

## STATE OF MINNESOTA

## SIXTY-NINTH SESSION - 1975

## FORTY-FIFTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 5, 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	Doty	Kahn	Moe	Sieben, H.
Adams, L.	Eckstein	Kaley	Munger	Sieben, M.
Adams, S.	Eken	Kalis	Neisen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelsen	Simoneau
Anderson, G.	Erickson	Kelly, W.	Nelson	Skoglund
Anderson, I.	Esau	Kempe, A.	Niehaus	Smith
Arlandson	Evans	Kempe, R.	Norton	Smogard
Beauchamp	Ewald	Ketola	Novak	Spanish
Begich	Faricy	Knickerbocker	Osthoff	Stanton
Berg	Fjoslien	Knoll	Parish	Suss
Berglin	Forsythe	Kostohryz	Patton	Swanson
Biersdorf	Friedrich	Kroening	Pehler	Tomlinson
Birnstihl	Fudro	Kvam	Peterson	Ulland
Braun	Fugina	Laidig	Petrafeso	Vanasek
Brinkman	George	Langseth	Philbrook	Vento
Byrne	Graba	Lemke	Pleasant	Voss
Carlson, A.	Hanson	Lindstrom	Prahl	Wenstrom
Carlson, L.	Haugerud	Luther	Reding	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	Setzepfandt	
Dieterich	Jude	Metzen	Sherwood	

A quorum was present.

Rice and Searle were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Esau the further reading was dispensed with and the Journal was approved as corrected.

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1074, 1526, 185, 1057, 257, 78, 685, 1009, 525, 1531, 332, 1129, 1488, 872, 38 and 354 have been placed in the members' files.

S. F. No. 1290 and H. F. No. 1006, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except that H. F. No. 1006, after the enacting clause reads:

"Section 1. Minnesota Statutes 1974, Section 326.02, Subdivision 1, is amended to read:

326.02 [REGISTRATION OF ARCHITECTS, ENGINEERS, SURVEYORS AND LANDSCAPE ARCHITECTS.] Subdivision 1. [REGISTRATION MANDATORY.] In order to safeguard life, health, and property, and to promote the public welfare, any person in either public or private capacity practicing, or offering to practice, architecture, professional engineering, (OR) land surveying or *landscape architecture* in this state, either as an individual, a co-partner, or as agent of another, shall be registered as hereinafter provided. It shall be unlawful for any person to practice, or to offer to practice, in this state, architecture, professional engineering, (OR) land surveying or *landscape architecture*, or to solicit or to contract to furnish work within the terms of sections 326.02 to 326.16, or to use in connection with his name, or to otherwise assume, use or advertise any title or description tending to convey the impression that he is an architect, professional engineer (hereinafter called engineer) (OR), land surveyor or *landscape architect*, unless such person is qualified by registration under sections 326.02 to 326.16.

Sec. 2. Minnesota Statutes 1974, Section 326.02, is amended by adding a subdivision to read:

Subd. 4a. [PRACTICE OF LANDSCAPE ARCHITECTURE.] *Any person shall be deemed to be practicing landscape architecture, within the meaning of sections 326.02 to 326.16, who holds himself out as able to perform or who does perform any professional service in connection with the development of land areas where the dominant purpose of the service is the preservation, enhancement or determination of proper land uses, natural land features, ground cover and planting, naturalistic and aesthetic values, the settings, approaches or environment for structures or other improvements, natural drainage and the consideration and determination of inherent problems of the land relating to erosion, wear and tear, blight and hazards. This practice shall include the location and arrangement of tangible objects and features incidental and necessary to the purposes outlined but shall not include the design of structures or facilities with separate and self-contained purposes as ordinarily included*

*in the practice of engineering or architecture or the preparation of preliminary subdivision plats, boundary surveys or final land plats.*

*Nothing contained in sections 326.02 to 326.16 concerning landscape architects shall be construed:*

