

STATE OF MINNESOTA
SIXTY-NINTH SESSION - 1975

TWENTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 31, 1975

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Voss
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Cassery	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Meier	Schumacher	Speaker Sabo
DeGroat	Jopp	Menning	Searle	
Dieterich	Jude	Moe	Setzepfandt	
Doty	Kahn	Munger	Sherwood	

A quorum was present.

Adams, S., and Metzen were excused.

The Chief Clerk proceeded to read the Journals of the preceding days. On the motion of Vanasek the further readings were dispensed with and the Journals were approved as corrected.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 176, 209, 599, 601, 648, 399, 618, 709, 899, 923, 980, 241, 264, 600, 666, 777, 389, 1049, 900, 69, 197, 412, 794, 981, 486 and 1 and S. F. No. 669 have been placed in the members' files.

S. F. No. 669 and H. F. No. 728, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that S. F. No. 669 on page 1, line 19, following "Range 23" contains a comma, whereas H. F. No. 728 does not.

SUSPENSION OF RULES

Anderson, I., moved that the rules be so far suspended that S. F. No. 669 be substituted for H. F. No. 728 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 226 and H. F. No. 204, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 204 contains the following language after page 3, line 8:

"Sec. 2. Minnesota Statutes 1974, Section 268.15, Subdivision 3, is amended to read:

Subd. 3. [CONTINGENT ACCOUNT.] *There is hereby created in the state treasury a special account, to be known as the employment services contingent account, which shall not lapse nor revert to any other fund. Such account shall consist of all moneys appropriated therefor by the legislature, all moneys in the form of interest and penalties collected pursuant to section 268.16 (SHALL BE PAID INTO THE GENERAL FUND) and all moneys received in the form of voluntary contributions to this account and interest thereon. All moneys in such account shall be supplemental to all federal moneys that would be available to the commissioner but for the existence of this account. Monies in this account are hereby appropriated to the commissioner and shall be expended in accordance with the provisions of Minnesota Statutes, Section 3.30, in connection with the administration of Minnesota Statutes, Sections 268.03 to 268.24. Whenever the commissioner expends moneys from said contingent account for the proper and efficient administration of the Minnesota employment services law for which funds have not yet been made available by the federal government, such moneys so withdrawn from the contingent account shall be replaced as hereinafter provided. Upon the deposit in the employment services administration fund of moneys which are received in reimbursement of payments made as above provided for said contingent account, the commissioner shall certify to the state treasurer the amount of such reimbursement and thereupon the state treasurer shall transfer such amount from the employment services administration fund to said contingent account. All*

moneys in this account shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as is provided by law for the other special accounts in the state treasury. The state treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the employment services contingent account provided for herein. Notwithstanding anything to the contrary contained here, on June 30 of each year all amounts in excess of \$300,000 in this account shall be paid over to the unemployment compensation fund established under section 268.05 and administered in accordance with the provisions set forth therein.

Sec. 3. Minnesota Statutes 1974, Section 268.16, Subdivision 1, is amended to read:

268.16 [COLLECTION OF CONTRIBUTIONS.] Subdivision 1. [INTEREST ON PAST DUE CONTRIBUTIONS.] If contributions are not paid on the date on which they are due and payable, as prescribed by the commissioner, the whole or part thereafter remaining unpaid shall bear interest at the rate of one percent per month from and after such date until the first day of the calendar month during which payment is made to the department of employment services; provided, however, that during the first month of delinquency interest shall be computed on the basis of one-thirtieth of one percent per month for each and every day of such delinquency. After any contribution has become delinquent for a period of 12 months thereafter interest thereon shall be computed at the rate of six percent per annum. Contributions, if mailed, shall be deemed to have been paid on the date of mailing as indicated by the postmark on the cover thereof; provided, however, that after January 1, 1949, contributions received by mail postmarked on a day following the date on which the law requires such contributions to be paid shall be deemed to have been paid on the due date if there is substantial evidence by affidavit or otherwise reasonably tending to prove that said report or contribution was actually deposited in the United States mails properly addressed to the department with postage prepaid thereon on or before the due date. *Interest collected pursuant to this subdivision shall be paid into the contingent account.*

Sec. 4. Minnesota Statutes 1974, Section 268.16, Subdivision 2, is amended to read:

Subd. 2. [FAILURE TO MAKE REPORT.] (1) [PENALTIES.] Any employer who knowingly fails to make and submit to the department of employment services any report of wages paid by or due from him for insured work in the manner and at the time such report is required by regulations prescribed by the commissioner shall pay to the department of employment services *for the contingent account* an amount equal to one percent of contributions accrued during the period for which such report is required, for each month from and after such date until such report is properly made and submitted to the

department of employment services. In no case shall the amount of the penalty imposed hereby be less than \$5 except that in cases where the contribution is less than \$10 and the commissioner finds that the employer does not habitually fail to report on time the penalty shall be \$1. Any employing unit which fails to make and submit to the commissioner any report, other than one of wages paid or payable for insured work, as and when required by the regulations of the commissioner, shall be subject to a penalty in the sum of \$10 payable to the department of employment services *for the contingent account*. All such penalties shall be in addition to interest and any other penalties provided for by sections 268.03 to 268.24 and shall be collected by civil action as hereinafter provided.

(2) [ASSESSMENT MAY BE MADE.] If any employing unit required by sections 268.03 to 268.24 to make and submit contribution reports shall fail to do so within the time prescribed by these sections or by regulations under the authority thereof, or shall make, wilfully or otherwise, an incorrect, false or fraudulent contribution report, he shall, on the written demand of the commissioner make such contribution report, or corrected report, within ten days after the mailing of such written demand and at the same time pay the whole contribution, or additional contribution, due on the basis thereof. If such employer shall fail within that time to make such report, or corrected report, the commissioner shall make for him a report, or corrected report, from his own knowledge and from such information as he can obtain through testimony, or otherwise, and assess a contribution on the basis thereof, which contribution, plus penalties and interest which thereafter accrued (less any payments theretofore made) shall be paid within ten days after the commissioner has mailed to such employer a written notice of the amount thereof and demand for its payment. Any such contribution report or assessment made by the commissioner on account of the failure of the employer to make a report or corrected report shall be prima facie correct and valid, and the employer shall have the burden of establishing its incorrectness or invalidity in any action or proceeding in respect thereto. Whenever such delinquent employer shall file a report or corrected report, the commissioner may, if he finds it substantially correct, substitute it for the commissioner's report. If any employer has failed to submit any report of wages paid, or has filed an incorrect report, and the commissioner finds that such noncompliance with the terms of sections 268.03 to 268.24 was not wilful and that such employer was free from fraudulent intent, the commissioner shall limit the charge against such employer to the period of the year in which such condition has been found to exist and for the preceding calendar year.

Sec. 5. *There is hereby appropriated from the moneys credited and which may hereafter be credited to this state's account in the federal unemployment trust fund by the secretary of the treasury of the United States of America pursuant to the provisions of Public Law 567, Chapter 657, entitled the Employment*

Security Administrative Financing Act of 1954, as amended, the sum of \$250,000 for the purpose of funding the contingent account herein established and the accomplishment of the purposes set forth therein. Subject to the provisions of section 903 (c) (2) of said act, the commissioner of employment services may requisition moneys appropriated by this act and upon receipt shall deposit such moneys in the state treasury to the credit of the employment services contingent account. The money appropriated herein shall be deemed to have been obligated upon the final enactment of this act. The commissioner of employment services may enter into any agreement for and in behalf of the state of Minnesota with the United States of America or any department or agency thereof pursuant to any federal law or rule or regulation promulgated thereunder governing or relating to the availability and use of the funds contemplated by this act and upon such terms and conditions as may be prescribed by the United States of America or any department or agency thereof, notwithstanding the provisions of any state law to the contrary or inconsistent therewith.

Sec. 6. *This act is effective the day following its final enactment.*"

Whereas S. F. No. 226 does not contain this language.

The title of H. F. No. 204 reads as follows:

"A bill for an act relating to employment services; unemployment compensation; administrative expense; re-establishing the contingent account, providing for its funding; appropriating Reed Act federal moneys; amending Minnesota Statutes 1974, Sections 268.05, Subdivision 5; 268.15, Subdivision 3; and 268.16, Subdivisions 1 and 2."

Whereas the title of S. F. No. 226 reads as follows:

"A bill for an act relating to employment services; unemployment compensation; administrative expense; amending Minnesota Statutes 1974, Section 268.05, Subdivision 5."

SUSPENSION OF RULES

Beauchamp moved that the rules be so far suspended that S. F. No. 226 be substituted for H. F. No. 204 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: 1975 Legislative Report of the Minnesota Council on Quality Education, Program of Grants for Early Childhood and Family Education submitted by the Minnesota Council on

Quality Education and Report of the Minnesota State Board of Medical Examiners.

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 28, 1975

The Honorable Martin Sabo
Speaker of the House

Sir:

I have the honor to inform you that I received, approved, signed and deposited in the office of the Secretary of State the following House Files:

H. F. No. 7, An act relating to interim claims against the state; appropriating monies for the payment thereof.

H. F. No. 418, An act relating to the city of Hastings; authorizing the conveyance of certain land previously authorized by law to be conveyed to the city; providing the sale price thereof.

Sincerely,

WENDELL R. ANDERSON
Governor

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

H. F. No. 274, A bill for an act relating to agriculture; restrictions upon farming by corporations; amending Minnesota Statutes 1974, Section 500.24.

Reported the same back with the following amendments:

Page 1, line 13, after "for or" add "reasonably".

Page 4, line 25, delete "one year" and insert "three years".

Page 4, line 27, delete "one" and insert "three".

Page 4, line 29, strike "ten" and insert "three".

Page 4, line 32, after "corporation." insert new subdivisions reading as follows:

"(j) Agricultural land totaling no more than 2,700 acres acquired by a corporation after the effective date of Laws 1973, Chapter 427, for the purpose of replacing or expanding asparagus growing operations, provided that such corporation has first established 2,000 acres in asparagus production.

(k) Agricultural land and land capable of being used for farming owned or leased by a corporation as of the effective date of this act and previously exempted from the restrictions of subdivision 2 by Laws 1973, Chapter 427, Section 1, Subdivision 2 (b) or (e), including the normal expansion of such ownership or leasehold at a rate not to exceed 20 percent of the amount of land owned or leased as of the effective date of this act, measured in acres, in any five year period, and including additional land reasonably necessary to meet the requirements of pollution control regulations.

(l) Agricultural land acquired by a corporation regulated under the provisions of Minnesota Statutes 1974, Chapter 216B, for purposes described in that chapter or by an electric generation or transmission cooperative for use in its business, provided, however, that such land may not be used for farming except under lease to a family farm unit, or a family farm corporation."

Page 5, line 3, after "1973" add "*, except a corporation whose only interest in agricultural land is a bona fide encumbrance taken for purposes of security,*".

Page 5, line 12, after "by" insert "*quarter-quarter*".

Page 5, line 17, delete "*principal*" and insert on line 18 after "*shareholders*" the following: "*owning more than ten percent of the stock including the percent of stock owned by each such shareholder,*".

Page 5, line 21, before the period insert "*on the reported acreage*".

Page 6, line 4, after "state" add "*, except a corporation whose only interest in agricultural land is a bona fide encumbrance taken for purposes of security,*".

Page 6, line 14, after "violating" insert "*subdivision 2 of*".

Page 6, line 24, after "of" insert "*subdivision 2 of*".

Page 7, line 7, delete "*matter*" and insert "*manner*".

Page 7, line 7, after "law." insert a new subdivision to read as follows:

"Subd. 5. [MANDATORY RECORDING.] All contracts for deed or deeds conveying a fee interest in agricultural real estate to a corporation subject to the reporting requirements of subdivision 3 shall be recorded in the office of the register of deeds within 60 days after execution by the purchaser or grantee corporation, or if the seller or grantor retains possession of the instrument by the seller or grantor. Deeds and contracts for deeds entered into by said corporations prior to the effective date of this act shall be recorded within 60 days after the effective date of this act. Any person violating this section is guilty of a gross misdemeanor. This section shall not apply to conveyances subject to section 508.52."

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

The report was adopted.

Johnson, D., from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 488, A bill for an act relating to commerce; consignment sales; requiring disclosures; requiring a bond or trustee; providing penalties.

Reported the same back with the following amendments:

Page 1, line 9, delete "personal".

Page 1, line 10, delete "property" and insert "goods".

Page 1, line 12, after "sale" insert "by the consignee".

Page 1, line 13, delete "promptly".

Page 2, line 6, delete "parties, with a".

Page 2, delete line 7.

Page 2, line 8, delete "years. The listing agreement" and insert "the consignor and consignee which".

Page 2, line 19, after "proceeds" insert "and a copy of the purchase statement".

Page 2, line 22, after "documents" insert ", transferring title".

Page 2, line 22, after the period, insert "The consignee shall deliver one copy of the listing agreement to the consignor and retain one copy for a period of two years."

Page 2, line 23, delete "When a consignee sells".

Page 2, delete lines 24 to 27.

Page 2, line 28, delete "the proceeds. The purchase statement" and insert "At the time consigned goods are sold, the consignee shall prepare a purchase statement, in writing, which".

Page 2, line 30, after the comma and before "the", delete "and".

Page 2, line 31, delete "The purchase statement shall also contain a".

Page 2, delete line 32.

Page 3, delete line 1.

Page 3, line 2, delete "The notice shall also state" insert "and a statement specifying, where applicable,".

Page 3, line 3, after "for" insert "both".

Page 3, line 3, delete "process and costs of".

Page 3, line 4, after "transferring" insert "of".

Page 3, line 4, delete ", if any" and insert "and the associated costs".

Page 3, line 4, after the period, insert "The consignee shall deliver to the consignor, within the number of days specified in the listing agreement, a true copy of the purchase statement and the consignor's portion of the proceeds of the sale. The consignee shall also retain one copy of the purchase agreement for two years from the date of the sale."

Page 3, line 14, delete "the consignor's" and insert "consignors'".

Page 3, line 15, after "proceeds" insert "from a consignment sale".

Page 3, line 17, delete "In order to ensure the proper disposition of".

Page 3, line 18, delete "proceeds from consignment sales, a consignee may" and insert "Any consignee who does not comply with the provisions of subdivision 3 shall".

Page 3, line 29, after "proceeds" insert "of a consignment sale".

Page 4, line 1, after "deliver" insert "the proper portion of the".

Page 4, line 1, after "proceeds" insert "of the consignment sale".

Page 4, line 3, after "account" insert "which complies with the provisions of this subdivision".

Page 4, line 9, delete "may, in lieu of the trust account".

Page 4, line 10, delete "and bond described in" and insert "who does not comply with the provisions of".

Page 4, line 10, after "2" delete the comma and insert "shall".

Page 4, line 13, after "sales" insert "made by the consignee".

Page 4, line 17, after "to" insert "the terms of".

Page 4, line 19, delete "from the consignee".

Page 4, line 26, before "not" insert "in an amount".

Page 5, line 10, delete "\$3,000" and insert "\$5,000".

Page 5, line 11, delete "\$3,000" and insert "\$5,000".

Page 5, line 12, after the period, insert "The provisions of sections 1 to 6 shall apply only to the consignment of consumer goods and shall not apply to consignment sales made by nonprofit organizations."

Page 5, line 14, delete "7 when he delivers goods to the".

Page 5, line 15, delete "consignee" and insert "6".

Page 5, line 27, after "the" insert "penalties and".

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

The report was adopted.

Johnson, C., from the Committee on Education to which was referred:

H. F. No. 396, A bill for an act relating to education; establishing pilot bilingual and native American language and culture education programs; granting certain powers and duties to the state board of education; establishing a state bilingual and native American language and culture education advisory council; appropriating money; amending Minnesota Statutes 1974, Sections 120.095, by adding a subdivision; 120.10, Subdivision 2; repealing Minnesota Statutes 1974, Section 126.07.

Reported the same back with the following amendments:

Page 1, line 17, delete "do not" and insert "need to".

