONS; HOW PAID.] Reparations may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or prorated over a period of time if the final award is made in installments. Reparations are exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The board, in its discretion may order that all or part of the reparations awarded be paid directly to these suppliers.

Sec. 10. [SUBROGATION.] The state shall be subrogated, to the extent of reparations awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is or, if readily available to the victim or claimant would be, a collateral source.

Sec. 11. [MEDICAL PRIVILEGE.] There is no privilege as to communication or records relevant to an issue of the physical, mental, or emotional condition of the claimant or victim in a proceeding under this act in which that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

Sec. 12. [ENFORCEMENT OF BOARD'S ORDERS.] If a person refuses to comply with an order of the board or asserts a privilege to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

Sec. 13. [DEPARTMENT OF CORRECTIONS; RESTITUTION.] The department of corrections may, as a means of

assisting in the rehabilitation of persons committed to their care, establish programs and procedures whereby such persons may contribute toward restitution of those persons injured as a consequence of their criminal acts.

Sec. 14. [USE OF RECORD OF CLAIM; EVIDENCE.] Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, including an action by the state on its subrogation claim.

Sec. 15. [LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.] All law enforcement agencies investigating crimes shall provide forms to each person who may be eligible to file a claim pursuant to this act and to inform them of their rights hereunder. All law enforcement agencies shall obtain from the board and maintain a supply of all forms necessary for the preparation and presentation of claims.

Sec. 16. [FRAUDULENT CLAIMS.] Any person who knowingly makes a false claim under this act shall be guilty of a gross misdemeanor.

Sec. 17. [EFFECTIVE DATE.] This act shall apply to claims arising as a result of crimes committed or attempted on or after July 1, 1974.

Sec. 18. [APPROPRIATIONS.] The sum of \$100,000 is hereby appropriated from the general fund in the state treasury to the department of public safety for the organization, operation, administration and staffing of the crime victim reparation board effective July 1, 1974."

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

House Conferees: BRUCE F. VENTO, RAY W. FARICY, and MARY M. FORSYTHE.

Senate Conferees: JOSEPH T. O'NEILL, RALPH R. DOTY, and HUBERT H. HUMPHREY.

Vento moved that the report of the Conference Committee on H. F. No. 452 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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

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

Those who voted in the affirmative were:

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 974

March 27, 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. 974, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 974, the typewritten bill, be amended as follows:

Page 4, line 4, strike "1971" and insert "1973 Supplement".

Page 4, line 4, after "144.60," insert "Subdivision 1,".

Page 4, line 17, strike "21" and insert "18".

Page 5, after line 5, insert:

"Sec. 5. Minnesota Statutes 1971, Section 144.60, Subdivisions 2 and 3 are amended to read:".

Page 6, line 15, strike "1971" and insert ", 1973 Supplement".

Page 6, line 24, strike "Upon request,".

Page 6, line 25, after "shall" insert "not".

Page 6, line 25, before "ambulance" insert "newly established".

Page 6, line 26, strike "of Minnesota if" and insert "unless".

Page 6, line 27, after "144.806" insert "and the applicant has demonstrated to the satisfaction of the state board of health at a public hearing that the public convenience and necessity require the proposed ambulance service".

Page 9, line 14, strike "1971" and insert ", 1973 Supplement".

Page 9, line 14, after "149.03," insert "Subdivision 1,".

Page 9, line 28, strike "21" and insert "18".

Page 10, after line 19, insert:

"Sec. 10. Minnesota Statutes 1971, Section 149.03, Subdivisions 2 and 3, are amended to read:".

Page 14, strike lines 3 through 10.

Page 14, line 11, strike "1971" and insert ", 1973 Supplement".

Page 14, line 14, strike "desiring" and insert "not already licensed under sections 156A.01 to 156A.08 who desires".

Page 14, line 24, after "paid." insert "When the board has approved the application, the applicant shall take an examination given by the board.".

Page 14, strike lines 25 through 28.

Page 15, strike lines 1 through 11.

Page 23, line 7, strike "1974" and insert "1975".

Renumber the sections in sequence.

Further, amend the title as follows:

Page 1, line 8, after "144.60" insert ", Subdivisions 2 and 3".

Page 1, line 8, strike "144.802;".

Page 1, line 8, after "149.03" insert ", Subdivisions 2 and 3".

Page 1, line 9, strike "156A.03, Subdivision 2;".

Page 1, line 10, strike "156A.07, Subdivisions 1 and 3;".

Page 1, line 13, after "section" insert "; and Minnesota Statutes, 1973 Supplement, Section 144.60, Subdivision 1; 144.802; 149.03, Subdivision 1; and 156A.07, Subdivision 1".

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

House Conferees: JAMES C. SWANSON, LYNDON R. CARLSON, and O. J. HEINITZ.

Senate Conferees: B. ROBERT LEWIS, GEORGE R. CONZEMIUS, and ROBERT J. BROWN.

Swanson moved that the report of the Conference Committee on H. F. No. 974 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 974, A bill for an act relating to public health; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1; 144.53; 144.60; 144.61; 144.802; 149.02; 149.03; 149.04; 149.08; 156A.03, Subdivision 2; 156A.07, Subdivisions 1 and 3; 157.03; 326.42; 326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section.

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

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

Those who voted in the affirmative were:

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

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

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2349

March 27, 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. 2349, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2349 be amended as follows:

Page 1, line 6, after "Section 1." insert "Subdivision 1."

Page 1, line 10, strike "Sec. 2." and insert in lieu thereof "Subd. 2."

Page 1, line 10, delete "act" and insert in lieu thereof "section".

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

"Sec. 2. Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3, is amended to read:

Subd. 3. [SALES; WHERE FORBIDDEN.] No intoxicating liquors shall be sold in any of the following places:

- (1) Within the capitol or upon the grounds thereof;
- (2) Upon the state fairgrounds or at any place in a city of the first class within one half mile of such fairgrounds except as hereinafter otherwise provided by charter;
- (3) Upon the campus of the school of agriculture of the University of Minnesota or at any place in a city of the first class within one half mile of such campus except as hereinafter otherwise provided by charter;
- (4) Within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections. Whoever sells or otherwise disposes of intoxicating liquor at retail at a place prohibited by this clause is guilty of a gross misdemeanor;
- (5) In any town or municipality in which a majority of votes at the last election at which the question of license was voted upon shall not have been in favor of license, or within one half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;
- (6) At any place on the east side of the Mississippi river within (ONE) *one tenth* mile of the main building of the University of Minnesota unless the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940 for and by former students of the University of Minnesota; (AND WITHIN ONE MILE OF THE KIRBY STUDENT CENTER BUILDING OF THE UNIVERSITY OF MINNESOTA, DULUTH BRANCH;) a license may be issued under this clause notwithstanding any local law to the contrary;
- (7) Within 1,500 feet of any state college, except as herein-after provided, or, when the place of sale is not within a municipality, within 1,500 feet of any public school outside of a municipality; within 1,200 feet at Winona state college, and at Southwest state college and in determining the distance the measurement shall be along the most direct line from the nearest corner of the administration building of the college to the main entrance of the licensed premises; as to the Valley campus of the Mankato state college in the city of Mankato when the place of sale is within 1,000 feet from the middle of the entrance into the main building which entrance is located on the easterly side of South 5th Street at a point where said street is intersected by East Jackson Street in the city of Mankato, or between the Valley campus and Highland campus or within 1,500 feet of the Highland campus;

(8) At more than five places on any one side of a block within and fronting upon the patrol limits of cities of the first class;

(9) The restrictions imposed by this subdivision shall not apply to any manufacturer or wholesaler of intoxicating liquors or to a drug store or to any person lawfully licensed to sell intoxicating liquor immediately prior to the enactment of this subdivision."

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

"A bill for an act relating to intoxicating liquor; authorizing the issuance of an additional license in Virginia and eliminating the prohibition of the sale of liquor in certain places; amending Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3."

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

House Conferees: PETER X. FUGINA, THOMAS W. NEWCOME, and JOHN J. SALCHERT.

Senate Conferees: SAM G. SOLON and RICHARD W. FITZSIMONS.

Fugina moved that the report of the Conference Committee on H. F. No. 2349 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2349, A bill for an act relating to the city of Virginia; authorizing one additional on-sale intoxicating liquor license.

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 79, and nays 35, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, L.	Forsythe	Johnson, R.	McCarron
Andersen, R.	Cassery	Fudro	Jude	McEachern
Anderson, I.	Clifford	Fugina	Kahn	McMillan
Belisle	Connors	Graba	Kelly	Menke
Bell	Cummiskey	Graw	Kempe	Miller, D.
Bennett	Dieterich	Growe	Knickerbocker	Moe
Berg	Dirlam	Hanson	Knoll	Mueller
Berglin	Eckstein	Heinitz	Kostohryz	Nelson
Biersdorf	Enebo	Jacobs	LaVoy	Newcome
Brinkman	Faricy	Jaros	Lemke	Ojala
Carlson, A.	Ferderer	Johnson, D.	McArthur	Parish

Patton	Pieper	St. Onge	Spanish	Voss
Pavlak, R.	Prahl	Salchert	Stanton	Wigley
Pavlak, R. L.	Quirin	Sarna	Tomlinson	Wohlwend
Pehler	Resner	Sieben, H.	Vanasek	Mr. Speaker
Peterson	Ryan	Sieben, M.	Vento	

Those who voted in the negative were:

Anderson, D.	Eken	Johnson, J.	Lombardi	Ohnstad
Anderson, G.	Erdahl	Jopp	Mann	Savelkoul
Becklin	Erickson	Klaus	McCauley	Schreiber
Braun	Esau	Kvam	McFarlin	Searle
Carlson, D.	Fjoslien	Laidig	Myrah	Sherwood
Culhane	Haugerud	Larson	Niehaus	Skaar
DeGroat	Hook	Lindstrom, E.	Norton	Wenzel

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2236

March 27, 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. 2236, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments, and that H. F. No. 2236 be further amended as follows:

Page 1, line 11, delete "\$27,500" and insert "\$23,500".

Page 1, line 17, delete "The".

Page 1, delete all of lines 18 and 19 and insert in lieu thereof the following:

"Sec 2. Nothing contained in section 1 shall be construed as requiring any reduction in the salary of any judge in office on the date of enactment of this act."

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

House Conferees: R. PAVLAK, ROBERT D. CULHANE, JOHN S. BIERSDORF, ARTHUR M. BRAUN, and RODNEY N. SEARLE.

Senate Conferees: STANLEY N. THORUP, CARL A. JENSEN, MYRTON O. WEGNER, and ROGER D. MOE.

Pavlak, R., moved that the report of the Conference Committee on H. F. No. 2236 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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 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 95, and nays 25, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jopp	Menke	Ryan
Andersen, R.	Enebo	Jude	Miller, D.	St. Onge
Anderson, I.	Faricy	Kahn	Miller, M.	Salchert
Bell	Ferderer	Kempe	Moe	Sarna
Bennett	Fjoslien	Knoll	Mueller	Savelkoul
Berg	Forsythe	Kostohryz	Munger	Schreiber
Berglin	Fudro	Laidig	Nelson	Searle
Biersdorf	Fugina	Larson	Newcome	Sieben, H.
Braun	Graba	LaVoy	Norton	Sieben, M.
Brinkman	Graw	Lindstrom, E.	Ohnstad	Smith
Carlson, B.	Growe	Lindstrom, J.	Ojala	Stanton
Carlson, D.	Hanson	Lombardi	Parish	Swanson
Carlson, L.	Heinitz	Mann	Patton	Tomlinson
Cassery	Hook	McArthur	Pavlak, R.	Vanasek
Clifford	Jacobs	McCarron	Pavlak, R. L.	Vento
Connors	Jaros	McCauley	Pehler	Wigley
Culhane	Johnson, D.	McEachern	Pleasant	Wohlwend
Cummiskey	Johnson, J.	McFarlin	Quirin	Wolcott
DeGroat	Johnson, R.	McMillan	Resner	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Dirlam	Esau	Myrah	Sherwood
Anderson, G.	Eckstein	Hagedorn	Niehaus	Skaar
Becklin	Eken	Kelly	Peterson	Spanish
Belisle	Erdahl	Klaus	Pieper	Voss
Carlson, A.	Erickson	Knickerbocker	Prahl	Wenzel

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3090

March 27, 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. 3090, re-

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

That the Senate recede from its amendments and that H. F. No. 3090 be amended as follows:

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

"Section 1. In the beginning stage of the planning process, and before preparation of any detailed technical plans for the extension of municipal services into an unincorporated area, a city shall meet at least once with the town board of the affected area and the county planning commission, in joint session, to review the plans and consider the comments of the town board and the county planning commission. The city may thereafter proceed to undertake the proposed extension in accordance with applicable law. Any duly organized sewer district or sanitary district created pursuant to special law or pursuant to chapters 115, 116A, or 473C, or section 378.31, is not affected by this act.