*(a) To apply to a professional engineer or land surveyor duly registered under the laws of this state;*

*(b) To apply to an architect registered under the laws of this state;*

*(c) To apply to a land surveyor registered under the laws of this state;*

*(d) To prevent a registered architect or professional engineer from doing landscape planning and designing;*

*(e) To prevent a registered land surveyor from designing preliminary subdivision plans or land use plans;*

*(f) To exclude nurserymen from the preparation of landscape plans appropriate to the normal operation of their business;*

*(g) To authorize a landscape architect to engage in the practice of architecture, engineering, or land surveying;*

*No person shall use the designation landscape architect or any title or device indicating or representing that the person is a landscape architect or is practicing landscape architecture unless the person is registered under the provisions of sections 326.02 to 326.16.*

Sec. 3. Minnesota Statutes 1974, Section 326.02, Subdivision 5, is amended to read:

Subd. 5. [LIMITATION.] The provisions of sections 326.02 to 326.16 shall not apply to the preparation of plans and specifications for the erection, enlargement, or alteration of any building or other structure by any person, for his exclusive occupancy or use, unless such occupancy or use involves the public health or safety or the health or safety of the employees of said person, or of the buildings listed in section 326.03, subdivision 2, nor to any detailed or shop plans required to be furnished by a contractor to a registered engineer, *landscape architect*, or architect, nor to any standardized manufactured product, nor to any construction superintendent supervising the execution of work designed by an architect, *landscape architect*, or engineer registered in accordance with section 326.03, nor to the planning for and supervision of the construction and installation of work by an

electrical contractor or master plumber as defined in and licensed pursuant to this chapter, where such work is within the scope of such licensed activity and not within the practice of professional engineering or architecture as defined in section 326.02, subdivisions 2 and 3.

Sec. 4. Minnesota Statutes 1974, Section 326.03, Subdivision 1, is amended to read:

326.03 [REGISTRATION REQUIRED.] Subdivision 1. No person, except an architect, engineer (OR), land surveyor or *landscape architect*, registered as provided for in sections 326.02 to 326.15 shall practice architecture, professional engineering, (OR) land surveying or *landscape architecture*, respectively, in the preparation of plans, specifications, report, plats or other architectural, engineering, (OR) land surveying or *landscape architectural* documents, or in the observation of architectural, engineering, (OR) land surveying or *landscape architectural* projects.

Sec. 5. Minnesota Statutes 1974, Section 326.03, Subdivision 4, is amended to read:

Subd. 4. The provisions hereof shall not apply to any person holding an elective office when in discharging the duties thereof such person is required to do work or perform service of the character of work or service usually done or performed by an architect, engineer, (OR) land surveyor or *landscape architect*.

Sec. 6. Minnesota Statutes 1974, Section 326.04, is amended to read:

326.04 [STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND SURVEYORS.] To carry out the provisions of sections 326.02 to 326.15 there is hereby created a state board of registration for architects, engineers, (AND) land surveyors, and *landscape architects* (hereinafter called the board) consisting of (FIFTEEN) *sixteen* members, who shall be appointed by the governor. Three members shall be registered architects, five members shall be registered engineers, *one member shall be a landscape architect*, one member shall be a registered land surveyor and six members shall be public members as defined for purposes of Laws 1973, Chapter 638. Not more than one member of said board shall be from the same branch of the profession of engineering. The members of the first board shall be appointed to serve for the following terms: two members for one year; two members for two years; two members for three years; and one member for four years, said term ending on the first day of January of the succeeding years. On the expiration of each of said terms the term of office of each newly appointed or reappointed member of the board shall be for a period of four years and shall terminate on the first day of January; except that each member shall hold over after the

expiration of his term until his successor shall have been duly appointed and qualified. The two engineering members of the board added by this amendment shall be appointed for the following term: one for a term ending on the first day of January of the next succeeding year, and one for a term ending on the first day of January of the second succeeding year following his appointment. *The first landscape architect member shall be appointed as soon as possible and no later than 60 days after the effective date of this act and shall serve for a term to end on January 1, 1977.* Thereafter their successors shall be appointed for a term of four years as provided for the other members of the board. Each public member of the board shall be appointed for a term of four years, provided that of the initial public members appointed two shall serve for a term of one year, two shall serve for a term of two years, and two shall serve for a term of three years. The governor may remove any member of the board for misconduct, incompetency or neglect of duty. Vacancies in the membership of the board, however created, shall be filled by appointment by the governor for the unexpired term.