Page 1, line 17, after "provide" insert "a more".

Page 4, line 13, before the period insert "*; and establishment of cooperative liaisons with nonsectarian nonpublic, community, tribal or alternative schools offering curricula which reflect native American culture*".

Page 4, line 13, after the period insert "*Districts offering programs may make contracts for the provision of program components by nonsectarian nonpublic, community, tribal or alternative schools.*".

Page 4, line 32, delete "private" and insert "nonpublic".

Page 5, line 3, delete "LOCATION OF PROGRAMS" and insert "ASSIGNMENT OF STUDENTS".

Page 5, line 3, delete "*Bilingual and native*".

Page 5, delete lines 4 and 5.

Page 5, line 6, delete "*separate facilities.*".

Page 5, line 13, after "shall" insert "*be ensured a meaningful opportunity to*".

Page 5, line 19, after the period insert "*This subdivision shall not be construed to prohibit instruction in nonverbal subjects or extracurricular activities which relate to the cultural heritage of the children of limited English speaking ability and the native American children.*".

Pages 5 and 6, delete subdivision 7 in its entirety.

Page 6, line 14, after "possess" insert "such".

Page 6, line 14, delete "*satisfactory to*" and insert "*as*".

Page 6, line 15, after "*commission*" insert "*may prescribe*".

Page 6, line 29, after "*possess*" insert "*such*".

Page 6, line 29, delete "*satisfactory to*" and insert "*as*".

Page 6, line 30, after "*commission*" insert "*may prescribe*".

Page 8, line 1, delete "*the preceding paragraph*" and insert "*subdivision 6*".

Page 8, line 11, before "*teacher*" insert "*public school*".

Page 9, delete subdivision 1 in its entirety.

Renumber remaining subdivisions accordingly.

Page 10, line 30, after "*section 9*" insert "*and programs offered by nonpublic, community, tribal or alternative schools*".

Page 11, line 8, after "*section 9*" insert "*and of existing educational programs offered by nonsectarian nonpublic, community, tribal, or alternative schools*".

Page 11, line 28, delete "*RECOMMENDATIONS*" and insert "*TEACHER CERTIFICATION*".

Page 11, line 28, delete "*make*".

Page 11, line 29, delete "*recommendations*" and insert "*provide*".

Page 11, line 30, delete "*on standards for certification of bilingual and*".

Page 11, delete line 31 in its entirety and insert "*a report on its research and experience in bilingual and native American language and culture education insofar as such research may have a bearing on the establishment of teacher certification requirements by the commission. The commission shall submit its proposals to the state board for approval pursuant to the procedures in section 125.185, subdivision 4.*".

Page 12, line 16, delete "*1976*" and insert "*1977*".

Page 12, line 16, after "*include*" insert "*the results of the needs assessment, including an evaluation of the pilot programs, and*".

Page 12, line 24, after the comma insert "*parents of children eligible to be served by the programs,*".

Page 12, line 28, after the comma insert "*persons involved in programs for children of limited English speaking ability and native American children in nonpublic, community, tribal, or alternative schools,*".

Page 13, line 25, after the period insert "*Proposals may provide for contracts for the provision of program components by nonpublic, community, tribal or alternative schools.*".

Page 14, line 10, after "*money*" insert "*received and*".

Page 14, line 18, delete "*Except as provided in*".

Page 14, line 19, delete "*section 4, subdivision 5,*".

Page 15, delete lines 19, 20 and 21 in their entirety.

Page 15, line 22, delete "*June 30, 1977*" and insert "*amount no more than \$300,000 shall be expended by the state board for the administration of this act*".

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

The report was adopted.

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

H. F. No. 348, A bill for an act relating to insurance; clarifying the application of state law to certain insurance contracts; amending Minnesota Statutes 1974, Chapter 60A, by adding a section.

Reported the same back with the following amendments:

Page 1, line 11, delete "*citizen or inhabitant*" and insert "*resident or domiciliary*".

Page 2, line 2, delete "*within 30 days of the effective date of*".

Page 2, line 3, delete "*this act*".

Page 2, line 12, delete "*upon final*".

Page 2, line 13, delete "*enactment*" and insert "*July 1, 1976*".

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

The report was adopted.

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

H. F. No. 576, A bill for an act relating to commerce; authorizing limited trust powers for commercial bonds; amending Minnesota Statutes 1974, Chapter 48, by adding a section.

Reported the same back with the following amendments:

Page 1, line 14, after "*amended*" insert "*and shall have the power to act as trustee or custodian within the contemplation of the federal employer retirement income security act of 1974, as amended, to establish an individual retirement account*".

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

The report was adopted.

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

H. F. No. 927, A bill for an act relating to fiduciaries; authorizing deposit of certain securities with the federal reserve bank under certain conditions; amending Minnesota Statutes 1974, Chapter 520, by adding a section.

Reported the same back with the following amendments:

Page 2, line 5, delete "*the state department of commerce*" and insert "*the commissioner of banks*".

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 38, A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [PRESIDENTIAL PRIMARY ELECTION.] There shall be held on the first Tuesday in April of each year in which a president and vice-president of the United States are to be nominated and elected a presidential primary election at which the voters shall express their popular choices for the party nominations for president of the United States.

Sec. 2. [CANDIDATES.] Subdivision 1. The name of a candidate is placed on the presidential primary election ballot either by the candidate filing in person or by proxy with his written authorization and paying a fee of \$150. The affidavit of candidacy must be filed with the secretary of state no more than 42 days nor less than 28 days prior to the date set for the primary election. A candidate may withdraw after filing provided that his affidavit of withdrawal has been received by the secretary of state no later than 28 days prior to the primary election.

Subd. 2. The state executive committee of each political party may file with the secretary of state an affidavit of candidacy designated "Not committed to any candidate" according to the procedure set forth in subdivision 1. Such designation shall be included on the presidential primary election ballot as though it were the name of a candidate.

Sec. 3. [PRESIDENTIAL PRIMARY: HOW CONDUCTED.] Except as otherwise provided in this act, the presidential primary election shall be announced, held, conducted, and the results canvassed and returned in the manner provided by law for other primary elections and in accordance with the general election laws of the state, insofar as they are applicable. Nothing contained in this act shall alter or amend the existing primary election laws or the general election laws except as herein specifically provided. Paper ballots shall be used for the presidential primary election in every precinct.

Sec. 4. [AUDITOR FURNISHED INFORMATION BY SECRETARY OF STATE.] Prior to February 1 of the year in which the presidential primary election is to be held, the secretary of state shall cause to be delivered to the auditor of each county a notice advising him of the date of the election. Each auditor, on receipt of the notice, shall cause a notice to be delivered to each town and city clerk in his county.

Sec. 5. [BALLOTS: VOTING PROCEDURE.] Subdivision 1. For the purposes of this act, the secretary of state shall designate the color pale blue to represent one political party as defined in chapter 200, and the color pale orange to represent the other political party. If any other party qualifies as a political party as defined in chapter 200, the secretary of state shall

designate a color to represent that party, provided that such color shall not duplicate a color already in use for ballots used in other elections.

Subd. 2. The secretary of state shall prepare the ballots and voter's certificates for use in the presidential primary election. The ballots and voter's certificates for each party shall bear the name of the political party and shall be printed on paper in the color designated for that party. After verification of the voter's signature, the voter shall be given a ballot of the same color as his voter's certificate and no other.

Subd. 3. No rotation of ballot choice shall be entered on the permanent registration card, but the voter's certificates shall be forwarded to the county auditor and made available in his office for public inspection for a period of four years after the date of the primary election.

Subd. 4. The provisions of Minnesota Statutes, Chapter 207, regulating balloting by absent and disabled voters, shall apply to the presidential primary election, except that the secretary of state shall modify the application for an absentee ballot to include a space for the voter to specify the political party for which he requests a ballot.

Sec. 6. [SELECTION AND ALLOCATION OF NATIONAL CONVENTION DELEGATES.] Subdivision 1. The state executive committee of each political party as defined in Minnesota Statutes, Chapter 200, shall, at least 56 days prior to the date of the presidential primary election, submit to the secretary of state the party's plan for the selection and allocation of national convention delegates. The plan shall include the number of delegates and alternate delegates to be selected and the method of apportionment if any delegates are to be selected from districts smaller than the state. The plan shall include the method of reallocating delegates in the event that a candidate withdraws from competition following the primary election but before delegates are selected. The state executive committee of the party shall provide for the allocation of delegates to candidates to reflect the result of the presidential primary election.

Subd. 2. Within three days after the state canvassing board has certified the results of the presidential primary election, the secretary of state shall transmit to the state chairman of each political party for which at least one candidate was listed on the ballot the number of votes each presidential candidate received statewide and in each congressional district.

Subd. 3. Within 21 days after the state canvassing board has certified the results of the presidential primary election the chairman of each political party as defined in Minnesota Statutes, Chapter 200, shall submit to the secretary of state the number of delegates and alternate delegates allocated to each candi-

date and the apportionment of such delegates and alternate delegates if they are to be selected from districts smaller than the state.

Sec. 7. [ADDITIONAL JUDGES NOT REQUIRED.] The provisions of Minnesota Statutes, Section 203.21, Subdivision 3, requiring additional qualified judges to count the votes after the polls close shall not apply to elections held under this act.

Sec. 8. [APPROPRIATION.] There is hereby appropriated from the general fund to the secretary of state for the purposes of this act to cover all costs of the presidential primary election the sum of \$300,000 for the biennium ending June 30, 1977."

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 244, A bill for an act relating to elections; waiving filing fees for indigent candidates; amending Minnesota Statutes 1974, Section 202.05, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert as follows:

"Section 1. Laws 1975, Chapter 5, Section 15, is amended by adding a subdivision to read:

Subd. 1a. A candidate at the time of filing his affidavit may present a petition in lieu of the filing fee. The petition shall be signed by a number of persons, qualified to vote in the election district in which the candidate is filing, as follows:

(a) If for the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, secretary of state, judge of the supreme court or senator in congress, 8,000;

(b) If for the office of representative in congress, 2,000;

(c) If for the office of representative or senator in the legislature or district, county, probate or municipal judge, 500;

(d) If for any other office for which a filing fee is prescribed by law, municipal charter or ordinance, signatures of two per-

cent of the total number of persons voting in the municipality, ward or other election district at the last preceding municipal general election. The petition authorized by this subdivision may not be used to fulfill the requirements of Laws 1975, Chapter 5, Section 19, relative to nominating petitions."

Amend the title as follows:

Page 1, lines 2 and 3, delete "waiving filing fees for indigent candidates" and insert "permitting the use of a petition in lieu of filing fees".

Page 1, lines 3 and 4, delete "Minnesota Statutes 1974, Section 202.05" and insert "Laws 1975, Chapter 5, Section 15".

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 406, A bill for an act relating to veterans; providing for the construction and equipment of a nursing care unit at the Minnesota veterans home; providing for the state's share in construction; authorizing disposal of buildings to be replaced by the nursing unit; authorizing issuance of building bonds for the construction and equipment.

Reported the same back with the recommendation that the bill do pass and be re-referred to the Committee on Appropriations.
The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 409, A bill for an act relating to veteran affairs; the transfer of the personal property a deceased resident leaves at the Minnesota veterans home; repealing Minnesota Statutes 1974, Section 198.23.

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 936, A bill for an act directing the revisor of statutes to change certain terminology in Minnesota Statutes.

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

The report was adopted.

Vento from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 456, A bill for an act relating to education; defining qualified voters for school district elections; amending Minnesota Statutes 1974, Section 123.32, by adding a subdivision.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 42, A bill for an act relating to the fire department relief association of the city of Grand Rapids; amending Laws 1971, Chapter 233, Section 1.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 44, A bill for an act relating to the city of Eagan; volunteer firemen's service pensions.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 46, A bill for an act relating to the firemen's relief association of the city of Tyler; computation of years of service for volunteer firemen.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 47, A bill for an act relating to the city of Mound; firemen's service pensions; amending Laws 1973, Chapter 175, Section 1.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 155, A bill for an act relating to the city of Minnetonka; volunteer firemen's pensions.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 207, A bill for an act relating to the city of St. Cloud; payment of retirement benefits in certain instance by firemen's relief association.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 254, A bill for an act relating to the city of Roseville; firemen's relief association service pensions; amending Laws 1973, Chapter 464, Section 2.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 416, A bill for an act relating to the city of Robbinsdale; firemen's service pensions; amending Laws 1969, Chapter 1105, Sections 1, 2, and 3.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 519, A bill for an act relating to the city of Edina; firemen's retirement, disability, and survivors benefits; amending Laws 1965, Chapter 592, Sections 1, Subdivision 1, as amended; and 3 and 4, as added.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 530, A bill for an act relating to retirement; redefining membership and allowing the purchase of prior service credit by members of the Bloomington police relief association.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 580, A bill for an act relating to retirement; firemen's relief benefits in the city of Owatonna; amending Laws 1971, Chapter 200, Section 1, as amended.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 585, A bill for an act relating to retirement; survivor's benefits for survivors of a certain member of the Backus firemen's relief association.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 588, A bill for an act relating to the city of Butterfield firemen's relief association; authorizing payment of certain pensions to certain members.

Reported the same back with the following amendments:

Page 1, line 9, after "lump sum," insert "a disability benefit in lieu of".

Page 1, line 17, delete "pensions" and insert "disability benefits".

Page 1, line 19, delete "pension" and insert "disability benefit".

Further amend the title:

Line 4, delete "pensions" and insert "disability benefits".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 590, A bill for an act relating to retirement; police pensions in the city of Eveleth; amending Laws 1965, Chapter 636, as amended, by adding a section.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 643, A bill for an act relating to the city of Brooklyn Park; firemen's relief association benefits.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 771, A bill for an act relating to the city of Albert Lea; placing the chief of police under the public employees police and fire fund.

Reported the same back with the following amendments:

Page 1, line 10, delete "retirement association".

Page 1, line 14, delete "employer and".

Page 1, line 15, after "the" insert "public employees".

Page 1, line 16, after "fund" insert "pursuant to Minnesota Statutes, Section 353.35, except that the former member shall not be required to acquire at least 18 months of allowable service credit subsequent to taking his last refund".

Page 1, line 16, after the period insert "Any refunds of employer contributions to the public police and fire fund shall be repaid to the fund and shall also include interest at six percent per annum compounded annually."

Page 1, line 17, after "contributions" insert "pursuant to Minnesota Statutes, Section 353.65".

Page 1, line 18, delete "retirement association" and insert "police and fire fund".

Page 1, line 20, delete "retirement association" and insert "police and fire fund".

Page 1, line 21, delete "of the".

Page 1, line 22, delete "police and fire fund".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 774, A bill for an act relating to the city of Minneapolis; retirement for city officials and employees; retirement allowance, deferred compensation, combined service annuity, disability allowances; amending Minnesota Statutes 1974, Sections 422A.16, Subdivision 8, and by adding a subdivision; and 422A.18, Subdivision 3; repealing Minnesota Statutes 1974, Section 422A.18, Subdivision 6.

Reported the same back with the following amendments:

Page 1, line 13, strike "member of the contributing class who was" and insert "*person who was a member of the city municipal employees retirement fund* and".

Page 1, line 14, strike "the Minnesota state retirement system or" and insert "*plan*".

Page 1, line 15, strike "fund".

Page 1, line 16, after "system" insert "*having a like provision*".

Page 2, line 2, delete "*such fund*" and insert in lieu thereof "*the city municipal employees retirement fund*".

Page 4, following line 7, insert

"Sec. 4. Minnesota Statutes 1974, Section 422A.25, is amended to read:

422A.25 [CONTINUING APPROPRIATION, RIGHTS NOT IMPAIRED.] All money necessary to meet all transfers from account to account, from fund to fund, and from fund to beneficiaries and annuitants provided in sections 422A.01 to 422A.25, are hereby annually and from time to time appropriated. Nothing contained in sections 422A.01 to 422A.25 shall be construed as diminishing, limiting or modifying any vested right of an employee, annuitant or beneficiary to a retirement allowance, annuity or pension acquired under the law existing prior to (APRIL 28, 1973) *May 1, 1975*."