Sec. 2. For the purposes of this act, "municipal service" means sewer, water, electrical, or other utility service.

Sec. 3. This act is effective on the day following final enactment."

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

"A bill for an act relating to local government; requiring a city to meet jointly with a town board and county planning commission before extending certain municipal services into the area governed by the town."

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

House Conferees: JOE T. NIEHAUS, AL PATTON, and JACK H. LAVOY.

Senate Conferees: ROBERT G. DUNN, JOHN J. BERNHAGEN, and GERALD L. WILLET.

Niehaus moved that the report of the Conference Committee on H. F. No. 3090 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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.

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

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

Those who voted in the affirmative were:

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

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report and moved its adoption:

RESOLUTION

Whereas, those named below are members of the House of Representatives; and

Whereas, they incurred legal fees and costs in suits concerning the validity of their being members of the House of Representatives;

Now, therefore, be it resolved, By the Committee on Rules and Legislative Administration that these members be reimbursed from the Legislative Expense Fund of the House of Representatives for such expenses as follows:

Tony Bennett	\$2,642.73
Robert L. Pavlak	\$2,642.73
Donald M. Moe	\$3,762.30

The question was taken on the adoption of the report and the roll being called, there were yeas 121, and nays 0, as follows:

Those who voted in the affirmative were:

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

The report was adopted.

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.

Salchert was excused between the hours of 2:00 p.m. and 4:30 p.m.

MESSAGES FROM THE SENATE, Continued

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. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; 15A.083 by adding a subdivision; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration House File No. 2785:

H. F. No. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; 15A.083 by adding a subdivision; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

PATRICK E. FLAHAVEN, Secretary of the Senate

Quirin moved that the House accede to the request of the Senate for the return of H. F. No. 2785 for further consideration by the Senate. The motion prevailed.

CONSIDERATION UNDER RULE 72

Pursuant to Rule 72, Norton requested immediate consideration of S. F. No. 3308.

S. F. No. 3308, A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 93, and nays 15, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Jopp	Menke	St. Onge
Andersen, R.	Eckstein	Jude	Miller, D.	Samuelson
Anderson, G.	Enebo	Kahn	Miller, M.	Sarna
Anderson, I.	Erdahl	Kelly	Moe	Schreiber
Bell	Erickson	Kempe	Munger	Schulz
Bennett	Faricy	Klaus	Niehaus	Sherwood
Berg	Ferderer	Knoll	Norton	Sieben, H.
Berglin	Forsythe	Kostohryz	Ohnstad	Smith
Biersdorf	Fudro	LaVoy	Parish	Stanton
Brinkman	Graba	Lemke	Patton	Swanson
Carlson, B.	Graw	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, L.	Growe	Lindstrom, J.	Pavlak, R. L.	Vento
Casserly	Hanson	Mann	Pehler	Voss
Clifford	Haugerud	McArthur	Pieper	Wenzel
Connors	Heinitz	McCarron	Pleasant	Wohlwend
Culhane	Jacobs	McCauley	Prahl	Wolcott
Cummiskey	Johnson, D.	McEachern	Quirin	Mr. Speaker
DeGroat	Johnson, J.	McFarlin	Rice	
Dieterich	Johnson, R.	McMillan	Ryan	

Those who voted in the negative were:

Anderson, D.	Eken	Laidig	Myrah	Savelkoul
Becklin	Fjoslien	Larson	Peterson	Skaar
Belisle	Kvam	Lombardi	Resner	Vanasek

The bill was passed and its title agreed to.

Pursuant to Rule 72, Pavlak, R., requested immediate consideration of S. F. No. 988.

S. F. No. 988, A bill for an act relating to inheritance taxes; providing for notification of certain transfers resulting in inheritance tax liability or potential inheritance tax liability; amending Minnesota Statutes 1971, Section 291.20, by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 118, and nays 0, as follows:

Those who voted in the affirmative were:

Adams, J.	Bennett	Carlson, L.	Eckstein	Forsythe
Andersen, R.	Berg	Casserly	Eken	Fudro
Anderson, D.	Berglin	Connors	Enebo	Fugina
Anderson, G.	Biersdorf	Culhane	Erdahl	Graba
Anderson, I.	Brinkman	Cummiskey	Erickson	Graw
Becklin	Carlson, A.	DeGroat	Faricy	Growe
Belisle	Carlson, B.	Dieterich	Ferderer	Hanson
Bell	Carlson, D.	Dirlam	Fjoslien	Haugerud

Hook	Laidig	Miller, M.	Pleasant	Skaar
Jacobs	Larson	Moe	Prahl	Smith
Jaros	LaVoy	Mueller	Quirin	Spanish
Johnson, D.	Lemke	Munger	Resner	Stanton
Johnson, J.	Lindstrom, E.	Myrah	Rice	Swanson
Johnsos, R.	Lindstrom, J.	Nelson	Ryan	Tomlinson
Jopp	Lombardi	Niehaus	St. Onge	Vanasek
Jude	Mann	Norton	Samuelson	Vento
Kahn	McArthur	Ohnstad	Sarna	Voss
Kelly	McCarron	Parish	Savelkoul	Wenzel
Kempe	McCauley	Patton	Schreiber	Wigley
Klaus	McEachern	Pavlak, R.	Schulz	Wohlwend
Knickerbocker	McFarlin	Pavlak, R. L.	Searle	Wolcott
Knoll	McMillan	Pehler	Sherwood	Mr. Speaker
Kostohryz	Menke	Peterson	Sieben, H.	
Kvam	Miller, D.	Pieper	Sieben, M.	

The bill was passed and its title agreed to.

MESSAGES FROM THE SENATE, Continued

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. 530, A bill for an act relating to wild animals; designating timber wolves as big game animals and prescribing powers and duties of the commissioner of natural resources in relation thereto; amending Minnesota Statutes 1971, Section 97.40, Subdivision 8; 98.46, Subdivisions 2, 4 and 14; 99.25, Subdivision 7; 100.26, Subdivision 1; 100.27, Subdivision 9; and 100.29, Subdivision 14.

The Senate has appointed as such committee Messrs. Chenoweth; Hanson, R.; and Arnold.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 3342.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3342, A bill for an act relating to the joint coordinating committee; prescribing powers and duties; amending Minne-

sota Statutes, 1973 Supplement, Section 3.304, Subdivision 2, and by adding a subdivision.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 20, of the Constitution of the state of Minnesota, Anderson, I., moved that the rule therein be suspended and an urgency be declared so that S. F. No. 3342 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Anderson, I., moved that the rules of the House be so far suspended that S. F. No. 3342 be given its second and third readings and be placed upon its final passage. The motion prevailed.

S. F. No. 3342 was read for the second time.

S. F. No. 3342, A bill for an act relating to the joint coordinating committee; prescribing powers and duties; amending Minnesota Statutes, 1973 Supplement, Section 3.304, Subdivision 2, and by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clifford Kvam Lombardi Pleasant

The bill was passed and its title agreed to.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

S. F. No. 3580, A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapters 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

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. 3580

March 27, 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. 3580, report

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

Strike everything after the enacting clause and insert:

"Section 1. The sum of \$177,360 appropriated from the general fund for the legislative service commission by Laws 1973, Chapter 720, Section 2, Subdivision 3, is cancelled.

Sec. 2. There is hereby transferred from the appropriation to the commissioner of administration made in Laws 1973, Chapter 778, Section 6, Subdivision 1, Clause (3) for capitol complex building and remodeling the sum of \$19,500 to the house of representatives, salaries, supplies and expense account for the fiscal year 1973-1974. Such sum is hereby appropriated.

Sec. 3. The appropriations made in Laws 1973, Chapter 720, Section 13, Subdivision 3, and in Laws 1973, Chapter 720, Section 20, Subdivision 3, shall not cancel on June 30, 1974, but shall be available for expenditure until June 30, 1975.

Sec. 4. There is appropriated to the state boxing commission from the general fund the sum of \$5,000, or so much thereof as may be required, for the purpose of carrying out the duties of the commission during the fiscal year commencing July 1, 1974 and ending June 30, 1975. Funds appropriated by this section are in addition to any other funds appropriated by law.

Sec. 5. Minnesota Statutes, 1973 Supplement, Section 82.34, Subdivision 15, is amended to read:

Subd. 15. Any sums received by the commissioner pursuant to any provisions of this section shall be deposited in the state treasury, and credited to the real estate education, research and recovery fund, and said sums shall be allocated exclusively for the purposes provided in this section. *All moneys in the fund are appropriated annually to the commissioner for the purposes of this section.*

Sec. 6. Notwithstanding the provisions of Laws 1973, Chapter 720, Section 43, Subdivision 14, or any other law to the contrary there is appropriated to the Arrowhead regional development commission from the natural resource federal reimbursement account the sum of \$50,000 for the development of a water quality management plan for the Lake Superior basin.

Sec. 7. There is appropriated from the general fund to the joint coordinating committee for the legislative reference library the sum of \$216,350 for the biennium ending June 30, 1975.

Sec. 8. [TRANSFER OF FUNDS, COMMISSIONER OF FINANCE.] The commissioner of finance shall transfer to the

general fund the sum of \$32,285.47 from the state airports fund to reimburse the general fund for the appropriation made in Laws 1973, Chapter 300, Section 2, Subdivision 21.

Sec. 9. The appropriation to the department of natural resources made in Laws 1971, Extra Session Chapter 3, Section 48, Subdivision 6 (f) (4), Bonanza Valley deep water survey \$15,000 for the biennium 1971-1973, is hereby reappropriated to the department of natural resources for the same purpose for the biennium ending June 30, 1975.

Sec. 10. There is appropriated to the department of agriculture from the general fund \$35,000 for the fiscal year ending June 30, 1974 and \$35,000 for the fiscal year ending June 30, 1975 for crop and livestock statistical reporting. Such amounts to be added to the appropriations made by Laws 1973, Chapter 720, Section 33.

Publications resulting from the reporting of crop and livestock statistics and not required by the department for its own use and the use of public agencies shall be sold and distributed by the documents section of the department of administration.

Sec. 11. Any unexpended balance not to exceed \$5,000 remaining on June 30, 1974 from the appropriation made in Laws 1973, Chapter 720, Section 16, Subdivision 2, shall not cancel but shall be made available for expenditure in fiscal year 1974-1975.

Sec. 12. There is appropriated to the supreme court from the general fund the sum of \$70,000 for the biennium ending June 30, 1975 for the purchase of furniture and equipment for the remodeled supreme court quarters.

Sec. 13. There is appropriated from the general fund to the university of Minnesota for fiscal year 1974-1975 the sum of \$62,000 which is to be added to the appropriation for that year made in Laws 1973, Chapter 768, Section 11, Subdivision 1.

Sec. 14. Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6, are repealed.

Sec. 15. Minnesota Statutes 1971, Section 176.611, is amended by adding a subdivision to read:

Subd. 6a. There is hereby appropriated from the general fund in the state treasury to the state compensation revolving fund the sum of \$435,000 to be used to pay claims of employees of the state. This appropriation together with the sum of \$74,013.12 heretofore appropriated from the trunk highway fund and \$1,960,986.88 heretofore appropriated from the general fund totals \$2,470,000 and constitutes the revolving fund.

Sec. 16. There is appropriated from the general fund, the sum of \$98,000 to the state planning agency for fiscal year 1974-1975 to be added to the appropriation made in Laws 1973, Chapter 720, Section 4, Subdivision 1, for grant administration of Lawcon, Hud, and natural resources acceleration funds.

Sec. 17. There is appropriated from the general fund, the sum of \$300,000 to the department of agriculture, livestock and grain account for the fiscal year ending June 30, 1974 for grain inspection services. This appropriation shall be added to the appropriation for fiscal year 1974 made in Laws 1973, Chapter 720, Section 33.

Sec. 18. There is appropriated from the general fund the sum of \$100,000 to the general contingent account. This appropriation shall be added to the appropriation for fiscal year 1974 made in Laws 1973, Chapter 720, Section 2, Subdivision 9.

Sec. 19. There is appropriated from the general fund for fiscal year 1973-1974 the sum of \$180,224 to the attorney general for the Minnesota peace officers training board-reimbursements to local government. This is in addition to the appropriation of \$100,000 in fiscal year 1971-1972 made by Laws 1971, Extra Session Chapter 3, Section 12, Subdivision 4 (c). This appropriation and moneys heretofore appropriated shall cancel to the general fund on June 30, 1974.