Sec. 7. Minnesota Statutes 1974, Section 326.05, is amended to read:

**326.05 [QUALIFICATIONS OF BOARD MEMBERS.]**  
Each member of the board shall be a citizen of the United States and a resident of this state at the time of his appointment. Each member except the public members shall have been engaged in the practice of his profession for at least ten years and shall have been in responsible charge of work for at least five years. Each such member shall be a member in good standing of a recognized society of architects, engineers, (OR) land surveyors or *landscape architects*; and, except as provided in section 326.06, shall be a registered architect, registered engineer, (OR) registered land surveyor or *registered landscape architect*.

Sec. 8. Minnesota Statutes 1974, Section 326.06, is amended to read:

**326.06 [GENERAL POWERS AND DUTIES OF BOARD.]**  
Each member of the board shall receive a certificate of appointment from the governor, and, before beginning his term of office, shall file with the secretary of state the constitutional oath of office. The board, or any committee thereof, shall be entitled to the services of the attorney general in connection with the affairs of the board, and the board shall have power to compel the attendance of witnesses, administer oaths, and take testimony and proofs concerning all matters within its jurisdiction. The board shall adopt and have an official seal, which shall be affixed to all certificates of registration granted; shall make all bylaws and rules, not inconsistent with law, needed in performing its duties; and shall fix standards for determining the qualifications of applicants for certificates, which shall not exceed the requirements contained in the curriculum of a recognized school of architecture, *landscape architecture* or engineering.

Sec. 9. Minnesota Statutes 1974, Section 326.07, is amended to read:

**326.07 [BOARD, MEETINGS OF, OFFICERS, QUORUM.]** The board shall hold a meeting within 30 days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such times as the bylaws of the board may provide. Notice of all meetings shall be given in such manner as the bylaws may provide. The board shall elect annually from its members a chairman, a vice-chairman (AND), a (SECRETARY-TREASURER) *secretary and a treasurer*. A quorum of the board shall consist of not less than (EIGHT) *nine* members, of whom (TWO) *three* shall be architects or *landscape architects or land surveyors*, three engineers, and three public members.

Sec. 10. Minnesota Statutes 1974, Section 326.08, Subdivision 2, is amended to read:

Subd. 2. Any member of the board, the executive secretary of the board, or the attorney for the board may be authorized by the board to attend any architectural, engineering, (OR) land surveying or *landscape architectural* conference or meeting held outside of this state, the major purpose of which is the consideration of problems directly associated with the registration of architects, professional engineers, (OR) land surveyors or *landscape architects*. In addition to any subsistence and travel allowance prescribed by law for travel outside of the state, a member of the board who attends such an architectural, engineering, (OR) land surveying or *landscape architectural* conference or meeting pursuant to authorization by the board shall receive \$35 for each day or portion thereof he attends the conference or meeting or travels to or from the conference or meeting.