Renumber the remaining section.

Page 4, after line 9, insert a section to read:

"Sec. 6. *This act is effective upon approval by the city council of the city of Minneapolis and upon compliance with the provisions of Minnesota Statutes, Section 645.021.*"

Further amend the title:

Line 7, after "subdivision;" delete "and".

Line 8, after "Subdivision 3" insert "; and 422A.25".

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 779, A bill for an act relating to retirement; including employees of the metropolitan inter-county council in membership in the public employees retirement association; amending Minnesota Statutes 1974, Chapter 353, by adding a section.

Reported the same back with the following amendments:

Page 1, line 11, delete "*Subdivision 1.*".

Page 1, line 15, after "2b" insert "*, and the council shall be deemed to be a governmental subdivision for the purpose of this chapter*".

Page 1, delete lines 16 to 19.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 939, A bill for an act relating to retirement; increasing firemen's service pensions payable to members of the Lake Johanna Volunteer Firemen's Benefit Association.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 944, A bill for an act relating to the city of Lakeville; authorizing an increase in firemen's relief association lump sum service pensions.

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

The report was adopted.

Sieben, H., from the Committee on Governmental Operations to which was referred:

H. F. No. 1008, A bill for an act relating to retirement; investment and redemption of shares in the supplemental retirement fund by Hennepin county employees; amending Laws 1969, Chapter 950, Sections 3 and 4.

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 126, A bill for an act relating to health professions; providing immunity from suit to members of the board of medical examiners and certain other persons in any action based upon disciplinary proceedings or other official acts; amending Minnesota Statutes 1974, Section 147.01.

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 470, A bill for an act relating to pharmacy and drugs; requiring certain information on labels affixed to containers of certain drugs; amending Minnesota Statutes 1974, Section 151.212.

Reported the same back with the following amendments:

Page 1, line 9, delete "AND NON-PRESCRIPTION".

Page 1, line 14, after "board" insert old period.

Page 1, delete lines 15 to 23.

Page 2, delete lines 1 to 5 and insert the following:

"Subd. 2. [CONTROLLED SUBSTANCES.] In addition to the requirements of subdivision 1, when the use of any drug containing a controlled substance, as defined in chapter 152, either alone or in conjunction with alcoholic beverages, may impair the ability of the user to operate a motor vehicle, that fact shall be prominently set forth on the label."

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 720, A bill for an act relating to the counties of Steele, Freeborn and Mower; authorizing appointment of law clerks for the district judges assigned to hold court in certain counties of the third judicial district; amending Laws 1967, Chapter 355, Section 1, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 16, after "judges" insert "*, with the approval of the county board of each of the counties involved,*".

Page 1, line 19, delete "*at an*".

Page 1, line 20, delete "*amount not exceeding \$12,000 per year*".

Page 1, line 22, after "*assigned*" insert "*, according to the population of each county*".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 722, A bill for an act relating to probate; inheritance tax; taxing disclaimed interests; amending Minnesota Statutes 1974, Section 525.532, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 10, delete "*this*".

Page 1, line 10, after "*section*" insert "*525.532*".

Page 1, line 10, after "or" insert "*disclaimed pursuant to*".

Page 1, line 11, after "*disclaimant*" insert "*notwithstanding such disclaimer*".

Page 1, line 13, after "*made*" insert "*and such transfer shall be taxable*".

Page 1, line 14, after "*other*" insert "*applicable*".

Page 1, line 15, after "*tax*" insert "*so ascertained and determined*".

Page 1, after line 18, insert a paragraph to read "*In the case of multi-party accounts, where it is shown or admitted, that the decedent intended that the surviving beneficiary have no beneficial interest therein, the account shall be reported in the probate estate of decedent as an asset thereof and shall there be taxable as otherwise provided by law and shall not be treated as a disclaimer under this section.*".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

H. F. No. 873, A bill for an act relating to public welfare; providing for grants of state and local funds to nonprofit legal assistance corporations; appropriating money.

Reported the same back with the following amendments:

Page 1, line 11, after "*assistance.*" insert "*The funds provided hereunder shall be limited for use as legal representation in courts or before agencies of local, state or federal government and shall not be used to finance lobbying before the state legislature.*".

Page 1, line 19, after "\$" insert "50,000".

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

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 374, A bill for an act relating to local government; local improvements; establishing procedures for deferment of special assessments against homesteads of senior citizens; imposing certain duties on county auditors; amending Minnesota Statutes 1974, Sections 429.021, Subdivision 3; 429.061, Subdivision 1; 435.193; and 435.194.

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

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 674, A bill for an act relating to taxation; providing for additional powers to commissioner of revenue for collection of unpaid tax; creating lien on real and personal property for taxes due; providing for third party liability for withholding tax; changing rates of penalty and interest; providing that contractors shall give bond for certain unpaid taxes; amending Minnesota Statutes 1974, Chapters 270; 291; 292; by adding sections; Sections 270.07, Subdivisions 1 and 5; 270.075, Subdivision 2; 270.076, Subdivision 2; 273.41; 290.087, Subdivisions 4 and 5; 290.45, Subdivision 2; 290.53, Subdivisions 1 and 2; 290.92, Subdivision 15, and by adding a subdivision; 290.93, Subdivision 10; 290.934, Subdivision 1; 290.988, Subdivisions 2 and 3; 291.11, Subdivision 5; 291.15; 291.18; 291.35; 291.46; 292.12, Subdivision 1; 294.03, Subdivisions 1 and 2; 296.15, Subdivisions 1 and 2; 297.07, Subdivision 4; 297.35, Subdivision 5; 297A.35, Subdivision 1; 297A.39, Subdivision 7; 298.09, Subdivision 4; 574.26; 574.261, Subdivision 1; repealing Minnesota Statutes 1974, Section 292.11.

Reported the same back with the following amendments:

Page 3, line 20, after "any" insert "*uncontested*".

Page 3, line 22, after the period insert "*An overpayment may be credited under this subdivision only if the uncontested delinquent liability has been assessed within ten years of the date on which the overpayment is credited. However, this limitation shall not be applicable if the delinquent liability has been entered into judgment or if legal action is pending for collection of the liability or for renewal of the judgment.*".

Page 6, after line 18, insert "*(3) Within ten days of the filing of the lien, a notice of the lien shall be sent by mail to the taxpayer at the address given in his return, or to his last known address.*".

Page 8, line 9, delete "*a certain*" and insert "*an uncontested*".

Page 8, line 9, after "*liability*" insert "*owed to the commissioner of revenue*".

Page 8, delete lines 29 to 32.

Page 9, delete lines 1 to 32.

Page 10, delete lines 1 to 18.

Renumber the remaining sections accordingly.

Page 11, line 17, after the period insert "*The levy for collection of taxes may be made whether or not the commissioner has commenced a legal action for collection of such taxes.*"

Subd. 4. [STAY OF SALE.] (a) Where a jeopardy assessment or any other assessment has been made by the commissioner, the property seized for collection of the tax shall not be sold until the time has expired for filing an appeal of the assessment with the tax court pursuant to chapter 271. If an appeal has been filed, no sale shall be made unless the taxes remain unpaid for a period of more than 30 days after final determination of the appeal by the tax court or by the appropriate judicial forum.

(b) Notwithstanding clause (a), seized property may be sold if

(i) the taxpayer consents in writing to the sale, or

(ii) the commissioner determines that the property is perishable or may become greatly reduced in price or value by keeping, or that such property cannot be kept without great expense.

Subd. 5. [PROBATE COURT JURISDICTION.] Where a levy has been made to collect taxes pursuant to subdivision 1 and the property seized is properly included in a formal proceeding commenced under sections 524.3-401 to 524.3-505 and maintained under full supervision of the court, such property shall not be sold until the probate proceedings are completed or until the court so orders.

Subd. 6. [BOND OR SECURITY TO RELEASE SEIZURE.] The property seized shall be returned by the commissioner if the owner gives a surety bond equal to the appraised value of his interest in the property, as determined by the commissioner, or deposits with the commissioner security in such form and amount as he deems necessary to insure payment of the liability, but not more than twice the liability.

Subd. 7. [INJUNCTION.] Notwithstanding any other provision to the contrary, if a levy or sale pursuant to this section would irreparably injure rights in property which the court determines to be superior to rights of the state in such property,

the district court may grant an injunction to prohibit the enforcement of such levy or to prohibit such sale.

Subd. 8. [SURRENDER OF PROPERTY SUBJECT TO LEVY.] Any person who fails or refuses to surrender without reasonable cause any property or rights to property subject to levy, upon demand by the commissioner, shall be liable in his own person to the state of Minnesota in an amount equal to the value of the property or rights not so surrendered, but not exceeding the amount of taxes for the collection of which such levy has been made. Any amount recovered under this subdivision shall be credited against the tax liability for the collection of which such levy was made.

Subd. 9. [PENALTY.] In addition to the personal liability imposed by subdivision 8, if any person required to surrender property or rights to property fails or refuses to surrender the property or rights to property without reasonable cause, such person shall be liable for a penalty equal to 25 percent of the amount recoverable under subdivision 8. No part of such penalty shall be credited against the tax liability for the collection of which such levy was made.

Subd. 10. [PERSON DEFINED.] The term "person" as used in subdivision 8 includes an officer or employee of a corporation or a member or employee of a partnership who, as such officer, employee or member is under a duty to surrender the property or rights to property or to discharge the obligation.

Subd. 11. [OPTIONAL REMEDY.] Any action taken by the commissioner pursuant to this section shall not constitute an election by the state to pursue a remedy to the exclusion of any other remedy.

Subd. 12. [EQUITABLE RELIEF.] After the commissioner has seized the property of any person, that person may, upon giving 48 hours notice to the commissioner and to the court, bring a claim for equitable relief before the district court for the release of the property to the taxpayer upon such terms and conditions as the court may deem equitable."

Page 11, line 24, delete "ten" and insert "eight".

Page 11, line 26, after the period insert "Unpaid taxes collected under section 290.92 or under chapter 297A shall bear interest at the rate of ten percent per annum from the date such tax should have been paid until the date that the tax was paid."

Page 11, line 28, delete "ten" and insert "eight".

Page 11, line 31, after the period insert "Unpaid taxes collected under section 290.92 or under chapter 297A shall bear in-

terest at the rate of ten percent per annum from the date such payment should have been made, if no extension had been granted, until the date of payment of such tax."

Page 12, line 2, delete "ten" and insert "eight".

Page 12, line 9, delete "ten" and insert "eight".

Page 17, line 30, delete "or".

Page 17, line 30, restore the stricken language.

Page 17, line 31, restore the stricken language.

Page 23, line 10, strike "3" and insert "3c".

Page 27, delete lines 2 to 5.

Page 27, line 6, delete "payment thereof" and insert "Subd. 3. If any person with willful intent to evade the tax imposed by this chapter shall fail to file any return required by this chapter or shall with such intent file a false or fraudulent return".

Page 27, line 12, delete "willfully fails to make a return".

Page 27, delete lines 13 to 16.

Page 27, line 17, delete "a felony" and insert "knowingly fails to file a return at the time required by this chapter shall be guilty of a misdemeanor. Any person who willfully files a false return with intent to evade such taxes shall be guilty of a gross misdemeanor".

Page 27, line 18, delete "employer" and insert "employee".

Page 27, line 19, delete "of" and insert "or".

Page 28, line 19, strike "on" and insert "to penalties, next to".

Page 28, line 32, after "tax" strike the comma and insert "or penalty".

Page 29, line 4, after "taxes" insert ", penalty".

Page 29, line 29, delete "on the tax".

Page 29, line 29, after "the" and before "penalty" insert "unpaid tax and".

Page 30, delete lines 26 to 29.

Page 30, line 30, delete "*payment thereof*" and insert "*Subd. 3. If any person with willful intent to evade the tax imposed by this chapter shall fail to file any return required by this chapter or shall with such intent file a false or fraudulent return*".

Page 31, line 4, delete "*willfully fails to make a return*".

Page 31, delete lines 5 to 8.

Page 31, line 9, delete "*a felony*" and insert "*knowingly fails to file a return at the time required by this chapter shall be guilty of a misdemeanor. Any person who willfully files a false return with intent to evade such taxes shall be guilty of a gross misdemeanor*".

Page 33, line 22, strike "five" and insert "ten".

Page 40, line 31, after "6," insert "and".

Page 40, line 31, delete ", 8".

Page 40, line 32, delete "and 17".

Page 41, line 1, delete "41 and 42" and insert "40 and 41".

Page 41, line 3, delete "16" and insert "15".

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

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 814, A bill for an act relating to taxation; authorizing an increase in fees charged for preparation of delinquent tax, current tax and federal tax lien certificates; amending Minnesota Statutes 1974, Sections 272.12; 272.47; and 272.483.

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

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1043, A bill for an act relating to taxation; providing for redemption of forfeited property under certain conditions.

Reported the same back with the following amendments:

Page 2, line 7, after "exceed" insert "\$1,000,000, and represent at least".

Page 3, line 5, after the comma insert "the notice may be served upon an officer of such corporation".

Page 3, line 6, after "if" delete "the" and insert "an".

Page 3, line 16, delete ", and" and insert a period.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 274, 488, 348, 576, 927, 244, 409, 936, 42, 44, 46, 47, 155, 207, 254, 416, 519, 530, 580, 585, 588, 590, 643, 771, 774, 779, 939, 944, 1008, 126, 470, 720, 374, 674, 814 and 1043 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 669, 226 and 456 were read for the second time.

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

RECESS

During the recess the Honorable Walter F. Mondale, United States Senator from the State of Minnesota, addressed the members.

RECONVENED

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

REPORTS OF SELECT COMMITTEES

REPORT OF THE SELECT COMMITTEE ON LEGISLATIVE COMPENSATION

The following Minority Report and Majority Report from the Select Committee on Legislative Compensation were reported to the House and pursuant to House Resolution No. 4 were referred by the Speaker to the Committee on Rules and Legislative Administration:

MINORITY REPORT

Introduction

The question of adequate compensation for Minnesota legislators must be approached in the light of a goal to achieve an ideal form of representative government for citizens of Minnesota. This report takes this goal into consideration of its recommendation pursuant to House Resolution No. 4.

This report makes use of the research of the State Personnel Board. We did, however, reach conclusions different from the Personnel Board's recommendation because of errors in computation which are apparent in the Personnel Board's report dated November 14, 1974, and assessments of priorities which we believe are essential to the goal of representative democracy.

Time Needed To Fulfill A Legislator's Responsibility

This report takes the position that it is of paramount importance to maintain a legislature which preserves the right of citizens throughout the state to have an opportunity of being involved in the legislative process.

To consider the issue of compensation before settling the issue of time would be a classic case of "the tail wagging the dog".

It is our premise that the Minnesota Legislature should not, at this time, take steps to becoming a full-time legislative body. It is our belief that the legislative process should be structured so that legislators return to their districts after session and that they not be encouraged to abandon jobs in their communities. It is in the best interest of this state for those who represent the people in the state to have a direct, real experience with the jobs and problems of their various constituents. To have these real and personal experiences is of tremendous value to legislators when they vote and deliberate on legislation which affects their communities.

We believe the advantage of having legislators who are experienced in the realities of legislation affecting their citizens provides a much greater benefit than does the potential for conflict of interest which may occur when individuals who work in the state also serve as legislators.

Time which the legislature is in session should be limited to those available days prior to May 20 in the first year of fiscal biennium for passing budgetary and general legislative items, 30 legislative days for committee meetings for purposes of passing out of committee legislation to be acted upon by the legislature during the second half of the biennium, 40 legislative meeting days when committees shall meet to overview functions and operations of the various state agencies, and 2 days per month

during interim for mini-session meetings to take care of interim problems.

The Personnel Board survey which was conducted of 201 legislators was the basis for time commitments currently put forth by legislators. Only 56 of the legislators responded to the survey, so it can be fairly said that the sampling probably is not entirely accurate since not all legislators responded and it is probable that those who did respond were committing a substantial amount of time to legislative duties. It is our position that a substantial amount of time was given as legislative time which we think are obligations of every citizen. Some of the time obligations which were put into that category include attendance at party conventions and caucuses, attendance at appropriate committee meetings where community problems are being discussed, etc.