Sec. 20. There is appropriated to the department of commerce from the general fund for fiscal year 1974-1975 the sum of \$20,000 for the administration of "no fault" insurance.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 176.131, Subdivision 10, is amended to read:

Subd. 10. The special compensation fund is created for the purposes provided in this chapter in the following manner:

(1) In every case of death of an employee resulting from personal injury arising out of and in the course of his employment where there are no persons entitled to monetary benefits of dependency compensation, the employer shall pay to the commissioner of the department of labor and industry the sum of \$5,000 for the benefit of the special compensation fund; in every case of death of an employee resulting from personal injury arising out of and in the course of his employment where there are no persons entitled to at least \$5,000 in monetary benefits of dependency compensation, the employer shall pay to the commissioner of the department of labor and industry for the benefit of the special compensation fund the difference between the amounts actually paid for such dependency benefits and \$5,000; but in no event shall the employer pay the commissioner of the department of labor and industry less than \$1,000;

(2) When an employee shall suffer personal injury which results in permanent partial disability, temporary total disability, temporary partial disability, permanent total disability or death and which entitles him or dependents to compensation under sections 176.101 or 176.111, the employer shall in addition to compensation provided therein, pay to the commissioner of the department of labor and industry for the benefit of the special compensation fund a lump sum without interest deduction equal to seven percent of such total compensation, as soon as the amount payable for the particular injury is determined, or arrived at by agreement of the parties and such amount is approved by the commissioner of the department of labor and industry.

The provisions of clause (1) and clause (2) of this subdivision shall apply to all workmen's compensation payments, exclusive of medical costs, paid under sections 176.101 and 176.111 for all injuries or death occurring on or after June 1, 1971.

Personal injuries that occurred prior to June 1, 1971 shall be assessed at the rate in effect on the date of occurrence.

The seven percent of the total compensation required to be paid by the employer to the commissioner of the department of labor and industry for the benefit of the special compensation fund as provided in clause (2) of this subdivision shall remain fixed at said seven percent for the period from June 1, 1971, to June 1, 1972. Effective June 1, 1972, and thereafter on June 1, of each subsequent year, the rate shall be adjusted on the following basis: if the balance in the special compensation fund as of April 30 in any year is below \$1,000,000, the rate of payment shall be increased by two percent over the then prevailing rate. If the balance is at least \$1,000,000 but below \$1,500,000, the rate will be increased by one percent. If the balance is at least \$1,500,000 but below \$2,000,000, there shall be no change. If the balance is at least \$2,000,000 but less than \$2,500,000, the rate shall be decreased by one percent. If the balance is at least \$2,500,000, the rate shall be decreased by two percent.

Such sums as are paid to the commissioner of the department of labor and industry pursuant to the provisions hereof, shall be by it deposited with the state treasurer for the benefit of the special compensation fund and be used to pay the benefits provided by chapter 176. All money heretofore arising from the provisions of this section or similar law shall be transferred to this special compensation fund.

The state treasurer shall be the custodian of this special fund and the workmen's compensation division and the workmen's compensation commission in cases before it shall direct the distribution thereof, the same to be paid as other payments of compensation are paid. In case deposit is or has been made under the provisions of clause (1) and dependency later is shown, or if de-

posit is or has been made pursuant to either clause (1) or (2) by mistake or inadvertence, or under such circumstances that justice requires a refund thereof, the state treasurer is hereby authorized to refund such deposit under order of the workmen's compensation division or the workmen's compensation commission. There is appropriated to the persons entitled to such refunds from the fund an amount sufficient to make the refund and payment.

Costs within the department of labor and industry for the accounting and legal procedures necessary for administration of the programs financed by the special compensation fund shall (COME FROM THE FUND DURING EACH BIENNIUM COMMENCING JULY 1, 1971 WITH THE SPECIAL COMPENSATION FUND BEING REIMBURSED FROM GENERAL FUND IN THE NEXT REGULAR SESSION OF THE LEGISLATURE) *be paid from the moneys biennially appropriated to the department and not from the special compensation fund.*

Sec. 22. Minnesota Statutes, 1973 Supplement, Section 176.183, Subdivision 2, is amended to read:

Subd. 2. Upon a warrant prepared by the commissioner of the department of labor and industry and approved by the commissioner of finance, and in accordance with the terms of the order awarding compensation, the state treasurer shall pay compensation to the employee or his dependent from the special compensation fund. The commissioner of the department of labor and industry shall certify to the state treasurer and to the legislature at the end of each biennium the total amount of compensation paid from the special compensation fund under subdivisions 1 and 1a(, INCLUDING THE NECESSARY EXPENSES AND SALARY WHICH THE ATTORNEY GENERAL INCURS IN INVESTIGATING, DEFENDING AND IN MAINTAINING ANY CAUSE OF ACTION AGAINST ANY EMPLOYER). The state treasurer shall upon proper certification reimburse the special compensation fund from the general fund the total amount certified as paid under this section, and the funds required for the purpose of making such reimbursement are hereby annually appropriated.

Sec. 23. There is appropriated to the commissioner of labor and industry from the general fund for fiscal year 1974-1975 the sum of \$120,000 for administration of programs financed by the special compensation fund.

Sec. 24. There is appropriated to the commissioner of personnel for the job clarification program from the general fund for fiscal year 1974-1975, the sum of \$75,439 to be added to the appropriation made in Laws 1973, Chapter 720, Section 23, Subdivision 1, and the sum of \$7,500 to be added to the appropriation made in Laws 1973, Chapter 720, Section 23, Subdivision 2.

The complement of the department of personnel is increased in fiscal year 1974-1975 from 64 to 71.

Sec. 25. There is appropriated to the board of investment from the general fund the sum of \$21,000 for fiscal year 1973-1974 and the sum of \$140,000 for fiscal year 1974-1975. These are to be added to the appropriations made in Laws 1973, Chapter 720, Section 21, Subdivision 1.

The complement of the investment board is increased to 20 for fiscal year 1974 and 22 for fiscal year 1975.

Sec. 26. There is appropriated to the governor the sum of \$40,000 from the general fund for the biennium ending June 30, 1975, for the purpose of hosting the 1974 Midwest governor's conference.

Sec. 27. Laws 1973, Chapter 595, Section 1, is amended to read:

Section 1. [DOVER, EYOTA AND ST. CHARLES AREA SANITARY DISTRICT; ADVANCE OF STATE FUNDS.] At any time after the organization of the sanitary sewer board of the Dover, Eyota and St. Charles area sanitary district as may be provided for by law, the (STATE AUDITOR) *commissioner of finance*, at the request of the board, shall advance to the board for its use in accordance with the purposes specified in section 2, the sum of \$100,000 from moneys on hand in the general fund of the state and not needed for use on or before January 1, (1975) 1976, and such amount is appropriated for this purpose.

Sec. 28. Laws 1973, Chapter 595, Section 2, is amended to read:

Sec. 2. [USE OF FUNDS; REPAYMENT.] The money so advanced shall be used by the sanitary sewer board to carry out its powers and duties to provide for the collection, treatment and disposal of sewage in the Dover, Eyota and St. Charles area sanitary sewer district. The board shall include all expenditures made or to be made from the moneys advanced under section 1 in its 1973 and 1974 budget. All moneys so advanced shall be repaid by the board to the (STATE AUDITOR) *commissioner of finance* on or before January 1, (1975) 1976, with interest from the date of the advance to the date of repayment at the rate of six percent per annum, for deposit in the general fund.

Sec. 29. Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7, is amended to read:

Subd. 7. [APPROPRIATION.] There is annually appropriated to the (COMMISSIONER OF ADMINISTRATION) *personnel board* from the general fund \$10,000 per fiscal year to carry out the functions of the (COMPENSATION REVIEW)

personnel board (UNDER THE PROVISIONS OF SECTION 9). Funds not expended in the first year of a biennium shall not cancel but shall be available in the second year of the biennium. *This appropriation shall expire June 30, 1975.*

Sec. 30. Minnesota Statutes, 1973 Supplement, Section 176.601, is repealed.

Sec. 31. Minnesota Statutes 1971, Chapter 176, is amended by adding a section to read:

[176.602] *The state treasurer shall only pay from the state compensation revolving fund the awards of compensation and the expenses of other benefits to an employee or his dependent.*

Sec. 32. Minnesota Statutes 1971, Chapter 176, is amended by adding a section to read:

[176.603] *The annual cost to the commissioner of the department of labor and industry of administering this chapter in relation to state employees and the necessary expenses which the department of labor and industry or the attorney general incurs in investigating and defending a claim against the state for compensation shall be paid from the moneys biennially appropriated to the department and not from the state compensation revolving fund.*

Sec. 33. There is appropriated to the commissioner of labor and industry from the general fund for fiscal year 1974-75 the sum of \$80,000 for administration of the program financed by the state compensation revolving fund. The complement of the department of labor and industry is increased by 17 positions.

Sec. 34. Minnesota Statutes 1971, Chapter 3, is amended by adding a section to read:

[3.98] [FISCAL NOTES.] *Subdivision 1. The head or chief administrative officer of each department or agency of the state government shall prepare a fiscal note at the request of the chairman of the standing committee to which a bill has been referred, or the chairman of the house appropriations committee, or the chairman of the senate committee on finance.*

Subd. 2. The fiscal note, where possible, shall: (1) cite the effect in dollar amounts; (2) cite the statutory provisions affected; (3) estimate the increase or decrease in revenues or expenditures; (4) include the costs which may be absorbed without additional funds; and (5) specify the long range implication if any. The fiscal note may comment on technical or mechanical defects in the bill but shall express no opinions concerning the merits of the proposal.

Subd. 3. A copy of the fiscal note shall be delivered to the chairman of the committee of appropriations of the house of representatives, the chairman of the committee of finance of the senate, the chairman of the standing committee to which the bill has been referred, to the chief author of the bill and the commissioner of administration.

Subd. 4. The commissioner of administration shall prescribe a uniform procedure to govern the departments and agencies of the state in complying with the requirements of this section.

Sec. 35. Minnesota Statutes, 1973 Supplement, Section 15A.083, is amended by adding a subdivision to read:

Subd. 4. Tax court

Salaries of members of the tax court \$10,500

Sec. 36. Minnesota Statutes 1971, Section 271.01, Subdivision 4a, is amended to read:

Subd. 4a. Each member of the tax court shall receive (AS FULL) compensation for time spent in the performance of his duties(, THE SUM OF \$9,000 PER YEAR). He shall also receive his actual and necessary expenses paid or incurred in the performance of his duties as provided in Minnesota Statutes, 1973 Supplement, Section 15A.211.

Sec. 37. There is appropriated from the general fund to the tax court for the period beginning April 1, 1974 and ending June 30, 1975, the sum of \$5,625. This sum is to be added to the appropriation provided in Laws 1973, Chapter 720, Section 12, Subdivision 1.

Sec. 38. The appropriation made in Laws 1973, Chapter 620, Section 7 shall not cancel on June 30, 1974, but shall be available for expenditure until June 30, 1975.

Sec. 39. The sum of \$440,000 is appropriated from the general fund to the department of administration for the purpose of preventive maintenance in the capitol complex. This appropriation shall be for the biennium ending June 30, 1975.

Sec. 40. The sum of \$110,000 is appropriated from the general fund to the department of administration for the purchase of fuel for the capitol complex. This appropriation shall be added to the appropriation for the period ending June 30, 1974 made in Laws 1973, Chapter 720, Section 20, Subdivision 1.

Sec. 41. The sum of \$200,000 is appropriated from the general fund to the department of finance for the fiscal year ending June 30, 1974 to complete the implementation of the statewide accounting system.

Sec. 42. Minnesota Statutes 1971, Section 16.07, is amended by adding a subdivision to read:

Subd. 15. In recognition of the state's current energy crisis, the commissioner of administration, until July 1, 1977, and with the approval of the executive council, may annually establish by regulation categories of supplies, materials, equipment or services which may be purchased in the open market, provided that the commissioner shall first conduct investigations and certify to the executive council that he cannot obtain competitive bids therefor. Regulations promulgated pursuant to this act shall not be subject to the administrative procedure act. The executive council may withdraw its approval of any such category or commodity therein at any time and thereupon purchases thereof shall be made in the manner otherwise provided by law.

Sec. 43. Minnesota Statutes, 1973 Supplement, Section 16.15, Subdivision 1, is amended to read:

16.15 Subdivision 1. [WHEN TO BE SUBMITTED.] The governor shall, within three weeks after the first Monday in January in each odd-numbered year, submit the budget to the legislature. *It shall include recommendations as to capital expenditure.* The budget shall include two parts.

Sec. 44. [16.874] After July 30, 1974, the Fort Snelling Chapel, located within the boundaries of Fort Snelling State Park, shall not be available for use except upon the payment of a rental fee. The commissioner of administration shall establish rental fees for both public and private use. The rental fee for private use by any organizations or individual shall reflect the reasonable value of equivalent rental space. Rental fees collected pursuant to this section shall be deposited in the general fund.