Sec. 11. Minnesota Statutes 1974, Section 326.09, is amended to read:

**326.09 [RECORDS AND REPORTS OF BOARD.]** The board shall keep a record of its proceedings and a register of all applicants for registration, showing for each the date of application, name, age, educational and other qualifications, place of business, and the place of residence, whether or not an examination was required and whether the applicant was rejected or a certificate of registration granted, and the date of such action. The books and register of the board shall be prima facie evidence of all matters recorded therein. A roster showing the names and places of business (AND) or of residence of all registered architects, engineers, (AND) land surveyors and *landscape architects* shall be prepared by the (SECRETARY-TREASURER) *executive secretary* of the board during the month of (JANUARY) *July*, of each even numbered year(.). *Roster supplements listing newly registered persons shall be published semi-annually between publications of the biennial roster.* (SUCH ROSTER

SHALL) *Rosters may* be printed out of the funds of the board, as provided in section 326.08. On or before the first day of October in each even numbered year, the board shall submit a biennial report to the governor covering its activities during the two preceding fiscal years, together with a complete statement of the receipts and expenditures of the board, signed by the chairman and the (SECRETARY-TREASURER) *treasurer*, and a copy of the roster, *with supplements*, of registered architects, registered engineers, (AND) registered land surveyors and *registered landscape architects*.

Sec. 12. Minnesota Statutes 1974, Section 326.10, is amended to read:

326.10 [CERTIFICATES OF REGISTRATION.] Subdivision 1. [ISSUANCE.] The board shall on application therefor on a prescribed form, and (THE) *upon* payment of a fee (OF \$15) *prescribe by rule of the board*, issue a certificate of registration as an architect, engineer, (OR) land surveyor or *landscape architect*. A separate fee shall be paid for each profession registered.

(1) To any person over 25 years of age, (WHO IS A CITIZEN OF THE UNITED STATES OR CANADA, OR WHO HAS MADE DECLARATION OF HIS INTENTION TO BECOME A CITIZEN OF THE UNITED STATES, WHO SPEAKS AND WRITES THE ENGLISH LANGUAGE;) who is of good moral character and repute, (AND HAS BEEN ACTIVELY ENGAGED FOR EIGHT OR MORE YEARS IN ARCHITECTURAL OR ENGINEERING WORK, OR ENGAGED FOR SIX OR MORE YEARS IN LAND SURVEYING. THE CHARACTER OF SUCH WORK SHALL BE SATISFACTORY TO THE BOARD. EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORILY COMPLETED OF ARCHITECTURE IN A SCHOOL OR COLLEGE OF ARCHITECTURE ACCREDITED BY THE NATIONAL ARCHITECTURAL ACCREDITING BOARD, OR FOR EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORILY COMPLETED OF ENGINEERING IN AN ENGINEERING CURRICULUM ACCREDITED BY THE ENGINEERS' COUNCIL FOR PROFESSIONAL DEVELOPMENT, OR FOR THE LAND SURVEYOR EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORILY COMPLETED IN AN ENGINEERING AND LAND SURVEYING CURRICULUM ACCREDITED BY THE ENGINEERS' COUNCIL FOR PROFESSIONAL DEVELOPMENT, SHALL BE CONSIDERED AS EQUIVALENT TO ONE YEAR OF SUCH ACTIVE ENGAGEMENT, PROVIDED, HOWEVER, THAT THREE YEARS OF ACTUAL EXPERIENCE OF A STANDARD SATISFACTORY TO THE BOARD SHALL BE REQUIRED IN ADDITION TO SCHOOL ATTENDANCE and who has the experience and educational qualifications which the board by rule may prescribe.

(AN HONORABLY DISCHARGED VETERAN OF WORLD WAR I OR WORLD WAR II SHALL BE GIVEN CREDIT FOR SUCH EXPERIENCE OR EDUCATION GAINED IN THE ARMED SERVICES OF THE UNITED STATES AS MEETS THE STANDARDS FIXED BY THE BOARD.)