Inasmuch as it is the best information available, however, this report accepts the following findings of the Personnel Board:

The legislator is an extremely active individual who devotes extensive time to his combined duties of legislator and personal occupation. He reports that he devotes 50-70 hours a week to these combined duties when the legislature is not in session and even more, over 70 hours a week, when in session.

During session he is consumed with his legislative duties, including research and meeting with constituents and other interested parties, with 85% of his 70-hour week required for such activities.

During recess he reports typically 30-35% of his time required to attend to legislative duties, involving committee meetings, research and time with constituents.

In arriving at a composite of the time demand of the legislator over a two-year period, the Personnel Board stated the following considerations:

A. The extensive time of 60-70 hours a week is typical of a large number of professional, administrative and managerial people, and as such was accepted as a basis of comparison.

B. 85% of in-session and 35% of recess days would result in an equivalent of 60% of full time of an extensive work week. Consequently, this was considered as the time demands arising out of legislative duties.

The first of these considerations, A, is accepted outright. Although the statement in B, "85% of in-session and 35% of recess days" is accepted, the conclusion that this results "in an equivalent of 60% of full time of an extensive work week" is rejected. 85% of in-session time and 35% of interim period time will result

in a 60% composite figure for the two-year period only if the session period is substantially equal to the interim period. In 1973 and 1974 the session and interim periods broke down as follows:

1973	Session (20 weeks)	Interim (32 weeks)
1974	Session (11 weeks)	Interim (41 weeks)
TOTAL	Session (31 weeks)	Interim (73 weeks)

In computing the correct percentage of full time of an extensive work week, we made the following calculations:

$$85\% \times 70 \text{ (hours)} = 59.5 \text{ (hours)}$$

$$35\% \times 70 \text{ (hours)} = 24.5 \text{ (hours)}$$

$$59.5 \text{ (hours)} \times 31 \text{ (weeks)} = 1844.5 \text{ (hours)}$$

$$24.5 \text{ (hours)} \times 73 \text{ (weeks)} = 1788.5 \text{ (hours)}$$

$$1788.5 \text{ (hours)} + 1844.5 \text{ (hours)} = 3633 \text{ (hours)}$$

$$70 \text{ (hours)} \times 104 \text{ (weeks in 2 years)} = 7280 \text{ (hours)}$$

3633 is approximately 50% of 7280.

The report from the Personnel Board with a recommendation of a \$13,500 annual salary is based upon 60% of the legislator's time being spent according to a survey on legislative duty. When we deduct the time which we feel is the responsibility of any citizen and deduct the overage of 10% as a result of errors in calculation as previously pointed out, we believe the 50% calculation is an accurate reflection of the maximum time needed to fulfill legislative responsibilities.

This would make a full-time equivalency of payment for the job in excess of \$20,000 per annum when per diem is included. Since we believe it is wise to encourage legislators to keep their non-legislative jobs, we feel that it would be unwise to compensate legislators at a rate higher than 50% of a full-time equivalency.

We conclude that the percentage of time required is less than 50% of a full-time equivalent and that this should not be increased.

Based on the amount of time which the Republican caucus feels need be committed to the legislative process for purpose of representation, it is our position that the current salary of \$8400 per year is presently adequate. The citizens of the state should

not be required to pay a salary adequate to support a full-time legislator when it is not necessary to fulfill the job responsibility.

Inflation has and continues to reduce the purchasing power of everyone's compensation. Although we maintain that the current legislative salary is adequate and should not be increased, we recommend that the salary should be adjusted at a rate equivalent to the cost-of-living increase. We recommend that January 1975 be used as the base month in the computation. Since legislative pay cannot, by the constitution, be increased until 1977, we recommend that the salary be increased by an amount which reflects the cost-of-living increase between January 1975 and that projected to January 1977. Indications are now that inflation will be about 6% this year and 7% next year.

Per Diem

Per diem is a traditional concept which has been accepted as an additional fee necessary for the interference of a legislator's responsibilities in his or her job opportunities in other areas and the inconvenience of separation from family and community privileges during legislative session.

We do not, however, feel that there should be a discrepancy between rural and urban legislators since it interferes with occupations of those from rural as well as urban areas. Therefore, we believe that the current per diem arrangement must be changed.

We recommend that per diem be paid at a rate of \$25 per day with limitations being placed on per diem to remove incentive for legislators to be at the capitol away from their district for more days than provided in the above recommendations. We suggest that per diem be allowed for those days prior to May 20 in the first year of the biennium only. Each legislator should be allowed an additional 20 days of per diem for purposes of attending meetings throughout the state or legislative overview in legislative study committees during each of the interim periods.

Expense Reimbursement

We believe that the current form of expense reimbursement should be limited to scheduled benefits with incentive built in the expense reimbursement policy for greater contact with citizens in the representative's district. We, therefore, recommend that legislators be reimbursed for scheduled expenses incurred relative to legislative responsibility while at the capitol and while in the district to the extent costs are incurred for purposes of holding public meetings and providing secretarial constituent services in the district to the maximum of \$50 per month.

In order to equalize treatment between the metropolitan and outstate legislators, we recommend that the outstate legislator

be reimbursed for his housing expense during session. A maximum should be established and the legislator should then be reimbursed for his actual renting expenses. His actual expenses would be determined by filing a statement with the top administrative officer of the body. The statement would be public record.

Every legislator would be reimbursed for the expense of having to stay overnight away from home. For outstate legislators this would involve motel expenses for interim meetings and for all legislators this would involve outstate and out-of-state meetings. We recommend that legislators be reimbursed the same way state employees are, that is by presenting the receipts.

Compensation Commission

We further recommend the establishment of a compensation commission to be composed as follows:

Two members of the House; one appointed by the Speaker and one appointed by the minority leader.

Two members of the Senate; one appointed by the majority leader and one appointed by the minority leader.

Three persons appointed by the Governor.

Two persons appointed by the Chief Justice of the Supreme Court.

The commission shall be charged with the responsibility of adopting a compensation plan for a citizen legislature. The plan would have the effect of law providing that by resolution the legislature shall ratify it. The plan shall be submitted for consideration to the legislature prior to the convening of the session in even-numbered years.

Summary

During the 1973-74 legislative session the average member of the House of Representatives received roughly \$12,300 a year in salary and per diem.

Under the plan we propose, legislators would be paid as follows:

First year of biennium (1977):

Salary \$8400 + \$1092 (inflationary increase) = \$9492

Per diem (session) \$3500 + 455 (inflationary increase) = \$3955

Per diem (interim) \$500 + \$65 (inflationary increase) = \$ 565

\$14,012

Second year if biennium (1978) :

Salary \$8400 + \$1092 (inflationary increase) = \$9492

Per diem (session) \$1850 + \$240.50 (inflationary increase) = \$2090.50

Per diem (interim) \$500 + \$65 (inflationary increase) = \$ 565

\$12,147.50

To this compensation would be added for outstate legislators their housing expenses for session, for all legislators their expenses for staying away from their residence during the interim, and up to \$50 a month for constituent services in the district.

With the additional changes in per diem and expenses, we believe that the legislative salary of \$8400 is presently adequate. Because the constitution prohibits increasing members' compensation during the term of the House and since inflation will still be a factor in 1977, we recommend that the present legislature pass legislation increasing compensation by the projected inflation rate.

In summary, we find that the typical legislator should be required to spend no more than 50% of his time over a two-year period on legislative duties. In the event that the individual does spend more time on this, it should not be the obligation of the taxpayers of the state to pay for this additional time commitment.

We, the undersigned, being a minority of the members of the Select Committee on Legislative Compensation recommend that this minority report be substituted for the majority report.

Henry J. Savelkoul

Arne H. Carlson

K. P. Zubay

March 31, 1975

MAJORITY REPORT

Pursuant to House Resolution No. 4, adopted February 6, 1975, the Speaker appointed the following members to serve on the Select Committee on Legislative Compensation:

Voss, Chairman; Anderson, I.; Carlson, A.; Faricy; Hauge-rud; Kahn; Kelly, W.; Patton; Savelkoul; Suss and Zubay.

The Select Committee on Legislative Compensation was charged with the responsibility to "study the related questions involving per diem, total time to be committed to the legislative process, and salary. . . .[and] to complete its investigation and study by March 31, 1975."

The Select Committee on Legislative Compensation, therefore submits the following report:

Conclusions

1. For the 1977-78 biennium the committee recommends that the legislative salary should be computed at 80% of the mean salary paid to department heads in the state of Minnesota, excluding the salaries of constitutional officers, as listed in Minnesota Statutes 1974, Section 15A.081. Salaries for the Speaker of the House and the Majority Leader and Minority Leader of both bodies should be computed at 100% of the mean.

No per diem allowance should be paid, but each member should be reimbursed for actual vouchered expenses incurred in providing lodging, related expenses, and meals away from home (at the rate paid to state employees), up to a maximum allowance to be set by the legislature. Travel expenses, phone, stationery, postage, etc. should be provided in the same manner as at present.

2. For the 1975-76 biennium the committee recommends that the per diem allowances should not be increased, but per diem should be allowed for a maximum of 15 days per month, during the interim, spent on legislative business, whether or not in the Capitol and whether or not official committee meetings are involved. However, the Speaker, Majority Leader, and Minority Leader should not be limited to 15 days per month, but should be reimbursed for every day spent on legislative business.

3. It is further recommended that a Compensation Commission consisting of nine members shall be appointed as follows: two members of the public appointed by the Speaker of the House of Representatives; two members of the public appointed by the Senate Committee on Committees; three members appointed from the state at large by the Governor; and two members appointed from the state at large by the Chief Justice of the Supreme Court of the State of Minnesota. The Commission's sole charge is to set the compensation of members of the legislature, the constitutional officers, and members of the Supreme Court. The Commission shall meet within 15 days after final appointment and shall report its findings by September 1, 1975.

Compensation set by the Commission shall have the force and effect of law. The legislature may at its discretion review and repeal any action of the Commission.

Explanation

The Select Committee on Legislative Compensation accepts the Personnel Board's theory of comparability in determining the level of legislative compensation, and accepts in principle that per diem should cover actual expenses only. The Committee is also in agreement that leadership ought to receive additional compensation.

The Committee, however, finds that it disagrees with assumptions made by the Personnel Board in its use of comparability. For example, the Board assumed that legislators spend 60% of a 60-70 hour work week, on the average, on legislative business (i.e. 36-42 hours); that middle management personnel spend 60 to 70 hours per week on the job; that Minnesota's legislature spends about 60% of the time spent by a "full time" legislature; that legislators should be compared with other states' legislators and local elected officials in determining salary level.

The Committee submits that the amount of time spent by Minnesota legislators on legislative business (36-42 hours) is closer to 80% of a normal middle management work week and closer to 80% of a "full time" legislature's time span. It is the opinion of this Committee that the complexity of state government problems and the state's increased role render this work level both right and proper, and it is only just that compensation should be provided to match. Because the degree of responsibility and creativity required of the average legislator, as well as overall impact, compares favorably with that of department heads in Minnesota's executive branch, these positions should be included in the comparability equation. The lack of concise and accurate data on middle management salaries in private industry, together with the extremely wide salary range, make comparability in this case, though desirable, unattainable at this time. The Committee further submits that comparing legislative salaries only with salaries of other elected officials who have the responsibility to set their own salaries is in fact building in an error, as distortion will always be toward the lowest end of the salary range.

Attached to this report is the list of salaries paid to department heads as indicated in MS 1974 Section 15A.081. The mean (average) salary is \$24,100 and 80% of this figure is \$19,280.

It is the opinion of this Committee that the base used for calculating salary should be *present* salaries of department heads, even though doing so builds in a two-year lag, because these salaries were set before the question of their use for this purpose had arisen.

With regard to per diem allowances for the interim periods in this biennium, the maximum of 15 days per month recognizes the part-time nature of this legislature, and, in fact, coupled with

full-time sessions, approximates 80% of a normal work week. For any metro member who claims the maximum number of days, the yearly total of salary and per diem would be approximately \$15,500.

For this biennium only, the definition of per diem in the interim periods should be that used for part-time boards and commissions.

It is recognized that comparability and time requirements are current conditions and will change with time. A flexible method of establishing just compensation must be provided. It is recognized that legislators are in the best position to analyze the effect of changing conditions on demands made on legislators' time, and that a non-legislative commission can be expected to address the compensation issue with disinterest.

Respectfully submitted,

Gordon O. Voss
Chairman

March 25, 1975

ATTACHMENT TO MAJORITY REPORT

*Salaries for Certain Officers and
Employees of State Government*

The salaries listed below are taken from Minnesota Statutes 1974, Section 15A.081. Salaries of constitutional officers have been deleted from the list; and in each case where a range is given, the lower figure was used.

Mean Salary \$24,100

80% of the Mean \$19,280

Rank	Title	Base Salary
1	Commissioner/Department of Administration	\$36,000
2	Commissioner/Department of Finance	\$35,500
3	Executive Secretary/Board of Investment	\$35,000
4&5	Commissioner/Department of Highways	\$33,600
4&5	Commissioner/Department of Public Welfare	\$33,600
6	Chancellor/State College System	\$32,500

<i>Rank</i>	<i>Title</i>	<i>Base Salary</i>
7	Commissioner/Department of Personnel	\$31,000
8	Commissioner/Department of Health	\$30,300
9	Commissioner/Department of Education	\$29,800
10	Commissioner/Department of Revenue	\$28,900
11	Deputy Commissioner/Department of Administration	\$28,800
12	Deputy Commissioner/Department of Finance	\$28,400
13	Commissioner/Department of Natural Resources	\$28,300
14	Commissioner/Department of Corrections	\$28,000
15	Chancellor/Community College System	\$27,500
16	Director/Planning Agency	\$27,000
17&18	Commissioner/Department of Public Safety	\$26,900
17&18	Deputy Commissioner/Department of Public Welfare	\$26,900
19&20	Commissioner/Department of Employment Services	\$26,400
19&20	Commissioner/Department of Labor and Industry	\$26,400
21	Executive Director/Higher Education Coordinating Comm.	\$26,100
22	Deputy Commissioner/Department of Personnel	\$24,800
23	Chief Deputy Attorney General/Office of Attn. Gen.	\$24,500
24	Director/Pollution Control Agency	\$24,000
25	Deputy Commissioner/Department of Natural Resources	\$22,600
26	Deputy Commissioner/Department of Corrections	\$22,400

<i>Rank</i>	<i>Title</i>	<i>Base Salary</i>
27-33	Commissioner/Department of Agriculture	\$22,000
	Commissioner of Banks/Department of Commerce	\$22,000
	Commissioner of Insurance/Department of Commerce	\$22,000
	Commissioner of Securities/Department of Commerce	\$22,000
	Commissioner/Department of Economic Development	\$22,000
	Workmen's Compensation Commissioner/Dept. of Lab. & Ind.	\$22,000
	Commissioner, Pub. Serv. Commission/Dept. of Pub. Service	\$22,000
34	Deputy Commissioner/Department of Public Safety	\$21,500
35	Solicitor General/Office of Attn. General	\$21,300
36	Deputy Commissioner/Dept. of Labor and Industry	\$21,100
37	Director, Mediation Services/Dept. Lab. & Industry	\$21,000
38	Asst. Executive Director/HECC	\$20,900
39	Deputy Auditor/Office of Auditor	\$20,800
40	Director/Department of Public Service	\$20,700
41	Commissioner/Department of Aeronautics	\$20,400
42	Commissioner/Department of Human Rights	\$20,000
43	Deputy Attorney General/Office of Attn. General	\$19,100
44	Commissioner/Department of Liquor Control	\$19,000
45&46	Deputy Commissioner/Department of Agriculture	\$17,600

<i>Rank</i>	<i>Title</i>	<i>Base Salary</i>
45&46	Deputy Commissioner/Department of Economic Development	\$17,600
47-49	Executive Director/Indian Affairs Commission	\$17,500
	Deputy Secretary of State/Office of Sec. of State	\$17,500
	Deputy Treasurer/State Treasury	\$17,500
50	Commissioner/Department of Veterans Affairs	\$16,000
51	Spec. Asst. Attorney General/Office of Attn. Gen.	\$12,600
52	Asst. Attorney General/Office of Attorney General	\$12,000

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Nelson; Dieterich; Lindstrom; George and Carlson, A., introduced:

H. F. No. 1228, A bill for an act relating to courts; juvenile court records; establishing a procedure for expunging the records; providing a penalty; amending Minnesota Statutes 1974, Chapter 260, by adding a section.