Sec. 45. [PUBLIC POLICY.] Subdivision 1. The legislature of the state of Minnesota hereby declares that it is an important purpose and function of state government to preserve the people's appreciation of the heritage of the state and to promote and enrich their knowledge and understanding of the government and political tradition of the state; and that there is an urgent need to further these goals by: supporting research; developing resource materials and workshops for public and nonpublic high school students, college interns, and teachers; and utilizing the unique talents and experience of the members of the legislative, executive and judicial branches of the state government.

Subd. 2. [MINNESOTA HISTORY AND GOVERNMENT LEARNING CENTER.] (a) There is hereby established a Minnesota history and government learning center.

(b) The center shall be co-sponsored by the Minnesota historical society, the Minnesota state college board and the Minnesota state board of education.

(c) The headquarters of the center shall be the Minnesota historical society.

(d) The director of the Minnesota historical society shall appoint the administrator of the center after consultation with the executive council of the Minnesota historical society, the chancellor of the state college board and the commissioner of education.

(e) High school and college students selected for workshops sponsored by the center shall be apportioned evenly among the legislative districts of the state.

Subd. 3. [APPROPRIATION.] There is hereby appropriated to the Minnesota historical society the sum of \$50,000 from the general fund to carry out the purposes of this section.

Sec. 46. Notwithstanding the provisions of Laws 1973, Chapter 718, Section 10 or any other law to the contrary, the commissioner of highways is authorized to acquire by gift, purchase or condemnation proceeding a building and land at Wells, Minnesota to be used for field maintenance. Moneys for the purchases shall come from the appropriation made in section 10 of the before mentioned laws.

Sec. 47. Notwithstanding any other law to the contrary, the commissioner of administration shall, effective July 1, 1974 or as soon thereafter as practicable, charge state employees for any parking facilities which are used by them and furnished for their use pursuant to any lease entered into between the state of Minnesota and the lessor of any privately owned property situated in the seven county metropolitan area.

Sec. 48. There is appropriated to the state planning agency from the general fund the sum of \$246,000 for the biennium ending June 30, 1975. This amount is to be added to the appropriation made in Laws 1973, Chapter 342, Section 9, for the operation of the environmental quality council.

Sec. 49. There is appropriated to the commissioner of agriculture from the general fund the sum of \$30,000 for the fiscal year ending June 30, 1974 and \$30,000 for the fiscal year ending June 30, 1975 for the purpose of paying rent. These amounts are to be added to the appropriations made in Laws 1973, Chapter 720, Section 33.

Sec. 50. There is appropriated to the traffic safety contingent account from the trunk highway fund the sum of \$250,000 for the biennium ending June 30, 1975. This amount is to be

added to the appropriation made in Laws 1973, Chapter 720, Section 2, Subdivision 14.

Sec. 51. There is appropriated to the commissioner of highways from the trunk highway fund the sum of \$235,000. This amount is to be added to the appropriation made in Laws 1973, Chapter 718, Section 10, for buildings and improvements.

Sec. 52. Laws 1973, Chapter 720, Section 31, Subdivision 2, is amended to read:

Subd. 2. Advertising and publications.

1974 \$300,000. 1975 \$300,000.

Not more than \$15,000 each year may be expended *through contract or by state employees* for promotional expense.

Sec. 53. There is appropriated to the criminal justice contingent account from the general fund the sum of \$133,068 for the biennium ending June 30, 1975. This amount is to be added to the appropriation made in Laws 1973, Chapter 720, Section 2.

Sec. 54. There is appropriated from the general fund to the university of Minnesota the sum \$403,935 for maintenance and operations for the fiscal year ending June 30, 1974 and \$125,000 for general research for the fiscal year ending June 30, 1975. These appropriations are in addition to those made by Laws 1973, Chapter 768, Sections 4, Subdivision 1; and 11, Subdivision 6, respectively.

Sec. 55. All powers, duties, and responsibilities of the state auditor with respect to state bonds, except those conferred by the constitution, have been transferred to the commissioner of finance as successor to the state auditor by Laws 1973, Chapter 492. Whenever in any law adopted by the 68th legislature any such powers, duties, or responsibilities are stated to be conferred or imposed upon the state auditor, they shall be deemed to be conferred and imposed upon the commissioner of finance.

Sec. 56. Notwithstanding any provision of law to the contrary, the commissioner of administration shall not approve any contract for cleaning or food services in or for state buildings until June 30, 1975 which will result in the layoff or termination of employees in the classified service.

Sec. 57. Subdivision 1. The director of the state planning agency shall conduct or cause to be conducted within state government studies of the transportation of grain: (1) from northwestern Minnesota to Duluth, Minnesota and (2) from Minneapolis to the gulf of Mexico region. The studies shall examine the feasibility and advantages or disadvantages of all possible meth-

ods of transportation including barge transportation on the Mississippi river of such grain. The director shall report to the legislature the results of his study no later than December 31, 1974.

Subd. 2. [APPROPRIATION.] The sum of \$25,000 is appropriated from the general fund to the state planning agency for the biennium ending June 30, 1975 for the purposes of this act.

Sec. 58. Minnesota Statutes 1971, Section 268.071, is amended by adding a subdivision to read:

Subd. 7. If the Federal-State Extended Unemployment Compensation Act of 1970 is amended so as to authorize this state to pay benefits for an extended benefit period in a manner other than that currently provided by this section, then, and in such case, all the terms and conditions contained in the amended provisions of such federal law shall become a part of this section to the extent necessary to authorize the payment of benefits to eligible individuals as permitted under such amended provision.

Sec. 59. In order to reimburse the city of Staples for the loss of gross earnings aids for the year 1973 as a result of the use of an inadequate valuation formula, the sum of \$12,730 is appropriated to the city of Staples from the general fund in the state treasury.

Sec. 60. Minnesota Statutes 1971, Section 145.123, Subdivision 1, is amended to read:

145.123 [PUBLIC HEALTH AND HOME HEALTH SERVICES.] Subdivision 1. [CHARGING OF FEES.] The county board of any county providing public health and home health services under Minnesota Statutes, Sections 145.08 and 145.12, and the governing body of a nursing district formed under section 145.08, subdivision 3, may charge and collect fees for such health services furnished to (ILL OR DISABLED) persons within the county or the nursing district. Payment, in whole or in part, for such services may be accepted from any person. Payment of any charges due may be billed to and accepted either from a local, county, state or federal public assistance agency or any combination thereof; or from any individual, governmental agency, or corporation, public or private, when such services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief.

Sec. 61. The state department of corrections, upon the request of the Reverend Francis J. Miller Memorial Foundation, Incorporated, is empowered and directed to return to said foundation the unexpended balance of moneys heretofore given to the state as a gift by said foundation for the purpose of constructing a memorial chapel at the Minnesota state prison, Still-

water, Minnesota. Such moneys as are necessary to carry out the provisions of this section are hereby appropriated to the state department of corrections.

Sec. 62. The appropriation contained in Laws 1973, Chapter 778, Section 6, Subdivision 1, Clause (9) may also be expended by the commissioner of administration to remodel and improve the state owned property located at 671 North Robert Street, St. Paul, Minnesota.

Sec. 63. Minnesota Statutes, 1973 Supplement, Section 1.36, Subdivision 1, is amended to read:

1.36 [COMPENSATION AND REIMBURSEMENT FOR EXPENSES.] Subdivision 1. Members of the commission (AND MEMBERS OF THE ADVISORY COMMITTEE) shall serve without compensation, but the actual and necessary expenses incurred by any member thereof in the performance of his duties shall be reimbursed from the appropriations made for the support of the commission by the state of Minnesota.

Sec. 64. [WORTHINGTON; CITY OF; APPROPRIATION FOR SPECIAL ASSESSMENTS.] The sum of \$2,088.74 is appropriated from the general fund to the city of Worthington to pay special assessments levied against Worthington community college for street improvements on streets abutting its property.

Sec. 65. The sum of \$200,000 is appropriated from the general fund to the governor for the purpose of distributing to the Minnesota American revolution bicentennial commission to match federal funds to be given to the commission by the national bicentennial commission, for the biennium ending June 30, 1975.

Sec. 66. Subdivision 1. [SHADE TREE DISEASE CONTROL.] As used in subdivisions 1 to 12 the terms defined in this subdivision shall have the meanings given them.

(a) "Metropolitan area" means the area comprising the counties of Hennepin, Ramsey, Anoka, Dakota, Washington, Scott and Carver. (b) "Commissioner" means the commissioner of agriculture. (c) "Municipality" means any city or any town exercising municipal powers pursuant to Minnesota Statutes, Section 368.01, or any general or special law, located in the metropolitan area or any special park district as organized under Minnesota Statutes, Chapter 398, or any special purpose park district organized under the city charter of a city of the first class located in the metropolitan area, or any portion of a county in such metropolitan area located outside the geographic boundaries of a city or town exercising municipal powers and any municipality located outside the metropolitan area which petitions

to and has consent of the commissioner to come within the provisions of this section.

(d) "Shade tree disease" means Dutch elm disease or oak wilt disease.

Subd. 2. [COMMISSIONER TO ADOPT RULES.] The commissioner shall adopt and from time to time may amend, rules and regulations relating to shade tree disease control in the metropolitan area in accordance with Minnesota Statutes, Sections 15.0411 to 15.0422. Such rules and regulations shall prescribe control measures to be used to prevent the spread of shade tree diseases and shall include the following: (a) a definition of shade tree, (b) qualifications for tree inspectors, (c) methods of identifying diseased shade trees, (d) procedures for giving reasonable notice of inspection of private real property, (e) measures for the treatment and removal of any shade tree which may contribute to the spread of shade tree disease, and (f) such other matters as shall be determined to be necessary by the commissioner to prevent the spread of shade tree disease and enforce the provisions of this section. In accordance with the rules and regulations adopted by the commissioner, and reasonable notice of inspection having been given to the owner of the real property, diseased shade trees shall be removed or treated by the owner of the real property on which such diseased shade trees are located within a period of time as may be established by the commissioner. In the case of the expense of removing or treating diseased shade trees located on street terraces or boulevards, not more than 50 percent of such expense may be assessed to the abutting properties by the municipality which expense shall become a lien on the property. Trees which are not removed or treated shall be declared a public nuisance and removed by the municipality which may assess the total expense or any part thereof to the property which expense shall become a lien on the property.

Subd. 3. The rules and regulations of the commissioner shall apply in a municipality unless the municipality adopts an ordinance which is determined by the commissioner to be more stringent than the rules and regulations of the commissioner. The rules and regulations of the commissioner or the more stringent ordinance of the municipality shall be in effect 60 days from the effective date of this section.

Subd. 4. (a) A municipality may provide subsidies to private property owners for the treatment or removal of diseased shade trees provided, however, that the cost to the municipality for providing such subsidies shall be within the limitations set forth in Minnesota Statutes, 1973 Supplement, Sections 275.50 to 275.56.

(b) Notwithstanding any law to the contrary, an owner of property on which shade trees are located may contract with a

municipality to provide protection against the cost of treatment or removal of diseased shade trees or shade trees that will contribute to the spread of shade tree diseases. Under such contracts, the municipality shall pay for the removal or treatment under such terms and conditions as may be determined by the governing body of the municipality.

Subd. 5. (a) [TREE INSPECTOR.] Within 75 days from the effective date of this act, the governing body of each municipality shall appoint a qualified person to administer the rules and regulations of the commissioner or the more stringent shade tree disease control ordinance who shall be known as the tree inspector. In accordance with the provisions of Minnesota Statutes, 1973 Supplement, Section 471.59, two or more municipalities may jointly appoint a tree inspector for the purpose of administering the regulations or ordinance within their communities. In those municipalities which have not appointed a tree inspector upon the expiration of 75 days from the effective date of this section, the commissioner may appoint a tree inspector to serve the municipality until the municipality has made an appointment. If the commissioner is unable to make such appointment he may assign a qualified employee of the department of agriculture to perform the duties of the tree inspector. The expense of a tree inspector appointed by the commissioner shall be paid by the municipality. If an employee of the department of agriculture performs such duties the expense shall be billed to the municipality and paid into the state treasury and credited to the general fund.

(b) Upon a determination by the commissioner that a candidate for the position of the inspector is qualified, he shall issue a certificate to the tree inspector that he is so qualified. Any person certified as a tree inspector by the commissioner is authorized upon prior notification to enter and inspect any public or private property which might harbor diseased shade trees.

(c) [DECERTIFICATION.] The commissioner may upon notice and hearing, decertify any tree inspector when it appears to him that said tree inspector has failed to act competently or in the public interest in the performance of his duties. Such notice shall be provided and the hearing conducted in accordance with the provisions of Minnesota Statutes, Chapter 15, governing contested case proceedings. Nothing in this clause shall limit or otherwise affect the authority of a municipality to dismiss or suspend a tree inspector at its discretion; except as otherwise provided by law.