(2) To any person who holds (A LIKE) *an unexpired certificate of registration issued to him by proper authority in the District of Columbia, (IN) any state or territory of the United States, (OR IN ANY PROVINCE OF CANADA) or any foreign country*, in which the requirements for registration of architects, engineers, (OR) *land surveyors or landscape architects (ARE), respectively, at the time of registration in the other jurisdiction, were equal, in the opinion of the board*, to those fixed by the board and by the laws of this state, and in which similar privileges are extended to the holders of certificates of registration issued by this state. The board may require such person to submit a certificate of his technical qualification from the National Council of Architectural Registration Boards in the case of an architect, (AND) from the National Council of Engineering Examiners in the case of an engineer, *and from the National Council of Landscape Architects Registration Board in the case of a landscape architect.*

Subd. 2. [EXAMINATION.] The board may subject any applicant for registration, or for certification as an *engineer-in-training or land surveyor-in-training*, to such examinations as may be deemed necessary to establish his qualifications.

In determining the qualifications in such cases of applicants for registration as architects, a majority vote of the architect members of the board only shall be required; (AND) in determining the qualifications in such cases of applicants for registration as engineers, a majority vote of the engineer members of the board only, shall be required; and in determining the qualifications of applicants for registration as land surveyors, the affirmative vote of the land surveyor member and of one engineer of the board only, shall be required; *and in determining the qualifications of applicants for registration as landscape architects, the affirmative vote of the landscape architect member of the board and of one architect member or one civil engineer member of the board only, shall be required.*

Subd. 4. [EXPIRATION.] Certificates of registration shall expire on the last day of the (CALENDAR) *fiscal year (FOR) next succeeding the year in which they are issued* and shall become invalid on that date unless renewed. It shall be the duty of the (SECRETARY-TREASURER) *executive secretary* of the board to notify, by mail, every person registered of the date of the expiration of his certificate and the amount of fee required for its renewal (FOR ONE YEAR); such notice shall be mailed to the registrant at his address as shown on the records of the board at least one month in advance of the date of the ex-



piration of the certificate. Renewal may be effected on or before (DECEMBER 31) *June 30* of (EACH) *the year of expiration* by the payment of a fee (OF NOT TO EXCEED \$15) *in such manner and in such amount as the board, by rule, shall determine* for each profession.

Subd. 5. [DELAYED RENEWAL FEE.] The failure on the part of any registrant to renew his certificate (ANNUALLY) before (DECEMBER 31) *June 30 of the year of expiration* shall not deprive such person of his right of renewal thereafter, but the fee to be paid for the late renewal of the certificate shall be \$3 for each profession in addition to the renewal fee for each profession.

Subd. 7. [ENGINEER-IN-TRAINING; LAND SURVEYOR-IN-TRAINING.] ((1) ANY APPLICANT FOR CERTIFICATION AS AN ARCHITECT IN TRAINING WHO IS A GRADUATE WITH A BACHELOR OF ARCHITECTURE DEGREE FROM AN ACCREDITED SCHOOL OR COLLEGE OF ARCHITECTURE OR WHO HAS HAD EQUIVALENT EDUCATION OR EXPERIENCE OR A COMBINATION THEREOF OF A GRADE AND CHARACTER ACCEPTABLE TO THE BOARD SHALL RECEIVE FROM THE BOARD, UPON PASSING AN EXAMINATION IN FUNDAMENTAL ARCHITECTURAL SUBJECTS, A CERTIFICATE STATING THAT HE HAS PASSED SUCH EXAMINATION AND THAT HIS NAME HAS BEEN RECORDED AS AN ARCHITECT IN TRAINING.)

((2)) (1) (ANY) *An applicant for certification as an engineer-in-training who is a graduate with a bachelor of engineering degree from a school or college having an (ACCREDITED) engineering curriculum accredited by the engineers' council for professional development or (WHO HAS HAD EQUIVALENT EDUCATION OR EXPERIENCE OR A COMBINATION THEREOF OF A GRADE AND CHARACTER ACCEPTABLE TO THE BOARD) whose education, in the opinion of the board, is equivalent thereto,* shall receive from the board, upon passing an examination in fundamental engineering subjects, a certificate stating that he has passed such examination and that his name has been recorded as an engineer-in-training.