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

Wenstrom; Anderson, G.; Langseth; Wenzel and Fjoslien introduced:

H. F. No. 1229, A bill for an act relating to agriculture; restrictions upon ownership of agricultural land; providing a penalty.

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

Sieben, M.; Corbid; Mann; Stanton and Niehaus introduced:

H. F. No. 1230, A bill for an act relating to agriculture; sale of nursery stock by out-of-state nurserymen; certificates of inspection; reciprocity with other states; amending Minnesota Statutes 1974, Section 18.55, Subdivision 2.

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

St. Onge, Erickson, Fugina, Stanton and Beauchamp introduced:

H. F. No. 1231, A bill for an act relating to education; state colleges; prohibiting reduction in teaching positions.

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

Patton, St. Onge, Stanton, Fugina and Knickerbocker introduced:

H. F. No. 1232, A bill for an act relating to state colleges; setting salaries for teaching services during summer sessions; amending Minnesota Statutes 1974, Section 136.17.

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

Moe, for the Committee on Crime and Prevention and Corrections, introduced:

H. F. No. 1233, A bill for an act relating to corrections; reorganizing and harmonizing various laws relating to corrections and creating a code of corrections; establishing offender's rights; prescribing penalties; amending Minnesota Statutes 1974, Sections 609.165, Subdivision 1; 641.26; Chapters 144, by adding a section and 631, by adding sections; repealing Minnesota Statutes 1974, Sections 243.49; 243.50; 246.32; 260.51; 260.52; 260.53; 260.54; 260.55; 260.56; 260.57; 325.45; 325.46; 325.47; 609.12; 642.10; 642.11; 629.292; 629.294; Chapters 241; 242; 243; and 401; Laws 1973, Chapter 553, Section 7.

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

Fugina, St. Onge, Patton and Stanton introduced:

H. F. No. 1234, A bill for an act relating to education; increasing salaries of state college teachers to compensate for increased cost of living; appropriating money.

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

Sarna; Fudro; Johnson, D.; Metzen and Biersdorf introduced:

H. F. No. 1235, A bill for an act relating to intoxicating liquor; filing of wholesale price schedules; amending Minnesota Statutes 1974, Section 340.983.

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

Anderson, G.; Mann; Smogard; Sieben, M.; and Friedrich introduced:

H. F. No. 1236, A bill for an act relating to agriculture; providing for recovery of damages caused by unavailability of replacement or repair parts for farm machinery or implements.

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

McCarron, Novak, Knoll, Forsythe and Mangan introduced:

H. F. No. 1237, A bill for an act relating to corrections; authorizing the commissioner of corrections to establish a health advisory committee.

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

Faricy, Hanson, Byrne, Sieloff and Kelly, R., for St. Paul Delegation, introduced:

H. F. No. 1238, A bill for an act relating to Independent School District No. 625; amending Laws 1969, Chapter 911, Section 2, as amended.

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

Knickerbocker, Philbrook, Clark, Metzen and Ewald introduced:

H. F. No. 1239, A bill for an act relating to education; foundation aid; increasing foundation aid per pupil; amending Minnesota Statutes 1974, Section 124.212, by adding subdivisions.

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

Corbid, Neisen and Carlson, L., introduced:

H. F. No. 1240, A bill for an act relating to game and fish; transporting of firearms in vehicles; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

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

Kahn, Munger, Norton, Savelkoul and Wenstrom introduced:

H. F. No. 1241, A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition of public lands and interests in land needed for natural resource programs; appropriating money from the fund for this purpose; appropriating money from the general fund for payment of bonds.

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

Erickson; Johnson, D.; Peterson; Nelsen and Friedrich introduced:

H. F. No. 1242, A bill for an act relating to public safety; permitting the carrying of rifles in pickup trucks under certain circumstances.

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

Swanson, Sieloff, George, Abeln and Kelly, R., introduced:

H. F. No. 1243, A bill for an act relating to savings banks; authorizing customer bank communication terminals.

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

McCollar, White, Mangan, Wenzel and Searle introduced:

H. F. No. 1244, A bill for an act relating to insurance; requiring abstracts of annual statements and publication of statistical review of insurance industry; amending Minnesota Statutes 1974, Section 60A.13, Subdivisions 3 and 4.

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

McCollar, Suss, Mangan, McEachern and Searle introduced:

H. F. No. 1245; A bill for an act relating to insurance; authorizing domestic stock insurance companies to declare and pay dividends quarterly; amending Minnesota Statutes 1974, Section 60A.23, Subdivision 4.

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

Metzen, Brinkman, Savelkoul, Ulland and Anderson, I., introduced:

H. F. No. 1246, A bill for an act relating to insurance; increasing the amount of admitted assets that may be invested in certificates of deposit; amending Minnesota Statutes 1974, Section 61A.28, Subdivision 5.

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

Faricy, Heinitz, Osthoff, Fugina and Sieben, H., introduced:

H. F. No. 1247, A bill for an act relating to crimes; prohibiting endurance contests without rest periods; amending Minnesota Statutes 1974, Section 624.66, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Laidig; Savelkoul; Carlson, A.; Knickerbocker and Erickson introduced:

H. F. No. 1248, A bill for an act relating to elections; fair campaign practices; prohibiting the solicitation of funds from registered lobbyists; amending Minnesota Statutes 1974, Chapter 211, by adding a section.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Patton; Parish; Sieben, H.; Knickerbocker and Sabo introduced:

H. F. No. 1249, A bill for an act relating to state government; providing that gubernatorial appointments are effective upon approval by either the senate or the house of representatives.

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

Patton; Parish; Sieben, H.; Knickerbocker and Sabo introduced:

H. F. No. 1250, A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3; providing for the advice and consent of the house of representatives on appointments by the governor.

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

Sieben, H.; Wenstrom; Fudro; Lemke and Biersdorf introduced:

H. F. No. 1251, A bill for an act relating to the operation of state government, establishing an office of voluntarism within the office of the governor; coordinating volunteer action throughout the state.

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

Biersdorf introduced:

H. F. No. 1252, A bill for an act relating to the sale of state owned lands to the city of Owatonna; providing for valuation at current fair market value; amending Laws 1965, Chapter 216, Sections 2, as amended; and 3, Subdivision 1, as amended.

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

Parish, Patton, Beauchamp, Biersdorf and Moe introduced:

H. F. No. 1253, A bill for an act relating to retirement; authorizing pledge for security of teacher's retirement contributions in certain instances; amending Minnesota Statutes 1974, Section 354A.11.

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

Novak introduced:

H. F. No. 1254, A bill for an act relating to the city of New Brighton; firemen's relief pensions; amending Laws 1967, Chapter 742, Section 1, Subdivision 1.

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

Jaros, Kahn, Prael, Corbid and Sieben, M., introduced:

H. F. No. 1255, A bill for an act relating to workmen's compensation; prohibiting intervention by the employee's insurer if the intervention would delay a settlement; amending Minnesota Statutes 1974, Section 176.361.

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

Jaros, Kahn, Stanton, Prael and Corbid introduced:

H. F. No. 1256, A bill for an act relating to workmen's compensation; intervention by insurer not to delay approval of a settlement; amending Minnesota Statutes 1974, Chapter 176, by adding a section.

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

Arlandson; Adams, L.; Haugerud; Patton and Smogard introduced:

H. F. No. 1257, A bill for an act relating to licensing boards; redefining health related licensing board and non-health related licensing board; providing certain uniform requirements; transferring jurisdiction over and functions of certain agencies and boards; appropriating money; amending Minnesota Statutes 1974, Sections 125.183, Subdivisions 1 and 3; 125.184, Subdivision 1; 125.185, Subdivision 6; 147.01; 144.952, Subdivision 2; 148.03; 148.04; 148.07, Subdivision 3; 148.181; 148.191, Subdivision 1; 148.29, Subdivisions 2 and 3; 148.52; 148.54; 148.60; 148.68; 148.69; 148.90, Subdivisions 2 and 3; 150A.02, Subdivision 1; 150A.03, Subdivisions 1 and 3; 151.03; 151.06, Subdivision 1; 151.07; 153.01, Subdivision 3; 153.02; 153.03; 153.04; 153.13; 153.14; 153.15; 154.22; 154.23; 155.05; 155.06, Subdivisions 1 and 2; 156.01, Subdivisions 1 and 3; 214.01, Subdivisions 2 and 3; 214.04; 238.04, Subdivision 5; 270.41; 270.42; 270.43; 270.45; 326.04; 326.07; 326.09; 326.17; 326.18; 326.241, Subdivisions 1 and 3; 326.33, Subdivisions 1 and 5; 326.334, Subdivision 7; 326.37; 326.38; 326.39; 326.40; 326.41; 326.42; 326.43; 326.44; 326.541; 326.542; 326.543; 326.544; 326.545; 326.546;

326.57; 326.58; 326.59; 326.60; 326.61, Subdivision 3; 326.62; 326.63; 326.64; 326.66; 341.01; 341.02; 386.63, Subdivisions 1 and 4; Chapters 148, by adding a section; and 214, by adding sections; and repealing Minnesota Statutes 1974, Sections 125.183, Subdivision 2; 148.90, Subdivision 4; 150A.02, Subdivision 2; and 341.14.

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

Arlandson, Adams, L.; Lindstrom; Haugerud and Patton introduced:

H. F. No. 1258, A bill for an act relating to the organization and operation of state government; providing for membership terms, compensation, removal of members and filling of membership vacancies of certain state boards, commissions, committees, councils, authorities, the housing finance agency and the tax court; amending Minnesota Statutes 1974, Sections 3.922, Subdivision 2; 3.924; 3.927; 10A.02, Subdivision 2; 15.50, Subdivision 1, and by adding a subdivision; 16.71, Subdivision 1, and by adding a subdivision; 16.823, Subdivisions 2 and 3; 35.02; 40.03, Subdivisions 1 and 3, and by adding a subdivision; 43.03, Subdivision 1, and by adding a subdivision; 85A.01, Subdivisions 1 and 4, and by adding a subdivision; 105.71, Subdivisions 1 and 3, and by adding a subdivision; 116.02, Subdivisions 1, 2 and 4; 116C.03, by adding a subdivision; 116C.05, Subdivision 1, and by adding a subdivision; 116E.02, Subdivisions 1, 2 and 4, and by adding a subdivision; 121.02, Subdivisions 1 and 2, and by adding a subdivision; 136.12; 136.61, Subdivision 1, and by adding a subdivision; 136A.02, Subdivision 1, and by adding a subdivision; 136A.26; 139.01; 139.02; 144.01; 144.04; 175.006, Subdivision 1, and by adding a subdivision; 179.72, Subdivisions 1 and 2, and by adding a subdivision; 182.664, Subdivision 1, and by adding a subdivision; 197.978, Subdivision 1, and by adding a subdivision; 216A.03, Subdivision 1, and by adding a subdivision; 238.04, Subdivision 2, and by adding a subdivision; 241.045, Subdivision 3, and by adding a subdivision; 250.05, Subdivisions 2 and 3, and by adding a subdivision; 256.975, Subdivision 1, and by adding a subdivision; 271.01, Subdivision 2, and by adding a subdivision; 275.551; 299B.05, Subdivisions 2 and 3, and by adding a subdivision; 352.03, Subdivision 1, and by adding a subdivision; 363.04, Subdivision 4, and by adding a subdivision; 414.01, Subdivisions 3 and 6a, and by adding a subdivision; 462A.04, Subdivision 1, and by adding a subdivision; 490.15; 626.842; Chapter 15, by adding a section; repealing Minnesota Statutes 1974, Sections 3.922, Subdivision 3; 10A.02, Subdivision 6; 16.823, Subdivision 5; 43.03, Subdivision 3; 136.61, Subdivision 4; 136A.02, Subdivision 4; 216A.03, Subdivision 2; 238.04, Subdivisions 4 and 5; 352.03, Subdivisions 2 and 3; 363.04, Subdivision 6; 462A.04, Subdivisions 2 and 5.

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

Faricy, Hanson, Vento, Tomlinson and Sieloff introduced:

H. F. No. 1259, A bill for an act relating to the capitol area architectural and planning commission; authorizing the city of St. Paul to expend moneys held by it in accordance with the city capital improvement budget; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3.

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

Samuelson; Swanson; Anderson, I.; Johnson, D.; and Berglin introduced:

H. F. No. 1260, A bill for an act relating to public welfare; providing for chemical dependency services for native Americans; appropriating money.

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

Petrafeso; Kelly, W.; Swanson; Norton and Novak introduced:

H. F. No. 1261, A bill for an act relating to health; providing for the establishment and operation of clinics for migrant workers; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

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

White, Metzen, Jensen, Albrecht and Fugina introduced:

H. F. No. 1262, A bill for an act relating to anatomical gifts; requiring morticians and certain other designated persons to obtain a written release prior to performing an eye enucleation procedure; amending Minnesota Statutes 1974, Section 595.924, by adding a subdivision.

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

Enebo, Pehler, McCarron, Knoll and St. Onge introduced:

H. F. No. 1263, A bill for an act relating to public welfare; providing for disregard of certain pension payment increases in calculating eligibility for supplemental aid; amending Minnesota Statutes 1974, Section 256D.38.

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

Enebo, Pehler, McCarron, Knoll and St. Onge introduced:

H. F. No. 1264, A bill for an act relating to public welfare; providing earned income and owned property limits for eligibility for supplemental aid; amending Minnesota Statutes 1974, Section 256D.37.

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

Meier, Clawson, Fugina and McEachern introduced:

H. F. No. 1265, A bill for an act relating to education; state community colleges; appropriating money to build a state community college at Cambridge; amending Laws 1973, Chapter 777, Section 13, Subdivision 2.

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

Peterson, Kalis and Mann introduced:

H. F. No. 1266, A bill for an act relating to education; higher education coordinating commission; providing for a post-secondary education project in the Fairmont area; appropriating money.

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

Skoglund, Luther, Dieterich, Parish and Arlandson introduced:

H. F. No. 1267, A bill for an act relating to highway traffic regulations; requiring a notice to respond to a summons made to a person charged with a non-moving traffic violation to be made by personal service or certified mail; prohibiting issuance of a warrant for the arrest of a person charged with a non-moving traffic violation unless an affidavit of personal service of the notice to respond to a summons is made or a receipt evidencing service of such notice by certified mail is obtained; amending Minnesota Statutes 1974, Section 492.04, Subdivision 5.

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

Schreiber, Lindstrom, Voss, Dean and Faricy introduced:

H. F. No. 1268, A bill for an act relating to courts; conciliation courts; providing that the jurisdictional amount of money or property in controversy shall not exceed a certain sum; amending Minnesota Statutes 1974, Sections 487.30; 488A.12, Subdivision 3; 488A.29, Subdivision 3; 491.03, Subdivision 4; and 491.04, Subdivision 1.

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

McCarron, Biersdorf, Haugerud, Jacobs and Novak introduced:

H. F. No. 1269, A bill for an act relating to search warrants; permitting oral issuance; amending Minnesota Statutes 1974, Chapter 626, by adding a section.

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

McCarron, Biersdorf, Haugerud, Jacobs and Novak introduced:

H. F. No. 1270, A bill for an act relating to search warrants; authorizing issuance upon oral request; amending Minnesota Statutes 1974, Chapter 626, by adding a section.