Subd. 6. [TAX LEVIES.] Except as provided in subdivision 4, the costs to a municipality implementing this act including removal or treatment of trees from municipally or privately owned property shall be deemed a "special levy" and may be outside all existing tax levy limitations including those contained in Minnesota Statutes, 1973 Supplement, Sections 275.50 to 275.56.

Subd. 7. [FINANCING.] (a) A municipality may collect the amount assessed against the property as a special assessment and may issue obligations as provided in Minnesota Statutes, 1973 Supplement, Section 429.101, Subdivision 1, provided that a municipality as its option make any assessment levied payable with interest in installments not to exceed five years from the date of the assessment.

(b) After a contract for the removal or treatment of trees on private property has been let, or the work commenced, the municipality may issue obligations to defray the expense of any such work financed by special assessments imposed upon private property. Minnesota Statutes, Section 429.091 shall apply to such obligations with the following modifications:

(1) Such obligations shall be payable not more than five years from the date of issuance; and

(2) No election shall be required.

Obligations issued under the provisions of this clause shall not be considered bonded indebtedness for the purposes of Minnesota Statutes, 1973 Supplement, Sections 273.13, Subdivisions 6 and 7. The certificates shall not be included in the net debt of the issuing municipality.

Subd. 8. [DEPOSIT OF PROCEEDS IN SEPARATE FUND.] The proceeds of any tax levied, assessments and interest collected, or any certificates of indebtedness issued under subdivisions 6 and 7 shall be deposited in the municipal treasury in a separate fund and expended only for the purposes authorized by this section.

Subd. 9. [DIAGNOSTIC LABORATORY.] The commissioner of agriculture shall operate a diagnostic laboratory for culturing diseased trees for positive identification of diseased shade trees.

Subd. 10. [COOPERATION BY UNIVERSITY.] The university of Minnesota college of agriculture shall cooperate with the department of agriculture in control of shade tree disease. The college of agriculture shall also conduct research into means for identifying diseased shade trees, shall develop and evaluate control measures, shall develop means for disposing of and utilizing diseased shade trees.

Subd. 11. [REPORT TO THE LEGISLATURE.] On or before January 31 of each succeeding year, the commissioner shall report to the legislature on the preceding year's plans and control programs which have been implemented for shade tree diseases in the metropolitan area.

Subd. 12. [APPROPRIATION.] There is appropriated to the regents of the university of Minnesota the sum of \$35,000 and to the commissioner of agriculture the sum of \$65,000 for the fiscal year ending June 30, 1975, from the general fund, for the purposes of this section.

Subd. 13. The provisions of Minnesota Statutes, Sections 18.021 to 18.022, which are inconsistent with this act are hereby superseded for any municipality as defined in subdivision 1, clause (c), of this section.

Sec. 67. The restriction imposed by Laws 1971, Chapter 864, Section 3, to the appropriation made to the Minneapolis library board by Laws 1973, Chapter 720, Section 43, Subdivision 2, Clause (j), is hereby rescinded. The appropriation referred to however shall not be used to collect or catalogue unpublished personal papers or manuscripts or records or other material properly in the scope of the duties of the Minnesota historical society or subject to the laws on archives.

Sec. 68. [ADVISORY COMMISSION ON FLUCTUATING SCHOOL ENROLLMENTS; CREATION.] Subdivision 1. There is hereby created an advisory commission to the legislature and the state board of education which shall be known as the advisory commission on fluctuating school enrollments, hereinafter referred to as the commission.

Subd. 2. (a) [MEMBERSHIP.] The commission shall be composed of 11 members to be appointed by the governor with the advice and consent of the senate, and shall consist of:

(1) One certified elementary or secondary education school teacher;

(2) One certified special education school teacher;

(3) One elementary or secondary school administrator;

(4) One superintendent of schools;

(5) One representative of the Minnesota state high school league;

(6) One current member of a school board; and

(7) Five public members, two of whom shall have demonstrated expertise in the field of school finance.

No two commission members shall reside in the same school district.

(b) [EX OFFICIO MEMBERS.] One designee of the chairman of the senate committee on education, one designee of the chairman of the house of representatives committee on education and one designee of the state board shall serve as non-voting members of the commission.

(c) [TERMS.] All members shall serve a term of three years; however, every member shall continue in office until his successor has been duly named and qualified. When a vacancy occurs, it shall be filled within 30 days in the manner of the original appointment and all subsequent appointees must be qualified in the manner of the members they succeed.

(d) [COMPENSATION; EXPENSES.] Commission members shall be paid compensation of \$35 per day for each day spent in performance of their duties, plus ordinary and necessary expenses in the same amount and manner as state employees.

(e) [EXPIRATION.] Unless specifically renewed by the legislature, the authorization for this commission shall expire on June 30, 1977.

Subd. 3. [POWERS AND DUTIES OF THE COMMISSION.]

(a) The commission shall meet and organize within 30 days of its appointment. It shall elect from its membership a chairman and such other officers as it deems necessary.

(b) The commission shall examine, by whatever means it deems appropriate, the impact of fluctuating school enrollments and their consequential effect on the quality and cost of education.

(c) The commission shall make any investigations and conduct any hearings necessary to accomplish its purposes.

(d) The commission may employ such professional, clerical, and technical assistants as it deems necessary in order to accomplish its purposes.

(e) In carrying out its objectives, the commission shall have the right to confer with state officials and other governmental units, and to have access to such records as are necessary to obtain needed information. The commission shall also have the right to call upon and receive from various state departments, agencies, and institutions such technical advice and service as are reasonably needed to fulfill the purposes of the commission.

(f) Before January 15, 1976, the commission shall present to the legislature and the state board its preliminary findings and recommendations regarding incentives for additional coop-

eration among school districts, the optimal size of regional units of cooperation and appropriate teacher-pupil ratios. The commission shall present its final report to the legislature and the state board before January 15, 1977.

(g) Recommendations of the commission shall be given to all school boards and school districts at the time they are presented to the legislature and the state board.

Subd. 4. The provisions of Minnesota Statutes, Section 363.01, Subdivision 10, shall not apply to separation, based on sex, of athletic programs of educational institutions. This section shall expire July 1, 1975.

Subd. 5. There is hereby appropriated from the general fund the sum of \$30,000 for use by the commission to carry out the purposes of this section. This appropriation shall be available until expended or until the purposes of this section are completed.

Subd. 6. Subdivisions 1 to 5 shall be effective on June 1, 1974.

Sec. 69. Minnesota Statutes 1971, Chapter 3, is amended by adding a section to read:

[3.965] [COMMITTEE TO REVIEW ADMINISTRATIVE RULES.] *Subdivision 1. [COMPOSITION; MEETINGS.] A legislative joint committee for review of administrative rules defined pursuant to sections 15.0411 to 15.0422, consisting of five senators appointed by the committee on committees of the senate and five representatives appointed by the speaker of the house of representatives shall be appointed. The committee shall meet at the call of its chairman or upon a call signed by two of its members or signed by five members of the legislature. The joint committee chairmanship shall alternate between the two houses of the legislature every two years.*

Subd. 2. [REVIEW OF RULES BY COMMITTEE.] The committee shall promote adequate and proper rules by agencies and an understanding upon the part of the public respecting them. It may hold public hearings to investigate complaints with respect to rules if it considers the complaints meritorious and worthy of attention and may, on the basis of the testimony received at the public hearings, suspend any rule complained of by the affirmative vote of at least six members provided the provisions of subdivision 4 have been met. If any rule is suspended, the committee shall as soon as possible place before the legislature, at the next year's session, a bill to repeal the suspended rule. If the bill is defeated, or fails of enactment in that year's session, the rule shall stand and the committee may not suspend it again. If the bill becomes law, the rule is repealed and shall not be enacted again unless a law specifically authorizes the adoption of that rule. The committee shall make a biennial report to the leg-

islature and governor of its activities and include therein its recommendations.

Subd. 3. [PUBLIC HEARINGS BY STATE DEPARTMENTS.] By a vote of a majority of its members, the committee may request any department issuing rules to hold a public hearing in respect to recommendations made pursuant to subdivision 2. The department shall give notice as provided in section 15.0412, subdivision 4 of a hearing thereon, to be conducted in accordance with section 15.0412. The hearing shall be held not more than 60 days after receipt of the request.

Subd. 4. [REVIEW BY STANDING COMMITTEES.] Before the committee suspends any rule, it shall request the speaker of the house and the president of the senate to refer the question of suspension of the given rule or rules to the appropriate committee or committees of the respective houses for the committees' recommendation. No suspension shall take effect until the recommendation is received, or 60 days after referral. However, the recommendation shall be advisory only.

Sec. 70. The city of Hanska may acquire, by purchase, gift, condemnation or otherwise, any real or personal property for the purpose of providing educational facilities to be leased to independent school districts Numbers 88, 837, and 840, or any combination thereof. The city council of the city of Hanska may provide for the acquisition of the property and for the construction, furnishing, and equipping of any buildings thereon in such manner and upon such terms and conditions as it deems appropriate. The city council may issue general obligation bonds of the city for the acquisition and betterment of any such property in accordance with Minnesota Statutes, Chapter 475; provided that, if the school districts agree to pay rentals to the city at the times and in the amounts required to provide funds sufficient to pay when due all principal and interest on the bonds, the bonds shall not be included in the net debt of the city for the purpose of any limitation on its indebtedness and except as otherwise provided herein an election shall not be required to authorize their issuance. The resolution of the city determining to issue the bonds shall be published in the official newspaper. If within 15 days after publication a petition asking for an election on the proposition signed by voters equal to ten percent of the number of voters at the last regular city election is filed with the city clerk, the bonds shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election. Any such agreement shall provide for payment of the required rentals by the school districts at least annually and the share of each district shall be based upon an equitable distribution formula agreed upon by the participating districts and approved by the commissioner of education.

Sec. 71. The sum of \$32,500 is appropriated from the general fund to the department of highways for the fiscal year end-

ing June 30, 1974 to partially reimburse the department for costs incurred in the implementation of the metropolitan car pooling program.

This appropriation is to be added to the appropriation made in Laws 1973, Chapter 718, Section 8 for the fiscal year ending June 30, 1974.

Sec. 72. Laws 1973, Chapter 380, Sections 6, 7, 10, 11, and 12; Laws 1973, Chapter 556, Section 1; and Laws 1973, Chapter 717, Sections 22 and 24, are repealed.

Sec. 73. Except as may be otherwise provided for herein, this act is in effect the day following its final enactment.”.

Further, strike the title in its entirety and insert in lieu thereof:

“A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; creating an advisory commission on school enrollments; establishing a joint legislative committee; establishing a shade tree disease control program; authorizing the issuance of certain local bonds; the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the preparation of fiscal notes; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 145.123, Subdivision 1; 176.611, by adding a subdivision; 268.071, by adding a subdivision; 271.01, Subdivision 4a; Chapters 3, by adding sections; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 1.36, Subdivision 1; 15A.083, by adding a subdivision; 16.15, Subdivision 1; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapter 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601; Laws 1973, Chapters 380, Sections 6, 7, 10, 11, and 12; 556, Section 1; and 717, Sections 22 and 24.”.

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

Senate Conferees: JEROME M. HUGHES, GERALD L. WILLET, RICHARD W. FITZSIMONS, J. A. JOSEFSON, and JACK DAVIES.

House Conferees: FRED C. NORTON, NEIL S. HAUGERUD, GORDON O. VOSS, DELBERT F. ANDERSON, and RICHARD A. ANDERSEN.

Norton moved that the report of the Conference Committee on S. F. No. 3580 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 94, and nays 29, as follows:

Those who voted in the affirmative were:

Adams, J.	Eckstein	Jude	Moe	Sarna
Andersen, R.	Eken	Kelly	Munger	Schulz
Anderson, D.	Enebo	Klaus	Nelson	Searle
Anderson, G.	Erdahl	Knickerbocker	Newcome	Sherwood
Becklin	Erickson	Laidig	Niehaus	Sieben, M.
Belisle	Esau	Larson	Norton	Skaar
Bennett	Faricy	LaVoy	Ojala	Smith
Biersdorf	Forsythe	Lemke	Parish	Stanton
Braun	Fudro	Lindstrom, E.	Patton	Swanson
Brinkman	Fugina	Lindstrom, J.	Pavlak, R. L.	Tomlinson
Carlson, A.	Graba	Mann	Pehler	Vanasek
Carlson, B.	Hagedorn	McArthur	Peterson	Vento
Carlson, L.	Hanson	McCarron	Quirin	Voss
Casserly	Haugerud	McCauley	Resner	Wenzel
Connors	Heinitz	McEachern	Rice	Wigley
Culhane	Jacobs	McFarlin	Ryan	Wohlwend
Cummiskey	Johnson, D.	McMillan	St. Onge	Wolcott
DeGroat	Johnson, J.	Miller, D.	Salchert	Mr. Speaker
Dirlam	Johnson, R.	Miller, M.	Samuelson	

Those who voted in the negative were:

Anderson, I.	Ferderer	Jopp	Lombardi	Pleasant
Bell	Fjoslien	Kahn	Menke	Prahl
Berg	Graw	Kempe	Myrah	Savelkoul
Berglin	Grove	Knoll	Ohnstad	Schreiber
Clifford	Hook	Kostohryz	Pavlak, R.	Sieben, H.
Dieterich	Jaros	Kvam	Pieper	

The motion prevailed.