((3)) (2) (ANY) *An applicant for certification as a land surveyor-in-training who has had a minimum of four years of qualifying experience of a character satisfactory to the board, of which a formal education in an accredited engineering or land surveying curriculum may constitute a part thereof,* shall receive from the board, upon passing a written examination (ON) *in the fundamentals of mathematics and the basic principles of land surveying,* a certificate stating that he has passed such examination and that his name has been recorded as a land surveyor-in-training.

(3) *Any applicant for certification as a landscape architect-in-training who is a graduate with a degree from a school or college having a landscape architecture curriculum accredited by the American society of landscape architects committee on education or who has had equivalent education or experience or a combination thereof of a grade and character acceptable to the board shall receive from the board, upon passing an examination in fundamental landscape architectural subjects, a certificate stating that he has passed that examination and that his name has been recorded as a landscape architect-in-training.*

Sec. 13. Minnesota Statutes 1974, Section 326.11, Subdivision 1, is amended to read:

326.11 [CERTIFICATES OF REGISTRATION, REVOCATION, REISSUE, DUPLICATES.] Subdivision 1. [REVOCATION.] The board shall have the power to revoke or suspend as hereinafter provided, the certificate of registration of any architect, engineer, (OR) land surveyor or landscape architect, who is found guilty by the board of any fraud or deceit in obtaining a certificate of registration, or of attaching his seal or signature to any plan, specification, report, plat, or other architectural, engineering, (OR) land surveying or landscape architectural document not prepared by him or under his direct supervision, or of gross negligence, incompetency, or misconduct in the practice of architecture, engineering, (OR) land surveying or landscape architecture, or upon conviction of any violation of sections 326.02 to 326.16 or amendments thereof, or of any crime involving moral turpitude or upon adjudication of insanity or incompetency, and in the case of such conviction or adjudication, such revocation or suspension may be made by the board on its own motion on the filing with its (SECRETARY-TREASURER) secretary of a copy of the minutes of such conviction and judgment or adjudication, duly certified by the clerk in whose custody they are, the same to be conclusive evidence of such conviction or adjudication.

Sec. 14. Minnesota Statutes 1974, Section 326.11, Subdivision 2, is amended to read:

Subd. 2. [CHARGES.] Any person may prefer charges of such fraud, deceit, misuse of seal or signature or of (SUCH) gross negligence, incompetency, or misconduct against any person registered hereunder. Such charges shall be in writing, sworn to by the complainant, filed with the (SECRETARY-TREASURER) secretary and submitted by him to the board; and, unless dismissed without hearing by the board as unfounded or (TRIVIAL) not warranting further proceedings, shall be heard or determined by the board within three months after the date of such filing with the (SECRETARY-TREASURER) secretary. A time and place for such hearing shall be fixed by the board.

Sec. 15. Minnesota Statutes 1974, Section 326.11, Subdivision 4, is amended to read:

Subd. 4. [HEARING.] *The hearing, and all proceedings to revoke or suspend a certificate of registration, shall be conducted in accordance with the provisions of Minnesota Statutes, Chapter 15, for the conduct of contested cases. At the hearing the accused shall have the right to appear personally and by counsel, to cross-examine witnesses against him, and to produce evidence and witnesses in his defense. If, after said hearing, six or more members vote in favor of finding the accused guilty of any charge made against him, the board may revoke or suspend the certificate of registration of the accused.*

Sec. 16. Minnesota Statutes 1974, Section 326.11, Subdivision 5, is amended to read:

Subd. 5. [RE-ISSUE]. The board may re-issue a certificate of registration to any person whose certificate has been revoked, provided (SIX) *ten* or more members of the board vote in favor of such reissuance for reasons the board may deem sufficient.

Sec. 17. Minnesota Statutes 1974, Section 326.12, is amended to read:

326.12 [CERTIFICATES AS EVIDENCE; SEALS OF REGISTRANTS.] Subdivision 1. [JUDICIAL PROOF.] The issuance of a certificate of registration by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered architect, registered engineer, (OR) registered land surveyor *or registered landscape architect* while the certificate remains unrevoked or has not expired or has not been suspended.