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

Jaros, Samuelson, Doty, Meier and Enebo introduced:

H. F. No. 1271, A bill for an act relating to labor and employment; providing for transfer of pension or retirement fund contributions; amending Minnesota Statutes 1974, Section 179.254, Subdivision 2.

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

Voss, Casserly, McCarron, Pleasant and Sieben, H., introduced:

H. F. No. 1272, A bill for an act relating to counties; authorizing certain counties to acquire property; amending Minnesota Statutes 1974, Section 398.32, by adding a subdivision.

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

Prahl; Anderson, I.; and McCarron introduced:

H. F. No. 1273, A bill for an act relating to Itasca county; authorizing issuance of additional on-sale intoxicating liquor licenses.

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

Schumacher introduced:

H. F. No. 1274, A bill for an act relating to the city of Glenwood; providing for relocation of certain medical facilities.

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

Laidig; Sieben, M.; and George introduced:

H. F. No. 1275, A bill for an act relating to counties; authorizing counties to prohibit the recording of certain instruments of conveyance; prohibiting the transfer of certain land on county records; amending Minnesota Statutes 1974, Chapter 394, by adding a section.

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

McCarron; Sieben, H.; Patton and George introduced:

H. F. No. 1276, A bill for an act relating to county government; requiring boards of seven members in certain counties; amending Minnesota Statutes 1974, Sections 375.01; and 375A.09, Subdivision 2.

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

Anderson, I.; Sabo and Savelkoul introduced:

H. F. No. 1277, A bill for an act relating to the legislature; prescribing powers and duties of the joint coordinating committee; amending Minnesota Statutes 1974, Chapter 3, by adding a section; Section 3.304, Subdivisions 1, 2, 3 and 5; and Chapter 482, by adding sections; repealing Minnesota Statutes 1974, Section 3.304, Subdivisions 4, 6 and 7.

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

McCauley; Sieben, M.; Pleasant; Fjoslien and Prah! introduced:

H. F. No. 1278, A bill for an act relating to taxation; allowing homeowners a solar energy deduction; amending Minnesota Statutes 1974, Section 290.09, by adding a subdivision.

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

Setzepfandt; Eckstein; Anderson, G.; Smogard and Lemke introduced:

H. F. No. 1279, A bill for an act relating to taxation; exempting any 1974 federal income tax rebate from state income taxation.

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

Corbid; Knickerbocker; Kelly, W.; Eken and Meier introduced:

H. F. No. 1280, A bill for an act relating to taxation; sales and use tax; definitions; excluding from term sale and purchase meals and drinks delivered or served at home to senior citizens or the handicapped by governmental or nonprofit organizations; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 3.

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

Jaros, Casserly, Jacobs, Clark and Kelly, R., introduced:

H. F. No. 1281, A bill for an act relating to taxation; providing that state shall reimburse taxing districts for tax reduction granted to class 3cc property and Title II and certain other property; amending Minnesota Statutes 1974, Section 276.04; and Chapter 273, by adding a section.

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

Schreiber, Fudro, Jude, Pleasant and Williamson introduced:

H. F. No. 1282, A bill for an act relating to Hennepin county; authorizing the county board to make appropriations from its county road and bridge fund to certain municipalities within the county for roads and streets.

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

Clark, Sarna, Petrafeso, Voss and Kvam introduced:

H. F. No. 1283, A bill for an act relating to commerce; regulating transportation of certain hazardous materials on the road and highways of the state; providing penalties.

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

Eckstein, Mann, Eken, Lindstrom and Wigley introduced:

H. F. No. 1284, A bill for an act relating to aeronautics; providing for airport zoning regulation by municipalities and joint airport zoning boards; amending Minnesota Statutes 1974, Sections 360.063, Subdivisions 1, 3, and 5, and by adding a subdivision; 360.067, Subdivision 4; 360.069; and 360.071, Subdivision 2; repealing Minnesota Statutes 1974, Section 360.063, Subdivision 2.

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

Prahl; Johnson, D.; Ketola; Patton and Anderson, I., introduced:

H. F. No. 1285, A bill for an act relating to taxation and natural resources; changing the percentage of unrefunded gasoline excise taxes attributable to snowmobile operation; amending Minnesota Statutes 1974, Section 296.16, Subdivision 1; and 296.421, Subdivision 7.

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

MOTIONS AND RESOLUTIONS

Petrafeso moved that the name of McCollar be stricken and the name of Swanson be added as an author on H. F. No. 1131. The motion prevailed.

Osthoff moved that the name of Clark be added as an author on H. F. No. 1142. The motion prevailed.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 5, A Concurrent Resolution urging that a presidential commission be established to investigate the matter of American Prisoners of War and persons Missing in Action in Indochina.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 194, 242, 249, 312 and 876.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 194: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to acquire land along canoe and boating routes; amending Minnesota Statutes 1974, Section 85.32, Subdivisions 2 and 3.

The bill was read for the first time.

Wenstrom moved that S. F. No. 194 and H. F. No. 399, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 242: A bill for an act relating to corrections; defining powers and duties of the commissioner of corrections; amending Minnesota Statutes 1974, Section 241.01, Subdivision 5a, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 241.01, Subdivision 3.

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

S. F. No. 249: A bill for an act relating to game and fish; taking fish from dark houses; amending Minnesota Statutes 1974, Section 101.42, Subdivision 16.

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

S. F. No. 312: A bill for an act relating to motor vehicles; providing for bug deflectors, automobile wheel devices, and truck weighing; amending Minnesota Statutes 1974, Sections 169.743; 169.85; and Chapter 169, by adding a section.

The bill was read for the first time.

Lemke moved that S. F. No. 312 and H. F. No. 900, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 876: A bill for an act relating to Lincoln county; ratifying certain salary increases voted to the Lincoln county board of commissioners.

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

CONSENT CALENDAR

H. F. No. 599, A bill for an act relating to health; practice of healing; increasing the annual registration fee; amending Minnesota Statutes 1974, Section 146.13.

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 115, and nays 6, as follows:

Those who voted in the affirmative were:

Abeln	Brinkman	Eckstein	Hanson	Kaley
Adams, L.	Byrne	Eken	Haugerud	Kalis
Anderson, G.	Carlson, L.	Enebo	Heinitz	Kelly, W.
Anderson, I.	Carlson, R.	Esau	Hokanson	Kempe, A.
Arlandson	Casserly	Evans	Jacobs	Kempe, R.
Beauchamp	Clark	Ewald	Jaros	Ketola
Begich	Clawson	Faricy	Jensen	Knickerbocker
Berg	Corbid	Forsythe	Johnson, C.	Knoll
Berglin	Dahl	Friedrich	Johnson, D.	Kostohryz
Biersdorf	DeGroat	Fudro	Jopp	Kroening
Birnstihl	Dieterich	Fugina	Jude	Laidig
Braun	Doty	Graba	Kahn	Langseth

Lemke	Moe	Petraleso	Searle	Tomlinson
Lindstrom	Munger	Philbrook	Setzepfandt	Ulland
Luther	Neisen	Pleasant	Sherwood	Vento
Mangan	Nelsen	Prahl	Sieben, H.	Voss
Mann	Nelson	Reding	Sieben, M.	Wenstrom
McCarron	Novak	Rice	Simoneau	Wenzel
McCauley	Osthoff	St. Onge	Skoglund	White
McCollar	Parish	Samuelson	Smith	Wieser
McEachern	Patton	Sarna	Smogard	Wigley
Meier	Pehler	Schulz	Suss	Zubay
Menning	Peterson	Schumacher	Swanson	Speaker Sabo

Those who voted in the negative were:

Albrecht	Dean	Kvam	Niehaus	Schreiber
Carlson, A.				

The bill was passed and its title agreed to.

H. F. No. 600, A bill for an act relating to public health; providing for representation of the state examining committee for physical therapists on the advisory committee on allied health manpower credentialling of the state board of health; amending Minnesota Statutes 1974, Section 145.865, Subdivision 1.

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

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

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Munger	Sherwood
Adams, L.	Eken	Kalis	Neisen	Sieben, H.
Anderson, G.	Enebo	Kelly, R.	Nelson	Sieben, M.
Anderson, I.	Erickson	Kelly, W.	Niehaus	Simoneau
Arlandson	Esau	Kempe, A.	Norton	Skoglund
Beauchamp	Evans	Kempe, R.	Novak	Smith
Begich	Ewald	Ketola	Osthoff	Smogard
Berg	Faricy	Knickerbocker	Parish	Spanish
Berglin	Fjoslien	Knoll	Patton	Stanton
Biersdorf	Forsythe	Kostohryz	Pehler	Suss
Birnstihl	Friedrich	Kroening	Peterson	Swanson
Braun	Fudro	Kvam	Petraleso	Tomlinson
Brinkman	Fugina	Laidig	Philbrook	Ulland
Byrne	Graha	Langseth	Pleasant	Vanasek
Carlson, A.	Hanson	Lemke	Prahl	Vento
Carlson, L.	Haugerud	Lindstrom	Reding	Voss
Carlson, R.	Heinitz	Luther	Rice	Wenstrom
Casserly	Hokanson	Mangan	St. Onge	Wenzel
Clark	Jacobs	Mann	Samuelson	White
Clawson	Jaros	McCarron	Sarna	Wieser
Corbid	Jensen	McCauley	Savelkoul	Wigley
Dahl	Johnson, C.	McCollar	Schreiber	Zubay
Dean	Johnson, D.	McEachern	Schulz	Speaker Sabo
DeGroat	Jopp	Meier	Schumacher	
Dieterich	Jude	Menning	Searle	
Doty	Kahn	Moe	Setzepfandt	

The bill was passed and its title agreed to.

H. F. No. 601, A bill for an act relating to health; defining physical therapist; prohibiting certain conduct relating to the practice of physical therapy; providing penalties; amending Minnesota Statutes 1974, Sections 148.65, Subdivision 2; 148.76; and 148.77.

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 127, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kahn	Moe	Searle
Adams, L.	Eken	Kaley	Munger	Setzepfandt
Anderson, G.	Enebo	Kalis	Neisen	Sherwood
Anderson, I.	Erickson	Kelly, R.	Nelsen	Sieben, H.
Arlandson	Esau	Kelly, W.	Nelson	Sieben, M.
Beauchamp	Evans	Kempe, A.	Niehaus	Simoneau
Begich	Ewald	Kempe, R.	Norton	Skoglund
Berg	Faricy	Ketola	Novak	Smith
Berglin	Fjoslien	Knickerbocker	Osthoff	Smogard
Biersdorf	Forsythe	Knoll	Parish	Stanton
Birnstihl	Friedrich	Kostohryz	Patton	Suss
Braun	Fudro	Kroening	Pehler	Swanson
Brinkman	Fugina	Kvam	Peterson	Ulland
Byrne	George	Laidig	Petraleso	Vanasek
Carlson, A.	Graba	Langseth	Philbrook	Vento
Carlson, L.	Hanson	Lemke	Pleasant	Voss
Carlson, R.	Haugerud	Lindstrom	Prahl	Wenstrom
Cassely	Heinitz	Luther	Reding	Wenzel
Clark	Hokanson	Mangan	Rice	White
Clawson	Jacobs	Mann	St. Onge	Wieser
Corbid	Jaros	McCarron	Samuelson	Wigley
Dahl	Jensen	McCauley	Sarna	Zubay
Dean	Johnson, C.	McCollar	Savelkoul	Speaker Sabo
DeGroat	Johnson, D.	McEachern	Schreiber	
Dieterich	Jopp	Meier	Schulz	
Doty	Jude	Menning	Schumacher	

The bill was passed and its title agreed to.

H. F. No. 648, A bill for an act relating to public health; license fees for hospitals and related institutions; exempting the Minnesota veterans home from such fees; amending Minnesota Statutes 1974, Section 144.53.

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 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Suss
Berglin	Forsythe	Kostohryz	Pehler	Swanson
Biersdorf	Friedrich	Kroening	Peterson	Tomlinson
Birnstihl	Fudro	Kvam	Petrafeso	Ulland
Braun	Fugina	Laidig	Philbrook	Vanasek
Brinkman	George	Langseth	Pleasant	Vento
Byrne	Graba	Lemke	Prahl	Voss
Carlson, A.	Hanson	Lindstrom	Reding	Wenstrom
Carlson, L.	Haugerud	Luther	Rice	Wenzel
Carlson, R.	Heinitz	Mangan	St. Onge	White
Casserly	Hokanson	Mann	Samuelson	Wieser
Clark	Jacobs	McCarron	Sarna	Wigley
Clawson	Jaros	McCauley	Savelkoul	Williamson
Corbid	Jensen	McCollar	Schreiber	Zubay
Dahl	Johnson, C.	McEachern	Schulz	Speaker Sabo
Dean	Johnson, D.	Meier	Schumacher	
DeGroat	Jopp	Menning	Searle	
Deiterich	Jude	Moe	Setzepfandt	
Doty	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 1049, A bill for an act relating to highways; duties of the commissioner of highways; providing that the commissioner shall publish a highway map periodically; amending Minnesota Statutes 1974, Section 161.31, Subdivision 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 127, and nays 4, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, L.	Evans	Johnson, C.	Langseth
Adams, L.	Carlson, R.	Ewald	Jopp	Lemke
Albrecht	Casserly	Fjoslien	Jude	Lindstrom
Anderson, G.	Clark	Forsythe	Kahn	Luther
Anderson, I.	Clawson	Friedrich	Kaley	Mangan
Arlandson	Corbid	Fudro	Kelly, R.	Mann
Beauchamp	Dahl	Fugina	Kelly, W.	McCarron
Begich	Dean	George	Kempe, A.	McCauley
Berg	DeGroat	Graba	Kempe, R.	McCollar
Berglin	Dieterich	Hanson	Ketola	McEachern
Biersdorf	Doty	Haugerud	Knickerbocker	Meier
Birnstihl	Eckstein	Heinitz	Knoll	Menning
Braun	Eken	Hokanson	Kostohryz	Moe
Brinkman	Enebo	Jacobs	Kroening	Munger
Byrne	Erickson	Jaros	Kvam	Neisen
Carlson, A.	Esau	Jensen	Laidig	Nelsen

Nelson	Pleasant	Schumacher	Smogard	Wenzel
Niehaus	Prahl	Searle	Spanish	White
Norton	Reding	Setzepfandt	Stanton	Wieser
Osthoff	Rice	Sherwood	Suss	Wigley
Parish	St. Onge	Sieben, H.	Swanson	Williamson
Patton	Samuelson	Sieben, M.	Tomlinson	Zubay
Pehler	Sarna	Sieloff	Ulland	Speaker Sabo
Peterson	Savelkoul	Simoneau	Vanasek	
Petrafeso	Schreiber	Skoglund	Vento	
Philbrook	Schulz	Smith	Wenstrom	

Those who voted in the negative were:

Faricy	Johnson, D.	Kalis	Voss
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The bill was passed and its title agreed to.