S. F. No. 3580, A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapters 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

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 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Clifford Kempe Pleasant

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

UNANIMOUS CONSENT

Anderson, I., and Dirlam requested unanimous consent to introduce a resolution. The request was granted.

Anderson, I., and Dirlam introduced House Concurrent Resolution No. 15 and moved its adoption.

SUSPENSION OF RULES

Anderson, I., and Dirlam moved that the rules of the House be so far suspended that House Concurrent Resolution No. 15 be now considered and placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION NO. 15

A house concurrent resolution relating to the delivery of bills to the governor after final adjournment.

Be It Resolved, by the House of Representatives, the Senate concurring, that on adjournment sine die of the 68th regular

session of the Legislature, bills shall be presented to the Governor in conformity with the provisions of this resolution and as follows:

(a) That the Speaker of the House of Representatives, the Chief Clerk of the House of Representatives, the President of the Senate, and the Secretary of the Senate shall certify and sign each bill in the same manner and upon the same certification as each bill is signed for presentation to the Governor prior to adjournment sine die, and each of those officers shall continue in his designated capacity during the three days following the date of final adjournment;

(b) That the Chief Clerk of the House of Representatives and the Secretary of the Senate in accordance with the rules of the respective bodies and under the supervision and direction of the standing Committee on Rules and Legislative Administration and the standing Committee on Rules and Administration shall carefully engross and enroll each bill and make delivery thereof to the Governor in the same manner as each bill is engrossed and enrolled and delivered to the Governor prior to the adjournment of the Legislature sine die;

(c) That the Revisor of Statutes shall continue to assist in all of the functions relating to the engrossment and enrollment of bills of the House of Representatives and of the Senate under the supervision of the Chief Clerk of the House of Representatives and the Secretary of the Senate in the same manner that his assistance was rendered prior to the adjournment of the Legislature sine die;

(d) That this concurrent resolution is enacted in accordance with the requirements of the Constitution, Article IV, Section 11; and

Be It Further Resolved, that the Chief Clerk of the House of Representatives deliver a copy of this Resolution to the Governor, and the Secretary of State.

The question was taken on the adoption of the resolution, and the resolution was adopted.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 862

March 28, 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. 862, report

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

That the Senate recede from its amendments, and that H. F. No. 862 be further amended as follows:

Page 2, after line 5, insert: "*Farm trailers with a gross weight of less than 10,000 pounds and used exclusively for transporting agricultural products from farm to market shall not be required to be equipped with brakes.*".

Page 4, line 21, delete "*vehicles exempted by section 169.43*" and insert in lieu thereof "*trucks with gate, loading rack or partition carried in any manner on any part of the exterior of the truck where the top and bottom of the gate, loading rack or partition is securely attached to the truck so as to prevent swinging or becoming loose, or to trucks with a tail gate or tail-board hanging down or projecting from the vehicle while the vehicle is being loaded or unloaded when the load on the tail-board renders impossible the closing of the tail-board*".

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

House Conferees: JAMES PEHLER, GORDON O. VOSS, and GARY W. LAIDIG.

Senate Conferees: ROBERT D. NORTH, FLORIAN CHMIELEWSKI, and JOHN L. OLSON.

Pehler moved that the report of the Conference Committee on H. F. No. 862 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 862, A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80, Subdivision 3; 169.85; and Chapter 169, by adding a section.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 54, and nays 65, as follows:

Those who voted in the affirmative were:

Andersen, R.	Brinkman	Clifford	Heinitz	Knickerbocker
Bell	Carlson, A.	Cummiskey	Jacobs	Knoll
Bennett	Carlson, B.	Dieterich	Jaros	Kostohryz
Berg	Carlson, L.	Enebo	Johnson, D.	Laidig
Berglin	Cassery	Fugina	Kahn	LaVoy

Mann	Miller, D.	Ojala	Quirin	Swanson
McArthur	Moe	Parish	Resner	Tomlinson
McCarron	Munger	Patton	Rice	Vento
McCauley	Nelson	Paviak, R.	Salchert	Voss
McFarlin	Newcome	Pehler	Sieben, H.	Mr. Speaker
McMillan	Norton	Pleasant	Sieben, M.	

Those who voted in the negative were:

Adams, J.	Eken	Haugerud	Lombardi	Savelkoul
Anderson, D.	Erdahl	Hook	McEachern	Schreiber
Anderson, G.	Erickson	Johnson, J.	Miller, M.	Schulz
Anderson, I.	Esau	Jopp	Mueller	Searle
Becklin	Faricy	Jude	Myrah	Sherwood
Belisle	Ferderer	Kelly	Niehaus	Smith
Biersdorf	Fjoslien	Kempe	Ohnstad	Spanish
Braun	Fudro	Klaus	Peterson	Stanton
Carlson, D.	Graba	Kvam	Pieper	Vanasek
Culhane	Graw	Larson	Prahl	Wenzel
DeGroat	Growe	Lemke	St. Onge	Wigley
Dirlam	Hagedorn	Lindstrom, E.	Samuelson	Wohlwend
Eckstein	Hanson	Lindstrom, J.	Sarna	Wolcott

The bill was not repassed, as amended by Conference.

MOTION FOR RECONSIDERATION

Anderson, I., moved that the vote whereby H. F. No. 862 was not passed today, as amended by Conference, be now reconsidered. The motion prevailed.

Pehler moved that the action whereby the House adopted the Conference Committee Report on H. F. No. 862 be now reconsidered. The motion prevailed.

Pehler moved that the present House Conference Committee on H. F. No. 862 be continued, and that the bill be returned to the Conference Committee. The motion prevailed.

MESSAGES FROM THE SENATE, Continued

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. 3334, A bill for an act relating to taxation; providing for the assessment of certain attached machinery and equipment; amending Minnesota Statutes, 1973 Supplement, Sections 272.02, Subdivision 1; 272.03, Subdivision 1; and 273.13, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brinkman moved that the House concur in the Senate amendments to H. F. No. 3334 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3334, A bill for an act relating to taxation; providing for the assessment of certain attached machinery and equipment; amending Minnesota Statutes, 1973 Supplement, Sections 272.02, Subdivision 1; 272.03, Subdivision 1; and 273.13, Subdivision 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 121, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, 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. 1728, A bill for an act relating to garnishment, state employees; amending Minnesota Statutes 1971, Section 571.46.

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. 1728

March 27, 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. 1728, 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. 1728 be amended as follows:

Page 1, before line 6, insert:

"Section 1. Minnesota Statutes 1971, Chapter 550, is amended by adding a section to read:

[550.041] [EXECUTION OF SMALL MONEY JUDGMENTS ON DEBTS.] *When a judgment creditor proposes to make execution on a judgment debt of not more than \$2,500 from money owed to the judgment debtor by a third party, the execution may be made by the attorney for the judgment creditor or sheriff through a registered or certified letter to the third party containing the information prescribed by section 550.14. Upon receipt, the third party shall remit as much of the amount due under section 550.04 as his own debt equals to the sheriff or attorney who shall proceed in all other respects like the sheriff making a similar execution. The attorney shall be allowed no costs from any party other than the judgment creditor for execution in accordance with this section."*

Page 1, line 13, strike "commissioner".

Page 1, line 13, strike "or other".

Page 1, line 15, strike "commissioner, or other".

Page 1, line 21, strike "commissioner" and insert in lieu "head of the department or agency".

Renumber the remaining section.

Further, amend the title, line 2, after "employees;" insert "and executions;"

In line 3, after "1971," insert "Chapter 550, by adding a section; and".

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

Senate Conferees: JACK DAVIES, JAMES LORD, and HOWARD A. KNUTSON.

House Conferees: RAY W. FARICY, WILLIAM R. OJALA, and ROBERT W. JOHNSON.

Faricy moved that the report of the Conference Committee on S. F. No. 1728 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1728, A bill for an act relating to garnishment, state employees; amending Minnesota Statutes 1971, Section 571.46.

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

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

Those who voted in the affirmative were:

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

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

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2866

March 27, 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. 2866, report that we have agreed upon the items in dispute and recommend as follows:

That the House accedes to the Senate amendments and that H. F. No. 2866 be further amended as follows:

On page 2 of the Senate amendment proposed by Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs and adopted by the Senate, line 14, delete "15/100" and insert "10/100" and on the same page, line 24, delete "45/100" and insert "20/100".

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

House Conferees: BRUCE F. VENTO, NEIL B. DIETERICH, and ROBERT L. PAVLAK.

Senate Conferees: ROBERT D. NORTH, NICHOLAS D. COLEMAN, and JOSEPH T. O'NEILL.

Vento moved that the report of the Conference Committee on H. F. No. 2866 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 adoption of the report and the roll being called, there were yeas 55, and nays 67, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Jude	Moe	Resner
Andersen, R.	Eckstein	Knoll	Munger	Rice
Anderson, G.	Enebo	Kostohryz	Nelson	Ryan
Anderson, I.	Ferderer	LaVoy	Norton	St. Onge
Bennett	Fudro	Lemke	Ojala	Samuelson
Berglin	Fugina	Mann	Parish	Sarna
Brinkman	Growe	McCarron	Patton	Sieben, M.
Carlson, B.	Hanson	McEachern	Pavlak, R. L.	Stanton
Casserly	Jacobs	McMillan	Pehler	Tomlinson
Cummiskey	Jaros	Menke	Prahl	Vento
Dahl	Johnson, D.	Miller, D.	Quirin	Wenzel

Those who voted in the negative were:

Anderson, D.	Dirlam	Johnson, R.	Miller, M.	Sieben, H.
Becklin	Eken	Jopp	Mueller	Skaar
Belisle	Erdahl	Kelly	Myrah	Smith
Bell	Erickson	Kempe	Newcome	Spanish
Berg	Esau	Klaus	Niehaus	Swanson
Biersdorf	Faricy	Knickerbocker	Ohnstad	Vanasek
Braun	Fjoslien	Kvam	Pavlak, R.	Voss
Carlson, A.	Forsythe	Laidig	Peterson	Wigley
Carlson, D.	Graba	Larson	Pieper	Wohlwend
Carlson, L.	Graw	Lindstrom, E.	Pleasant	Wolcott
Clifford	Hagedorn	Lindstrom, J.	Savelkoul	Mr. Speaker
Connors	Heinitz	Lombardi	Schreiber	
Culhane	Hook	McArthur	Schulz	
DeGroat	Johnson, J.	McFarlin	Sherwood	

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

Vento moved that the present House Conference Committee on H. F. No. 2866 be continued, and that the bill be returned to the Conference Committee. The motion prevailed.

MESSAGES FROM THE SENATE, Continued

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. 2918, A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Carlson, B., moved that the House concur in the Senate amendments to H. F. No. 2918 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2918, A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

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

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

Those who voted in the affirmative were:

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

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

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 530

March 28, 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. 530, report that we have agreed upon the items in dispute and recommend as follows:

That the House accedes to the Senate amendments.

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

House Conferees: BRUCE F. VENTO and WILLARD M. MUNGER.

Senate Conferees: JOHN C. CHENOWETH, ROGER HANSON, and NORBERT ARNOLD.

Vento moved that the report of the Conference Committee on H. F. No. 530 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 69, and nays 54, as follows:

Those who voted in the affirmative were:

Adams, J.	Enebo	Kahn	Munger	Sarna
Andersen, R.	Faricy	Kelly	Norton	Searle
Bell	Ferderer	Kempe	Parish	Sherwood
Bennett	Forsythe	Knickerbocker	Patton	Sieben, H.
Berg	Graba	Knoll	Pavlak, R.	Sieben, M.
Berglin	Growe	Kostohryz	Pavlak, R. L.	Stanton
Carlson, A.	Hanson	LaVoy	Pehler	Swanson
Carlson, L.	Haugerud	McArthur	Peterson	Tomlinson
Casserly	Heinitz	McCarron	Pleasant	Vanasek
Clifford	Jacobs	McEachern	Quirin	Vento
Connors	Jaros	McMillan	Resner	Voss
Cummiskey	Johnson, J.	Menke	Rice	Wolcott
Dahl	Johnson, R.	Miller, D.	Ryan	Mr. Speaker
Dieterich	Jude	Moe	St. Onge	

Those who voted in the negative were:

Anderson, D.	Eckstein	Johnson, D.	McCauley	Savelkoul
Anderson, G.	Eken	Jopp	McFarlin	Schreiber
Anderson, I.	Erdahl	Klaus	Miller, M.	Schulz
Becklin	Erickson	Kvam	Mueller	Skaar
Belisle	Esau	Laidig	Myrah	Smith
Biersdorf	Fjoslien	Larson	Newcome	Spanish
Braun	Fudro	Lemke	Niehaus	Weaver
Carlson, B.	Fugina	Lindstrom, E.	Ohnstad	Wenzel
Carlson, D.	Graw	Lindstrom, J.	Pieper	Wigley
DeGroat	Hagedorn	Lombardi	Prahl	Wohlwend
Dirlam	Hook	Mann	Samuelson	

The motion prevailed.

H. F. No. 530, A bill for an act relating to wild animals; designating timber wolves as big game animals and prescribing powers and duties of the commissioner of natural resources in relation thereto; amending Minnesota Statutes 1971, Section 97.40, Subdivision 8; 98.46, Subdivisions 2, 4 and 14; 99.25, Subdivision 7; 100.26, Subdivision 1; 100.27, Subdivision 9; and 100.29, Subdivision 14.

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 82, and nays 42, as follows:

Those who voted in the affirmative were:

Adams, J.	Dirlam	Kelly	Nelson	Sarna
Andersen, R.	Enebo	Kempe	Newcome	Savelkoul
Becklin	Faricy	Knickerbocker	Norton	Searle
Belisle	Ferderer	Knoll	Parish	Sherwood
Bell	Forsythe	Kostohryz	Patton	Sieben, H.
Bennett	Graba	Laidig	Pavlak, R.	Sieben, M.
Berg	Graw	LaVoy	Pavlak, R. L.	Stanton
Berglin	Grove	Lindstrom, E.	Pehler	Swanson
Brinkman	Hanson	Lombardi	Peterson	Tomlinson
Carlson, A.	Haugerud	McArthur	Pieper	Vanasek
Carlson, L.	Heinitz	McCarron	Pleasant	Vento
Casserly	Jacobs	McEachern	Quirin	Voss
Clifford	Jaros	McMillan	Resner	Wolcott
Connors	Johnson, J.	Menke	Rice	Mr. Speaker
Cummiskey	Johnson, R.	Miller, D.	Ryan	
Dahl	Jude	Moe	St. Onge	
Dieterich	Kahn	Munger	Salchert	

Those who voted in the negative were:

Anderson, D.	Eken	Jopp	Myrah	Smith
Anderson, G.	Erdahl	Klaus	Niehaus	Spanish
Anderson, I.	Erickson	Kvam	Ohnstad	Weaver
Biersdorf	Esau	Larson	Ojala	Wenzel
Braun	Fjoslien	Lemke	Prahl	Wigley
Carlson, B.	Fugina	Lindstrom, J.	Samuelson	Wohlwend
Carlson, D.	Hagedorn	Mann	Schreiber	
Culhane	Hook	McFarlin	Schulz	
DeGroat	Johnson, D.	Miller, M.	Skaar	

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

UNANIMOUS CONSENT

Faricy, Newcome, Berg, and Weaver requested unanimous consent to introduce a resolution. The request was granted.

Faricy, Newcome, Berg, and Weaver introduced House Resolution No. 40 and moved its adoption.

HOUSE RESOLUTION NO. 40

A house resolution relating to Gentle Neil Haugerud.

Whereas, Gentle Neil Haugerud has of sound mind and body been the defender of the non-lawyers against the onslaught of the trained animals of the legal world;

And Whereas, Gentle Neil has through perserverence, a keen mind, a light heart, and a heavy hand become the champion of the oppressed;

And Whereas, Gentle Neil has tirelessly labored to free the common mind from the legal jibberish that so baffles and befuddles us:

Now Therefore, Be It Resolved: That Gentle Neil be dispensed from his agrarian duties for one day each year in order that he may share his earthy legal approach with hundreds, yea, thousands of eager law students.

Be It Further Resolved That: On April 1st of each year Gentle Neil be commissioned to lecture at the University of Minnesota Law School on the subject, "Everything You Always Wanted to Know About Probate Reform But Were Afraid to Ask Your Lawyer."

The question was taken on the adoption of the resolution, and the resolution was adopted.

MESSAGES FROM THE SENATE, Continued

Mr. Speaker:

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

H. F. No. 1123, A bill for an act relating to insurance; non-resident insurance agents; requiring a license to do business; amending Minnesota Statutes 1971, Section 60A.17, Subdivision 3.

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. 3470, A bill for an act relating to Special School District No. 1; partially restoring employees salary and retirement benefits withheld under law.

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. 3507, A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2996, A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education to a current funding basis; granting certain powers to school districts and the state board of education; establishing early childhood identification and education pilot programs and a transitional year procedure; school district contracts; educational assessment; appropriating money; amending Laws 1969, Chapter 775, Section 4, Subdivision 3; amending Minnesota Statutes 1971, Chapter 121, by adding a section; Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.223; 124.30, Subdivisions 2; and 275.125, Subdivisions 2a and 3; repealing Minnesota Statutes 1971, Section 124.13.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3707, A bill for an act relating to taxation; imposing certain credits on taxes measured by net income; eliminating the tax on oleomargarine; providing for stumpage values in computing certain taxes; providing for omitted taxes on iron ores; imposing an income tax on certain corporations; establishing the means for valuing certain real property and property owned by certain disabled persons; imposing taxes on certain tobacco products; providing for taconite taxes; and waiving the collection of credits or refunds of certain taxes; amending Minnesota Statutes 1971, Sections 33.10, Subdivision 1, and by adding a subdivision; 270.35; 270.38, Subdivision 5; 273.02, by adding subdivisions; 290.02; 290.06, by adding a subdivision; 290.086, by adding a subdivision; 297.31, Subdivision 2; 297.32, Subdivisions 1 and 2; 297A.251; 298.03; and Minnesota Statutes, 1973 Supplement, Sections 273.11, Subdivision 2; and 273.13, Subdivision 7.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1810, A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 951, A bill for an act relating to ethics in government; regulating lobbyists, public officials and candidates; conflicts of interest and the financing of elections; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 210.20; Chapter 211, by adding a section; 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 2349, A bill for an act relating to intoxicating liquor; authorizing the issuance of an additional license in Virginia and eliminating the prohibition of the sale of liquor in certain places; amending Minnesota Statutes, 1973 Supplement, Section 340.14, Subdivision 3.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate 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. 3310, A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending

Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 8, 9, 10, and by adding a subdivision; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

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 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. 2338, A bill for an act relating to motor vehicle regulations; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Hanson moved that the House concur in the Senate amendments to H. F. No. 2338 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2338, A bill for an act relating to motor vehicle noise regulations; making it a petty misdemeanor to operate a motor vehicle in violation of noise regulations adopted by the pollution control agency; amending Minnesota Statutes 1971, Chapter 169, by adding a section; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

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 95, and nays 18, as follows:

Those who voted in the affirmative were:

Adams, J.	Carlson, A.	Faricy	Jaros	Kostohryz
Andersen, R.	Carlson, B.	Ferderer	Johnson, D.	Laidig
Anderson, I.	Carlson, L.	Forsythe	Johnson, J.	LaVoy
Becklin	Casserly	Fudro	Johnson, R.	Lindstrom, E.
Belisle	Connors	Fugina	Jopp	Lombardi
Bell	Culhane	Graw	Jude	McArthur
Bennett	Cummiskey	Grove	Kahn	McCauley
Berg	Dahl	Hanson	Kelly	McFarlin
Berglin	Dieterich	Haugerud	Kempe	McMillan
Biersdorf	Eken	Hook	Knickerbocker	Menke
Brinkman	Enebo	Jacobs	Knoll	Miller, D.

Miller, M.	Pavlak, R.	Resner	Schreiber	Tomlinson
Moe	Pavlak, R. L.	Rice	Schulz	Vento
Munger	Pehler	Ryan	Sherwood	Voss
Nelson	Peterson	St. Onge	Sieben, H.	Weaver
Norton	Pieper	Salchert	Sieben, M.	Wenzel
Ojala	Pleasant	Samuelson	Smith	Wohlwend
Parish	Prahl	Sarna	Stanton	Wolcott
Patton	Quirin	Savelkoul	Swanson	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Eckstein	Fjoslien	Myrah	Skaar
Anderson, G.	Erdahl	Hagedorn	Niehaus	Wigley
DeGroat	Erickson	Klaus	Ohnstad	
Dirlam	Esau	Kvam	Searle	

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. 47, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1; providing the majority necessary to pass constitutional amendments.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vento moved that the House concur in the Senate amendments to H. F. No. 47 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 47, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1, or Article IX, Section 1 of the proposed revised constitution; providing the majority necessary to pass constitutional amendments.

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 93, and nays 28, as follows:

Those who voted in the affirmative were:

Adams, J.	Bell	Biersdorf	Carlson, L.	Culhane
Andersen, R.	Bennett	Braun	Casserly	Cummiskey
Anderson, I.	Berg	Brinkman	Clifford	Dahl
Belisle	Berglin	Carlson, A.	Connors	DeGroat

Dieterich	Johnson, D.	McCauley	Pavlak, R.	Sieben, H.
Dirlam	Johnson, J.	McEachern	Pehler	Sieben, M.
Eckstein	Jopp	McFarlin	Peterson	Smith
Eken	Jude	McMillan	Pieper	Spanish
Enebo	Kahn	Menke	Prahl	Stanton
Ferderer	Kelly	Miller, D.	Quirin	Swanson
Forsythe	Knickerbocker	Miller, M.	Resner	Tomlinson
Fudro	Knoll	Moe	Rice	Vento
Fugina	Kostohryz	Munger	Ryan	Voss
Graba	Laidig	Nelson	St. Onge	Weaver
Growe	LaVoy	Newcome	Salchert	Wenzel
Haugerud	Lemke	Norton	Samuelson	Wohlwend
Heinitz	Lindstrom, E.	Ojala	Sarna	Mr. Speaker
Jacobs	Mann	Parish	Schulz	
Jaros	McCarron	Patton	Sherwood	

Those who voted in the negative were:

Anderson, D.	Faricy	Johnson, R.	Myrah	Schreiber
Anderson, G.	Fjoslien	Kempe	Niehaus	Searle
Becklin	Graw	Klaus	Ohnstad	Skaar
Erdahl	Hagedorn	Kvam	Pavlak, R. L.	Wigley
Erickson	Hanson	Larson	Pleasant	
Esau	Hook	Lombardi	Savelkoul	

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. 3054, A bill for an act relating to education; providing for free admission to age 18 and authorizing local boards of education to provide free admission for those between the ages of 18 and 21 years; amending Minnesota Statutes 1971, Sections 120.06, Subdivision 1; 120.08, Subdivision 1; 120.095, Subdivision 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. 3054 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3054, A bill for an act relating to education; providing that the conduct of all students under 21 years of age attending a public secondary school shall be governed by a single set of reasonable rules and regulations promulgated by the local board of education; amending Minnesota Statutes 1971, Section 120.06, Subdivision 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 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin Cummiskey Kahn

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. 3335, A bill for an act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Brinkman moved that the House concur in the Senate amendments to H. F. No. 3335 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3335, A bill for an act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

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

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. 1991, A bill for an act relating to county or municipal hospitals; permitting the use of certified public accountants to audit and examine their books in lieu of the public examiner.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson, D., moved that the House concur in the Senate amendments to H. F. No. 1991 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1991, A bill for an act relating to county or municipal hospitals; permitting the use of certified public accountants to audit and examine their books in lieu of the public examiner.

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

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. 1634, A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and

4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Dieterich moved that the House concur in the Senate amendments to H. F. No. 1634 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1634, A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and 4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

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 128, and nays 0, as follows:

Those who voted in the affirmative were:

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

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.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3090, A bill for an act relating to local government; requiring a city to meet jointly with a town board and county planning commission before extending certain municipal services into the area governed by the town.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 974, A bill for an act relating to public health; authorizing the state board of health to prescribe fees for permits, licenses, registrations and certifications issued by it; amending Minnesota Statutes 1971, Sections 144.169, Subdivision 1; 144.53; 144.60; 144.61; 144.802; 149.02; 149.03; 149.04; 149.08; 156A.03, Subdivision 2; 156A.07, Subdivisions 1 and 3; 157.03; 326.42; 326.60, Subdivision 3; 326.62; 327.15; 327.16, Subdivisions 1, 2 and 3; and Chapter 144, by adding a section.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 3512, A bill for an act relating to the metropolitan airports commission; purposes; jurisdiction; definitions; membership and organization; taxing powers; land acquisition;

amending Minnesota Statutes 1971, Sections 360.101; 360.102, Subdivisions 2, 3, 4, 5, 9, and by adding a subdivision; 360.103, Subdivisions 1 and 2; 360.104, Subdivisions 1, 2, 3, 4, and by adding a subdivision; 360.105, Subdivision 4, and by adding a subdivision; 360.106, Subdivision 5; 360.107, Subdivisions 2, 15, and 17; 360.108, Subdivision 5; 360.109, Subdivision 1, and by adding subdivisions; 360.111; 360.113, Subdivision 1; 360.114, Subdivisions 1, 2, and 3; 360.116; 360.124, by adding a subdivision; and Chapter 360, by adding a section; repealing Minnesota Statutes 1971, Sections 360.104, Subdivisions 5 and 6; 360.105, Subdivisions 2 and 3; and 360.113, Subdivisions 2, 3, and 5; 360.119.