CALENDAR

H. F. No. 412, A bill for an act relating to the organization and operation of state government; transferring functions of certain state agencies; permitting the creation of two advisory agencies; creating the veterans advisory committee; establishing an expiration date for the Vietnam veterans bonus review board; abolishing various state agencies; amending Minnesota Statutes 1974, Chapter 198, by adding a section; Sections 15.047, Subdivision 1; 124.41; 173.02, Subdivision 4; 173.04, Subdivisions 2 and 3; 197.977; 197.978, by adding a subdivision; 198.001, by adding subdivisions; 198.01; 198.022; 198.03; 198.05; 198.06; 198.16; 198.161; 198.23; 198.261; 198.265; 206.08; 241.045, Subdivision 1; 256.482, Subdivision 5; and 507.09; repealing Minnesota Statutes 1974, Sections 4.20; 4.25; 12.12; 15.046; 29.011; 29.013; 94.36 to 94.40; 115.17; 136B.01; 136B.02; 173.04, Subdivision 1; 176.621; 176.631; 198.001, Subdivision 3; 198.07; 198.071; 198.072; 198.073; 198.08; 198.09; 332.36; and 507.08.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 125, and nays 7, as follows:

Those who voted in the affirmative were:

Abeln	Byrne	Eckstein	Hanson	Kalis
Adams, L.	Carlson, A.	Eken	Haugerud	Kelly, R.
Anderson, G.	Carlson, L.	Enebo	Heinitz	Kelly, W.
Anderson, I.	Carlson, R.	Esau	Hokanson	Kempe, A.
Arlandson	Casserly	Evans	Jacobs	Kempe, R.
Beauchamp	Clark	Ewald	Jaros	Ketola
Egich	Clawson	Faricy	Jensen	Knickerbocker
Berg	Corbid	Forsythe	Johnson, C.	Knoll
Berglin	Dahl	Friedrich	Johnson, D.	Kostohryz
Eiersdorf	Dean	Fudro	Jopp	Kroening
Birnstihl	DeGroat	Fugina	Jude	Laidig
Braun	Dieterich	George	Kahn	Langseth
Brinkman	Doty	Graba	Kaley	Lemke

Lindstrom	Neisen	Philbrook	Setzepfandt	Tomlinson
Luther	Nelsen	Pleasant	Sherwood	Ulland
Mangan	Nelson	Prahl	Sieben, H.	Vanasek
Mann	Niehaus	Reding	Sieben, M.	Vento
McCarron	Norton	Rice	Simoneau	Voss
McCauley	Novak	St. Onge	Skoglund	Wenstrom
McCollar	Osthoff	Samuelson	Smith	Wenzel
McEachern	Parish	Sarna	Smogard	White
Meier	Patton	Savelkoul	Spanish	Wieser
Menning	Pehler	Schreiber	Stanton	Williamson
Moe	Peterson	Schulz	Suss	Zubay
Munger	Petrafeso	Schumacher	Swanson	Speaker Sabo

Those who voted in the negative were:

Albrecht	Fjoslien	Searle	Sieloff	Wigley
Erickson	Kvam			

The bill was passed and its title agreed to.

S. F. No. 435, A bill for an act relating to telephone companies; charging costs of investigation procedures of the public service commission to telephone companies; removing limitation on application of investigation procedures; amending Minnesota Statutes 1974, Section 237.29, Subdivision 1; repealing Minnesota Statutes 1974, Section 237.32.

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 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Johnson, D.	McEachern	Savelkoul
Adams, L.	Doty	Jopp	Meier	Schreiber
Albrecht	Eckstein	Jude	Menning	Schulz
Anderson, G.	Eken	Kahn	Moe	Schumacher
Anderson, I.	Enebo	Kaley	Munger	Searle
Arlandson	Erickson	Kalis	Neisen	Setzepfandt
Beauchamp	Esau	Kelly, R.	Nelsen	Sherwood
Begich	Evans	Kelly, W.	Nelson	Sieben, H.
Berg	Ewald	Kempe, A.	Niehaus	Sieben, M.
Berglin	Faricy	Kempe, R.	Norton	Sieloff
Biersdorf	Fjoslien	Ketola	Novak	Simoneau
Birnstihl	Forsythe	Knickerbocker	Osthoff	Skoglund
Braun	Friedrich	Knoll	Parish	Smith
Brinkman	Fudro	Kostohryz	Patton	Smogard
Byrne	Fugina	Kroening	Pehler	Spanish
Carlson, A.	George	Laidig	Peterson	Stanton
Carlson, L.	Graba	Langseth	Petrafeso	Suss
Carlson, R.	Hanson	Lemke	Philbrook	Swanson
Casserly	Haugerud	Lindstrom	Pleasant	Tomlinson
Clark	Heinitz	Luther	Prahl	Ulland
Clawson	Hokanson	Mangan	Reding	Vanasek
Corbid	Jacobs	Mann	Rice	Vento
Dahl	Jaros	McCarron	St. Onge	Voss
Dean	Jensen	McCauley	Samuelson	Wenstrom
DeGroat	Johnson, C.	McCollar	Sarna	Wenzel

White
Wieser

Wigley

Williamson

Zubay

Speaker Sabo

The bill was passed and its title agreed to.

H. F. No. 486, A bill for an act relating to franchises; providing exceptions as to certain motor vehicle and motor fuel franchises; amending Minnesota Statutes 1974, Sections 80C.01, Subdivision 4.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrateso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Voss
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Meier	Schumacher	Speaker Sabo
DeGroat	Jopp	Menning	Searle	
Dieterich	Jude	Moe	Setzepfandt	
Doty	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 688, A bill for an act relating to school districts; insurance for school district funds; amending Minnesota Statutes 1974, Section 124.05, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 132, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Albrecht	Enebo	Kelly, R.	Nelson	Sieloff
Anderson, G.	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, I.	Esau	Kempe, A.	Norton	Skoglund
Arlandson	Evans	Kempe, R.	Novak	Smith
Beauchamp	Ewald	Ketola	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Parish	Spanish
Berg	Fjoslien	Knoll	Patton	Stanton
Berglin	Forsythe	Kostohryz	Pehler	Suss
Biersdorf	Friedrich	Kroening	Peterson	Swanson
Birnstihl	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Voss
Carlson, L.	Haugerud	Luther	Rice	Wenstrom
Carlson, R.	Heinitz	Mangan	St. Onge	Wenzel
Casserly	Hokanson	Mann	Samuelson	White
Clark	Jacobs	McCarron	Sarna	Wieser
Clawson	Jaros	McCauley	Savelkoul	Wigley
Corbid	Jensen	McCollar	Schreiber	Williamson
Dahl	Johnson, C.	McEachern	Schulz	Zubay
Dean	Johnson, D.	Meier	Schumacher	Speaker Sabo
DeGroat	Jopp	Menning	Searle	
Dieterich	Jude	Moe	Setzepfandt	
Doty	Kahn	Munger	Sherwood	

The bill was passed and its title agreed to.

H. F. No. 197, A bill for an act relating to public welfare; hospitalization and commitment; providing review for the admission and retention of mental patients in federal hospitals; amending Minnesota Statutes 1974, Section 253A.16, Subdivisions 1, 2, 3, and 4.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Carlson, A.	Erickson	Hokanson	Ketola
Adams, L.	Carlson, L.	Esau	Jacobs	Knickerbocker
Albrecht	Carlson, R.	Evans	Jaros	Knoll
Anderson, G.	Casserly	Ewald	Jensen	Kostohryz
Anderson, I.	Clark	Faricy	Johnson, C.	Kroening
Arlandson	Clawson	Fjoslien	Johnson, D.	Kvam
Beauchamp	Corbid	Forsythe	Jopp	Laidig
Begich	Dahl	Friedrich	Jude	Langseth
Berg	Dean	Fudro	Kahn	Lemke
Berglin	DeGroat	Fugina	Kaley	Lindstrom
Biersdorf	Dieterich	George	Kalis	Luther
Birnstihl	Doty	Graba	Kelly, R.	Mangan
Braun	Eckstein	Hanson	Kelly, W.	Mann
Brinkman	Eken	Haugerud	Kempe, A.	McCarron
Byrne	Enebo	Heinitz	Kempe, R.	McCauley

McCollar	Osthoff	Samuelson	Simoneau	Voss
McEachern	Parish	Sarna	Skoglund	Wenstrom
Meier	Patton	Savelkoul	Smith	Wenzel
Menning	Pehler	Schreiber	Smogard	Wieser
Moe	Peterson	Schulz	Spanish	Wigley
Munger	Petrafeso	Schumacher	Stanton	Williamson
Neisen	Philbrook	Searle	Suss	Zubay
Nelsen	Pleasant	Setzepfandt	Swanson	Speaker Sabo
Nelson	Prahl	Sherwood	Tomlinson	
Niehaus	Reding	Sieben, H.	Ulland	
Norton	Rice	Sieben, M.	Vanasek	
Novak	St. Onge	Sieloff	Vento	

The bill was passed and its title agreed to.

H. F. No. 1, A bill for an act relating to employment services; unemployment compensation; defining unemployment and wages; eliminating seasonal employment; eliminating collection of contributions of less than \$1; experience rating; deleting obsolete language; joint account; establishing a weekly maximum for benefits; charging of benefits to an employer not a party to a strike; payment of benefits to an employee who refuses to accept reemployment during a strike; appeals; notice of hearing; increasing fees of appeal tribunal members and of advisory council members; benefits paid through error or fraud; records; amending Minnesota Statutes 1974, Sections 268.04, Subdivisions 10, 12, 23, 25 and 26; 268.06, Subdivisions 1, 6, 21 and 22, and by adding a subdivision; 268.07, Subdivision 2; 268.071, Subdivision 1; 268.08, Subdivisions 1, 3, and 5; 268.09, Subdivision 1; 268.10, Subdivisions 2, 4 and 5; 268.12, Subdivisions 6, 8 and 13; 268.16, Subdivision 1, and by adding a subdivision; 268.18, by adding a subdivision; and repealing Minnesota Statutes 1974, Section 268.07, Subdivision 5.

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 87, and nays 45, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kempe, A.	Osthoff	Smith
Adams, L.	Dieterich	Ketola	Parish	Smogard
Anderson, I.	Doty	Knoll	Patton	Spanish
Arlandson	Enebo	Kostohryz	Pehler	Stanton
Beauchamp	Faricy	Kroening	Petrafeso	Suss
Begich	Fudro	Luther	Prahl	Swanson
Berg	Fugina	Mangan	Reding	Tomlinson
Berglin	George	McCarron	Rice	Ulland
Biersdorf	Hanson	McCauley	St. Onge	Vento
Birnstihl	Hokanson	McCollar	Samuelson	Voss
Byrne	Jacobs	McEachern	Sarna	Wenstrom
Carlson, A.	Jaros	Meier	Schumacher	Wenzel
Carlson, L.	Jensen	Moe	Sherwood	White
Carlson, R.	Johnson, D.	Munger	Sieben, H.	Williamson
Casserly	Jude	Neisen	Sieben, M.	Speaker Sabo
Clark	Kahn	Nelson	Sieloff	
Clawson	Kelly, R.	Norton	Simoneau	
Corbid	Kelly, W.	Novak	Skoglund	

Those who voted in the negative were:

Albrecht	Esau	Johnson, C.	Lemke	Savelkoul
Anderson, G.	Evans	Jopp	Lindstrom	Schreiber
Braun	Ewald	Kaley	Mann	Schulz
Brinkman	Fjoslien	Kalis	Menning	Searle
Dean	Forsythe	Kempe, R.	Nelsen	Setzepfandt
DeGroat	Friedrich	Knickerbocker	Niehaus	Vanasek
Eckstein	Graba	Kvam	Peterson	Wieser
Eken	Haugerud	Laidig	Philbrook	Wigley
Erickson	Heinitz	Langseth	Pleasant	Zubay

The bill was passed and its title agreed to.

GENERAL ORDERS

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

Pursuant to rule 1.6, a roll call was taken on the following amendment to H. F. No. 229 offered by Johnson, D.:

Page 5, after line 16, insert the following:

"(11) Contributions under section 404 (e) of the Internal Revenue Code of 1954, as amended through December 31, 1974, in excess of \$2,500 or 15 percent of earned income, whichever is lesser, shall be added to the federal adjusted gross income of the employee by whom or for whom such contributions were made."

Page 6, after line 32, insert the following:

"(10) That part of federal adjusted gross income for the taxable year consisting of an amount received from a plan, contributions to which were added to federal adjusted gross income under section 290.01, subdivision 20, clauses (a) (11), provided that no subtraction shall be made after the aggregate of the subtractions for all taxable years equals the aggregate of the amounts added with respect to such plan to federal adjusted gross income under section 290.01, subdivision 20, clauses (a) (11)."

There were yeas 81, and nays 46.

Those who voted in the affirmative were:

Abeln	Anderson, G.	Beauchamp	Berglin	Braun
Adams, L.	Anderson, I.	Begich	Birnsthil	Brinkman

Byrne	Hanson	Lindstrom	Philbrook	Smogard
Carlson, L.	Haugerud	Luther	Prahl	Spanish
Carlson, R.	Hokanson	Mangan	Reding	Suss
Clark	Jacobs	Mann	Rice	Swanson
Clawson	Jaros	McCarron	St. Onge	Vanasek
Corbid	Jensen	McCollar	Samuelson	Vento
DeGroat	Johnson, D.	McEachern	Sarna	Voss
Dieterich	Jude	Meier	Schulz	Wenstrom
Doty	Kahn	Moe	Schumacher	Wenzel
Eken	Kelly, R.	Neisen	Setzepfandt	Wieser
Enebo	Kelly, W.	Norton	Sherwood	Speaker Sabo
Faricy	Ketola	Novak	Sieben, M.	
Fudro	Kostohryz	Osthoff	Simoneau	
Fugina	Kroening	Pehler	Skoglund	
George	Langseth	Petrafeso	Smith	

Those who voted in the negative were:

Albrecht	Evans	Kalis	Niehaus	Tomlinson
Arlandson	Ewald	Kempe, A.	Parish	Ulland
Berg	Fjoslien	Kempe, R.	Patton	White
Biersdorf	Forsythe	Knickerbocker	Peterson	Wigley
Carlson, A.	Friedrich	Kvam	Pleasant	Williamson
Casserly	Graba	Laidig	Savelkoul	Zubay
Dean	Heinitz	Lemke	Schreiber	
Eckstein	Johnson, C.	McCauley	Sieben, H.	
Erickson	Jopp	Menning	Sieloff	
Esau	Kaley	Nelsen	Stanton	

The amendment was adopted.

Pursuant to rule 1.6, a roll call was taken on the following amendment to H. F. No. 229 offered by Savelkoul:

Page 4, line 24, after "year" add "*provided that for the purpose of this paragraph "Federal income tax overpayment" does not include that part of any such overpayment which results from the provisions of the Tax Reduction Act of 1975 signed into law by President Ford on March 29, 1975, providing for tax relief for individuals through special tax rebates based on 1974 income taxes paid*".

There were yeas 48, and nays 74.

Those who voted in the affirmative were:

Abeln	Evans	Jopp	Nelsen	Sieloff
Albrecht	Ewald	Kaley	Niehaus	Swanson
Biersdorf	Faricy	Kempe, A.	Novak	Ulland
Carlson, A.	Fjoslien	Kempe, R.	Osthoff	Wenstrom
Carlson, L.	Forsythe	Knickerbocker	Peterson	Wenzel
Dean	Friedrich	Kvam	Philbrook	Wigley
DeGroat	Hanson	Laidig	Pleasant	Williamson
Eckstein	Heinitz	Luther	Savelkoul	Zubay
Erickson	Hokanson	McCauley	Schreiber	
Esau	Jacobs	Menning	Searle	

Those who voted in the negative were:

Adams, L.	Corbid	Kelly, W.	Nelson	Simoneau
Anderson, I.	Deiterich	Ketola	Norton	Skoglund
Arlandson	Doty	Knoll	Parish	Smith
Beauchamp	Eken	Kostohryz	Pehler	Smogard
Begich	Enebo	Kroening	Petrafeso	Spanish
Berg	Fugina	Langseth	Prahl	Stanton
Berglin	Graba	Lindstrom	Reding	Suss
Birnstihl	Haugerud	Mangan	Rice	Tomlinson
Braun	Jensen	Mann	St. Onge	Vanasek
Brinkman	Johnson, C.	McCollar	Samuelson	Vento
Byrne	Johnson, D.	McEachern	Schulz	Voss
Carlson, R.	Jude	Meier	Schumacher	White
Casserly	Kahn	Moe	Sherwood	Wieser
Clark	Kalis	Munger	Sieben, H.	Speaker Sabo
Clawson	Kelly, R.	Neisen	Sieben, M.	

The amendment was not adopted.

Pursuant to rule 1.6, a roll call was taken on the following amendment to H. F. No. 229 offered by Knickerbocker:

Page 38, line 2, strike the figure "120" and insert "150".

There were yeas 29, and nays 78.