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. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; amending Minnesota Statutes 1971, Sections 15.61; 15A.083 by adding a subdivision; and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.081, Subdivision 1; 43.06; 43.09, Subdivision 6; 43.128; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Quirin moved that the House concur in the Senate amendments to H. F. No. 2785 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2785, A bill for an act relating to the operation of state government; revising statutory provisions concerning salary setting authority for unclassified positions in the executive branch by realigning portions of Chapters 15A and 43; defining certain terms; providing for the appointment of certain classified employees; amending Minnesota Statutes 1971, Sections 15.61;

and 43.01, by adding subdivisions; Chapter 43 by adding sections; Minnesota Statutes, 1973 Supplement, Sections 43.06; 43.09, Subdivision 6; 43.128; 43.20, by adding a subdivision; and 43.324; repealing Minnesota Statutes, 1973 Supplement, Sections 15A.021, 15A.031, 15A.041, 15A.081, Subdivisions 2 and 3; 15A.084, 15A.085 and 43.02; and Minnesota Statutes 1971, Section 15A.14.

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 113, and nays 0, as follows:

Those who voted in the affirmative were:

Andersen, R.	Dirlam	Johnson, R.	Miller, D.	Salchert
Anderson, D.	Eckstein	Jude	Miller, M.	Sarna
Anderson, G.	Eken	Kahn	Moe	Savelkoul
Anderson, I.	Enebo	Kelly	Munger	Schreiber
Becklin	Erdahl	Klaus	Myrah	Schulz
Belisle	Erickson	Knickerbocker	Nelson	Sherwood
Bell	Esau	Knoll	Newcome	Sieben, H.
Bennett	Faricy	Kostohryz	Niehaus	Sieben, M.
Berg	Ferderer	Kvam	Norton	Skaar
Berglin	Fjoslien	Laidig	Ohnstad	Smith
Biersdorf	Forsythe	Larson	Ojala	Spanish
Braun	Fudro	LaVoy	Parish	Stanton
Carlson, A.	Fugina	Lemke	Patton	Swanson
Carlson, B.	Graba	Lindstrom, E.	Pavlak, R.	Tomlinson
Carlson, D.	Graw	Lindstrom, J.	Pavlak, R. L.	Vanasek
Carlson, L.	Growe	Lombardi	Pehler	Vento
Casslerly	Hagedorn	Mann	Peterson	Voss
Connors	Hanson	McArthur	Pieper	Weaver
Culhane	Heinitz	McCarron	Prahl	Wenzel
Cummiskey	Hook	McCauley	Quirin	Wohlwend
Dahl	Jacobs	McFarlin	Resner	Mr. Speaker
DeGroat	Johnson, D.	McMillan	Rice	
Dieterich	Johnson, J.	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. 3400, A bill for an act relating to retirement; the Minnesota state retirement system; legislators retirement; and highway patrolmen retirement; amending Minnesota Statutes 1971, Chapter 3A, by adding a section; 352B, by adding sections; Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 352.03, Subdivision

4; 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; 352.93, Subdivision 1; and 352D.02, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 3400 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3400, A bill for an act relating to retirement; the Minnesota state retirement system; legislators retirement; highway patrolmen retirement; regulating severance pay; deferred compensation for political subdivision employees; building authorization for the public employees retirement association; appropriating money; increasing compensation for members of the legislature; and the firemen's relief association in the city of Columbia Heights; membership of certain fire personnel in the public employees police and fire fund; amending Minnesota Statutes 1971, Chapter 3A, by adding a section; 352B, by adding sections; Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11, and by adding a subdivision; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; Chapter 352, by adding a section and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 16.027, Subdivision 8; 352.03, Subdivision 4; 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; 352.93, Subdivision 1; 352D.02, Subdivisions 1 and 3; and 465.72; and Extra Session Laws 1971, Chapter 32, Section 22, Subdivision 1; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

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 30, and nays 89, as follows:

Those who voted in the affirmative were:

Andersen, R.	Carlson, A.	LaVoy	Ojala	St. Onge
Anderson, I.	Casserty	McMillan	Parish	Salchert
Bell	Cummiskey	Moe	Patton	Searle
Berg	Fudro	Mueller	Quirin	Smith
Berglin	Fugina	Nelson	Resnier	Voss
Braun	Kahn	Norton	Rice	Mr. Speaker

Those who voted in the negative were:

Anderson, D.	Eken	Johnson, D.	McArthur	Ryan
Anderson, G.	Enebo	Johnson, J.	McEachern	Samuelson
Becklin	Erdahl	Johnson, R.	McFarlin	Sarna
Belisle	Erickson	Jude	Menke	Savelkoul
Bennett	Esau	Kelly	Miller, D.	Schreiber
Biersdorf	Faricy	Kempe	Miller, M.	Schulz
Brinkman	Ferderer	Klaus	Munger	Sherwood
Carlson, B.	Fjoslien	Knickerbocker	Myrah	Sieben, H.
Carlson, D.	Forsythe	Knoll	Newcome	Sieben, M.
Carlson, L.	Graba	Kostohryz	Niehaus	Skaar
Clifford	Graw	Kvam	Ohnstad	Spanish
Connors	Growe	Laidig	Pavlak, R.	Stanton
Culhane	Hagedorn	Larson	Pavlak, R. L.	Tomlinson
Dahl	Hanson	Lemke	Pehler	Vanasek
DeGroat	Heinitz	Lindstrom, E.	Peterson	Vento
Dieterich	Hook	Lindstrom, J.	Pieper	Wenzel
Dirlam	Jacobs	Lombardi	Pleasant	Wigley
Eckstein	Jaros	Mann	Prahl	

The bill was not repassed, as amended by 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. 3347, A bill for an act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fugina moved that the House concur in the Senate amendments to H. F. No. 3347 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3347, A bill for an act relating to education; providing for biennial reports on the percentages of men, women and racial minorities in professional programs.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 77, and nays 32, as follows:

Those who voted in the affirmative were:

Adams, J.	Dieterich	Kempe	Nelson	Schulz
Andersen, R.	Eckstein	Knickerbocker	Norton	Sieben, H.
Anderson, I.	Faricy	Knoll	Ojala	Sieben, M.
Bell	Federer	Kostohryz	Parish	Spanish
Bennett	Fudro	Kvam	Patton	Stanton
Berg	Fugina	Laidig	Pavlak, R.	Swanson
Berglin	Graba	LaVoy	Pavlak, R. L.	Tomlinson
Biersdorf	Growe	Lemke	Pehler	Vanasek
Braun	Hanson	Lindstrom, E.	Peterson	Vento
Brinkman	Hook	McArthur	Prahl	Voss
Carlson, A.	Jacobs	McFarlin	Quirin	Wigley
Carlson, B.	Jaros	McMillan	Resner	Wohlwend
Carlson, L.	Johnson, D.	Menke	Rice	Mr. Speaker
Cassery	Johnson, J.	Miller, D.	St. Onge	
Culhane	Kahn	Moe	Salchert	
Dahl	Kelly	Munger	Samuelson	

Those who voted in the negative were:

Anderson, D.	Eken	Graw	McEachern	Schreiber
Anderson, G.	Enebo	Hagedorn	Miller, M.	Skaar
Becklin	Erdahl	Johnson, R.	Niehaus	Wenzel
Belisle	Erickson	Jude	Ohnstad	Wolcott
Carlson, D.	Esau	Larson	Pieper	
Connors	Fjoslien	Mann	Pleasant	
DeGroat	Forsythe	McCauley	Savelkoul	

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. 3368, A bill for an act relating to veterans; rewards and privileges; preference; removal; requiring a veteran to request in writing a hearing on removal; amending Minnesota Statutes 1971, Section 197.46.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, M., moved that the House concur in the Senate amendments to H. F. No. 3368 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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 116, and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

DeGroat Ohnstad

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

MOTION FOR RECONSIDERATION

Samuelson moved that the vote whereby H. F. No. 3400 was not passed today, as amended by the Senate, be now reconsidered. The motion prevailed.

H. F. No. 3400, A bill for an act relating to retirement; the Minnesota state retirement system; legislators retirement; highway patrolmen retirement; regulating severance pay; deferred compensation for political subdivision employees; building authorization for the public employees retirement association; appropriating money; increasing compensation for members of the legislature; and the firemen's relief association in the city of Columbia Heights; membership of certain fire personnel in the public employees police and fire fund; amending Minnesota Statutes 1971, Chapter 3A, by adding a section; 352B, by adding sections; Sections 352.01, Subdivision 17; 352.03, Subdivision

11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11, and by adding a subdivision; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; Chapter 352, by adding a section and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 16.027, Subdivision 8; 352.03, Subdivision 4; 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; 352.93, Subdivision 1; 352D.02, Subdivisions 1 and 3; and 465.72; and Extra Session Laws 1971, Chapter 32, Section 22, Subdivision 1; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

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 69, and nays 54, as follows:

Those who voted in the affirmative were:

Adams, J.	Connors	Kahn	Newcome	Sarna
Andersen, R.	Cummiskey	Kelly	Norton	Searle
Anderson, I.	Dieterich	Knickerbocker	Ojala	Sieben, H.
Bell	Dirlam	Knoll	Parish	Smith
Bennett	Enebo	LaVoy	Patton	Swanson
Berg	Faricy	McCarron	Pavlak, R.	Tomlinson
Berglin	Fudro	McCauley	Pavlak, R. L.	Vanasek
Biersdorf	Fugina	McMillan	Quirin	Vento
Braun	Growe	Menke	Resner	Voss
Brinkman	Haugerud	Miller, D.	Rice	Wenzel
Carlson, A.	Jacobs	Moe	Ryan	Wohlwend
Carlson, B.	Jaros	Mueller	St. Onge	Wolcott
Carlson, L.	Johnson, D.	Munger	Salchert	Mr. Speaker
Casserly	Johnson, R.	Nelson	Samuelson	

Those who voted in the negative were:

Anderson, D.	Erdahl	Johnson, J.	Mann	Pleasant
Anderson, G.	Erickson	Jude	McArthur	Prahl
Becklin	Esau	Klaus	McEachern	Savelkoul
Belisle	Ferderer	Kostohryz	McFarlin	Schreiber
Carlson, D.	Fjoslien	Kvam	Miller, M.	Schulz
Clifford	Graba	Laidig	Myrah	Sherwood
Culhane	Graw	Larson	Niehaus	Sieben, M.
Dahl	Hagedorn	Lemke	Ohnstad	Skaar
DeGroat	Hanson	Lindstrom, E.	Pehler	Spanish
Eckstein	Heinitz	Lindstrom, J.	Peterson	Wigley
Eken	Hook	Lombardi	Pieper	

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

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

HOUSE CONCURRENT RESOLUTION NO. 15

A Concurrent Resolution relating to the delivery of bills to the governor after final adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 530, A bill for an act relating to wild animals; providing for the management of threatened and endangered species of wild animals and prescribing powers and duties of the commissioner of natural resources in relation thereto; providing a penalty; amending Minnesota Statutes 1971, Sections 97.488; 98.46, Subdivision 14; 99.25, Subdivision 7; 100.26, Subdivision 1; and 100.29, Subdivision 14.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

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. 3163

March 28, 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. 3163, re-

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

That the House recede from its amendment.

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

Senate Conferees: ROBERT D. NORTH, EDWARD G. NOVAK, and BILL MCCUTCHEON.

House Conferees: WALTER R. HANSON, TONY BENNETT, and RAY W. FARICY.

Hanson moved that the report of the Conference Committee on S. F. No. 3163 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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 101, and nays 18, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson, D.	Erdahl	Klaus	Myrah	Sherwood
Becklin	Ericson	Kvam	Ohnstad	Skaar
Carlson, D.	Esau	Larson	Savelkoul	
DeGroat	Fjoslien	McEachern	Searle	

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

ADJOURNMENT

Mr. Anderson, I., moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, March 29, 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., Friday, March 29, 1974.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