Those who voted in the affirmative were:

Albrecht	Ewald	Kempe, A.	Niehaus	Searle
Biersdorf	Forsythe	Kempe, R.	Novak	Sieloff
Carlson, A.	Friedrich	Knickerbocker	Osthoff	Ulland
Erickson	Heinitz	Kvam	Peterson	Wigley
Esau	Jopp	Laidig	Savelkoul	Zubay
Evans	Kaley	Nelsen	Schreiber	

Those who voted in the negative were:

Adams, L.	Dean	Kahn	Neisen	Skoglund
Anderson, G.	DeGroat	Kalis	Nelson	Smith
Anderson, I.	Dieterich	Kelly, W.	Parish	Smogard
Beauchamp	Doty	Ketola	Pehler	Spanish
Begich	Eken	Knoll	Petrafeso	Stanton
Berg	Enebo	Kroening	Philbrook	Suss
Berglin	Faricy	Lemke	Prahl	Tomlinson
Birnstihl	George	Lindstrom	Reding	Vanasek
Byrne	Graba	Luther	Rice	Vento
Carlson, L.	Hanson	Mangan	St. Onge	Voss
Carlson, R.	Hokanson	Mann	Schulz	Wenzel
Casserly	Jacobs	McCarron	Schumacher	Wieser
Clark	Jaros	McCauley	Sherwood	Williamson
Clawson	Jensen	McEachern	Sieben, H.	Speaker Sabo
Corbid	Johnson, D.	Meier	Sieben, M.	
Dahl	Jude	Munger	Simoneau	

The amendment was not adopted.

Pursuant to rule 1.6, a roll call was taken on the following amendment to H. F. No. 229 offered by Savelkoul:

Page 12, line 29, delete "1971" and insert "1974".

Page 13, line 2, delete "one and six-tenths" and insert "*nine-tenths*".

Page 13, line 3, delete "two and two-tenths" and insert "*one and five-tenths*".

Page 13, line 4, delete "three and five-tenths" and insert "*two and eight-tenths*".

Page 13, line 5, delete "five and eight-tenths" and insert "*five and one-tenth*".

Page 13, line 6, delete "seven and three-tenths" and insert "*six and six-tenths*".

Page 13, line 7, delete "eight and eight-tenths" and insert "*eight and one-tenth*".

Page 13, line 8, delete "ten and two-tenths" and insert "*nine and five-tenths*".

Page 13, line 9, delete "eleven and five-tenths" and insert "*ten and eight-tenths*".

Page 13, line 10, delete "twelve and eight-tenths" and insert "*twelve and one-tenth*".

Page 13, line 14, delete "fifteen" and insert "*fourteen and three-tenths*".

There were yeas 30, and nays 91.

Those who voted in the affirmative were:

Albrecht	Esau	Jopp	Nelsen	Schreiber
Biersdorf	Evans	Kaley	Niehaus	Sieloff
Carlson, A.	Ewald	Knickerbocker	Osthoff	Ulland
Dean	Fjoslien	Kvam	Peterson	Wenstrom
DeGroat	Forsythe	Laidig	Pleasant	Wigley
Erickson	Heinitz	McCauley	Savelkoul	Zubay

Those who voted in the negative were:

Adams, L.	Birnstihl	Clawson	Fudro	Jensen
Anderson, G.	Braun	Corbid	Fugina	Johnson, C.
Anderson, I.	Brinkman	Dahl	George	Johnson, D.
Arlandson	Byrne	Dieterich	Graba	Jude
Beauchamp	Carlson, L.	Doty	Hanson	Kahn
Begich	Carlson, R.	Eken	Haugerud	Kalis
Berg	Casserly	Enebo	Hokanson	Kelly, R.
Berglin	Clark	Faricy	Jacobs	Kelly, W.

Ketola	Meier	Philbrook	Sieben, M.	Vento
Knoll	Moe	Prahl	Simoneau	Voss
Kostohryz	Munger	Reding	Skoglund	Wenzel
Kroening	Neisen	Rice	Smith	White
Langseth	Nelson	St. Onge	Smogard	Wieser
Lindstrom	Norton	Samuelson	Spanish	Williamson
Luther	Novak	Schulz	Stanton	Speaker Sabo
Mangan	Parish	Schumacher	Suss	
Mann	Patton	Setzepfandt	Swanson	
McCarron	Pehler	Sherwood	Tomlinson	
McCollar	Petraleso	Sieben, H.	Vanasek	

The amendment was not adopted.

Pursuant to rule 1.6, a roll call was taken on the motion of Prahl to recommend passage of H. F. No. 153.

There were yeas 116, and nays 6.

Those who voted in the affirmative were:

Abeln	Doty	Kalis	Neisen	Sieloff
Adams, L.	Eckstein	Kelly, R.	Nelsen	Simoneau
Anderson, G.	Eken	Kelly, W.	Nelson	Skoglund
Anderson, I.	Enebo	Kempe, A.	Niehaus	Smith
Arlandson	Evans	Kempe, R.	Norton	Smogard
Beauchamp	Faricy	Ketola	Novak	Spanish
Begich	Fjoslien	Knickerbocker	Osthoff	Stanton
Berg	Forsythe	Knoll	Parish	Suss
Berglin	Friedrich	Kostohryz	Patton	Swanson
Biersdorf	Fugina	Kroening	Pehler	Tomlinson
Birnstihl	George	Laidig	Peterson	Vanasek
Braun	Graba	Langseth	Petraleso	Vento
Brinkman	Hanson	Lemke	Philbrook	Voss
Byrne	Haugerud	Luther	Prahl	Wenzel
Carlson, A.	Heinitz	Mangan	Reding	White
Carlson, L.	Hokanson	Mann	Rice	Wieser
Carlson, R.	Jacobs	McCarron	St. Onge	Wigley
Casserly	Jaros	McCauley	Samuelson	Williamson
Clark	Jensen	McCollar	Schulz	Zubay
Clawson	Johnson, D.	McEachern	Schumacher	Speaker Sabo
Corbid	Jopp	Meier	Setzepfandt	
Dahl	Jude	Menning	Sherwood	
Dean	Kahn	Moe	Sieben, H.	
Dieterich	Kaley	Munger	Sieben, M.	

Those who voted in the negative were:

Albrecht	Ewald	Kvam	Pleasant	Ulland
Erickson				

The motion prevailed.

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

H. F. Nos. 153, 231 and 740 which it recommended to pass.

S. F. Nos. 613 and 228 which it recommended to pass.

H. F. Nos. 459 and 127 upon which it recommended progress.

H. F. No. 229 upon which it recommended to pass with the following amendments:

Offered by Dieterich:

Page 17, line 14, strike "80" and insert "120".

Page 26, after line 23 insert "(g) There is hereby appropriated from the general revenue fund to the commissioner of revenue the amounts necessary to make payments of refunds allowed pursuant to section 290.50."

Page 42, delete lines 9 to 12.

Renumber the remaining sections accordingly.

Offered by Johnson, D.:

Page 5, after line 16, insert the following:

"(11) Contributions under section 404 (e) of the Internal Revenue Code of 1954, as amended through December 31, 1974, in excess of \$2,500 or 15 percent of earned income, whichever is lesser, shall be added to the federal adjusted gross income of the employee by whom or for whom such contributions were made."

Page 6, after line 32, insert the following:

"(10) That part of federal adjusted gross income for the taxable year consisting of an amount received from a plan, contributions to which were added to federal adjusted gross income under section 290.01, subdivision 20, clauses (a) (11), provided that no subtraction shall be made after the aggregate of the subtractions for all taxable years equals the aggregate of the amounts added with respect to such plan to federal adjusted gross income under section 290.01, subdivision 20, clauses (a) (11)."

H. F. No. 669 upon which it recommended to pass with the following amendment offered by White:

Page 3, after line 8, insert:

"Subd. 4. Any person who claims that his class 2a property has been unfairly or unequally assessed, or that such property has been assessed at a valuation greater than its real or actual value, or that the tax levied against the same is illegal, in whole or in part, or has been paid, or that the property is exempt from

the tax so levied, may have the validity of his claim, defense or objection determined by the district court of the county in which the tax is levied by serving copies of a petition for such determination upon the county auditor, county treasurer, and the county attorney and filing the same, with proof of such service, in the office of the clerk of the district court on or before the last day of July of the year in which such tax becomes payable.

Subd. 5 Payment of the tax shall be a condition precedent to the filing of a petition for review by the district court unless the court permits the petition to be filed without payment pursuant to section 277.011, subdivision 3. The petitioner, upon ten days notice to the county attorney and to the county auditor, given at least ten days prior to the last day of July, may apply to the court for permission to file the petition without such payment."

Page 3, line 9, delete "4" and insert "6".

Page 3, line 18, delete "5" and insert "7".

Page 3, line 23, delete "the day following its".

Page 3, delete line 24 and insert "for taxes payable in 1976 and subsequent years."

H. F. No. 306 upon which it recommended to pass with the following amendment offered by Kempe, A.:

Page 3, line 28, after "damages" strike "set by the court".

S. F. No. 226 upon which it recommended to pass with the following amendment offered by Beauchamp:

Page 3, after line 6, insert the following:

"Sec. 2. Minnesota Statutes 1974, Section 268.15, Subdivision 3, is amended to read:

Subd. 3. [CONTINGENT ACCOUNT.] *There is hereby created in the state treasury a special account, to be known as the employment services contingent account, which shall not lapse nor revert to any other fund. Such account shall consist of all moneys appropriated therefor by the legislature, all moneys in the form of interest and penalties collected pursuant to section 268.16 (SHALL BE PAID INTO THE GENERAL FUND) and all moneys received in the form of voluntary contributions to this account and interest thereon. All moneys in such account shall be supplemental to all federal moneys that would be available to the commissioner but for the existence of this account. Monies in this account are hereby appropriated to the commis-*

sioner and shall be expended in accordance with the provisions of Minnesota Statutes, Section 3.30, in connection with the administration of Minnesota Statutes, Sections 268.03 to 268.24. Whenever the commissioner expends moneys from said contingent account for the proper and efficient administration of the Minnesota employment services law for which funds have not yet been made available by the federal government, such moneys so withdrawn from the contingent account shall be replaced as hereinafter provided. Upon the deposit in the employment services administration fund of moneys which are received in reimbursement of payments made as above provided for said contingent account, the commissioner shall certify to the state treasurer the amount of such reimbursement and thereupon the state treasurer shall transfer such amount from the employment services administration fund to said contingent account. All moneys in this account shall be deposited, administered, and dispersed in the same manner and under the same conditions and requirements as is provided by law for the other special accounts in the state treasury. The state treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the employment services contingent account provided for herein. Notwithstanding anything to the contrary contained herein, on June 30 of each year all amounts in excess of \$300,000 in this account shall be paid over to the unemployment compensation fund established under section 268.05 and administered in accordance with the provisions set forth therein.

Sec. 3. Minnesota Statutes 1974, Section 268.16, Subdivision 1, is amended to read:

268.16 [COLLECTION OF CONTRIBUTIONS.] Subdivision 1. [INTEREST ON PAST DUE CONTRIBUTIONS.] If contributions are not paid on the date on which they are due and payable, as prescribed by the commissioner, the whole or part thereafter remaining unpaid shall bear interest at the rate of one percent per month from and after such date until the first day of the calendar month during which payment is made to the department of employment services; provided, however, that during the first month of delinquency interest shall be computed on the basis of one-thirtieth of one percent per month for each and every day of such delinquency. After any contribution has become delinquent for a period of 12 months thereafter interest thereon shall be computed at the rate of six percent per annum. Contributions, if mailed, shall be deemed to have been paid on the date of mailing as indicated by the postmark on the cover thereof; provided, however, that after January 1, 1949, contributions received by mail postmarked on a day following the date on which the law requires such contributions to be paid shall be deemed to have been paid on the due date if there is substantial evidence by affidavit or otherwise reasonably tending to prove that said report or contribution was actually deposited in the United States mails properly addressed to the department with postage prepaid thereon on or before the due date. Interest col-

lected pursuant to this subdivision shall be paid into the contingent account.

Sec. 4. Minnesota Statutes 1974, Section 268.16, Subdivision 2, is amended to read:

Subd. 2. [FAILURE TO MAKE REPORT.] (1) [PENALTIES.] Any employer who knowingly fails to make and submit to the department of employment services any report of wages paid by or due from him for insured work in the manner and at the time such report is required by regulations prescribed by the commissioner shall pay to the department of employment services *for the contingent account* an amount equal to one percent of contributions accrued during the period for which such report is required, for each month from and after such date until such report is properly made and submitted to the department of employment services. In no case shall the amount of the penalty imposed hereby be less than \$5 except that in cases where the contribution is less than \$10 and the commissioner finds that the employer does not habitually fail to report on time the penalty shall be \$1. Any employing unit which fails to make and submit to the commissioner any report, other than one of wages paid or payable for insured work, as and when required by the regulations of the commissioner, shall be subject to a penalty in the sum of \$10 payable to the department of employment services *for the contingent account*. All such penalties shall be in addition to interest and any other penalties provided for by sections 268.03 to 268.24 and shall be collected by civil action as hereinafter provided.

(2) [ASSESSMENT MAY BE MADE.] If any employing unit required by sections 268.03 to 268.24 to make and submit contribution reports shall fail to do so within the time prescribed by these sections or by regulations under the authority thereof, or shall make, wilfully or otherwise, an incorrect, false or fraudulent contribution report, he shall, on the written demand of the commissioner, make such contribution report, or corrected report, within ten days after the mailing of such written demand and at the same time pay the whole contribution, or additional contribution, due on the basis thereof. If such employer shall fail within that time to make such report, or corrected report, the commissioner shall make for him a report, or corrected report, from his own knowledge and from such information as he can obtain through testimony, or otherwise, and assess a contribution on the basis thereof, which contribution, plus penalties and interest which thereafter accrued (less any payments theretofore made) shall be paid within ten days after the commissioner has mailed to such employer a written notice of the amount thereof and demand for its payment. Any such contribution report or assessment made by the commissioner on account of the failure of the employer to make a report or corrected report shall be prima facie correct and valid; and the employer shall have the burden of establishing its incorrectness or invalidity in any

action or proceeding in respect thereto. Whenever such delinquent employer shall file a report or corrected report, the commissioner may, if he finds it substantially correct, substitute it for the commissioner's report. If an employer has failed to submit any report of wages paid, or has filed an incorrect report, and the commissioner finds that such noncompliance with the terms of sections 268.03 to 268.24 was not wilful and that such employer was free from fraudulent intent, the commissioner shall limit the charge against such employer to the period of the year in which such condition has been found to exist and for the preceding calendar year.

Sec. 5. There is hereby appropriated from the moneys credited and which may hereafter be credited to this state's account in the federal unemployment trust fund by the secretary of the treasury of the United States of America pursuant to the provisions of Public Law 567, Chapter 657, entitled the Employment Security Administrative Financing Act of 1954, as amended, the sum of \$250,000 for the purpose of funding the contingent account herein established and the accomplishment of the purposes set forth therein. Subject to the provisions of section 903 (c) (2) of said act, the commissioner of employment services may requisition moneys appropriated by this act and upon receipt shall deposit such moneys in the state treasury to the credit of the employment services contingent account. The money appropriated herein shall be deemed to have been obligated upon the final enactment of this act. The commissioner of employment services may enter into any agreement for and in behalf of the state of Minnesota with the United States of America or any department or agency thereof pursuant to any federal law or rule or regulation promulgated thereunder governing or relating to the availability and use of the funds contemplated by this act and upon such terms and conditions as may be prescribed by the United States of America or any department or agency thereof, notwithstanding the provisions of any state law to the contrary or inconsistent therewith.

Sec. 6. This act is effective the day following its final enactment."

Strike the title in its entirety and insert in lieu thereof:

"A bill for an act relating to employment services; unemployment compensation; administrative expense; re-establishing the contingent account, providing for its funding; appropriating Reed Act federal moneys; amending Minnesota Statutes 1974, Sections 268.05, Subdivision 5; 268.15, Subdivision 3; and 268.16, Subdivisions 1 and 2."

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

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, April 3, 1975. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 3:00 p.m., Thursday, April 3, 1975.

EDWARD A. BURDICK, Chief Clerk, House of Representatives