Subd. 2. [SEAL.] Each registrant may, upon registration, obtain a seal of a design approved by the board, bearing the registrant's name and the legend "registered architect," "registered professional engineer," (OR) "registered land surveyor" *or "registered landscape architect."* Plans, specifications, plats, reports, and other documents prepared by a registrant may be stamped with the seal during the life of registrant's certificate. A rubber stamp facsimile thereof may be used in lieu of the seal on tracings from which prints are to be made or on papers which would be damaged by the regular seal. It shall be unlawful for any one to stamp or seal any document with the stamp or seal after the certificate of the registrant named thereon has expired, been revoked or suspended, unless said certificate shall have been renewed or reissued.

Subd. 3. [CERTIFIED SIGNATURE.] Each plan, specification, plat, report, or other document which sections 326.02 to 326.16 require be prepared by a registered architect, registered

engineer, (OR) registered land surveyor or *registered landscape architect* shall bear the signature of the person preparing it, or the signature of the person under whose direct supervision it was prepared. Each signature shall be accompanied by a certification that the signer is registered under sections 326.02 to 326.16, by the person's registration number, and by the date on which the signature was affixed. The provisions of this paragraph shall not apply to documents of an intra-office or intra-company nature.

Sec. 18. Minnesota Statutes 1974, Section 326.13, is amended to read:

**326.13 [PRACTICE EXEMPT.] (REGISTRATION UNDER THE PROVISIONS OF SECTIONS 326.02 TO 326.15 SHALL NOT BE REQUIRED FOR THE FOLLOWING TYPES OF PROFESSIONAL PRACTICE)** *Practice of architecture, engineering or land surveying in this state prior to registration by the board shall be permitted under the following conditions and limitations:*

(1) (PRACTICE AS AN ARCHITECT OR AN ENGINEER IN THIS STATE,) By any person or firm not a resident of and having no established place of business in this state, or any person or firm resident in this state, but whose arrival in the state is recent; provided, however, such (PERSON SHALL HAVE FILED AN APPLICATION FOR REGISTRATION AS AN ARCHITECT OR AN ENGINEER, AND SHALL HAVE PAID THE FEE PROVIDED FOR IN SECTION 326.10. SUCH EXEMPTION SHALL CONTINUE FOR ONLY SUCH REASONABLE TIME AS THE BOARD REQUIRES IN WHICH TO CONSIDER AND GRANT OR DENY THE APPLICATION FOR REGISTRATION; AND, PROVIDED, SUCH) person or a person connected with such firm:

(a) is (LEGALLY) registered and qualified to practice such profession in (HIS OWN) a state or country (IN WHICH THE REQUIREMENTS AND QUALIFICATIONS FOR OBTAINING A CERTIFICATE OF REGISTRATION ARE NOT LOWER THAN THOSE SPECIFIED IN SECTIONS 326.02 TO 326.15; to which the board grants registration by comity in accordance with the provisions of section 326.10, subdivision 1, clause (2); and

(b) shall have filed an application for registration as an architect or an engineer, shall have paid the fee provided for in section 326.10, and shall have been notified by the board that the applicant meets the requirements for registration in this state and is entitled to receive a certificate of registration;

(c) notwithstanding the provisions of paragraph (b) and prior to the notification provided for therein, an applicant who meets the requirements of paragraph (a) shall be permitted to

*practice in this state provided that such practice is limited solely to solicitation of work within the terms of sections 326.02 to 326.16;*

(2) Practice as an architect, an engineer, (OR) a land surveyor or a landscape architect by any person not a resident of, and having no established place of business in, this state, as a consulting associate of an architect, an engineer, (OR) a land surveyor or a landscape architect registered under the provisions of sections 326.02 to 326.15; provided, the non-resident is *registered and qualified (FOR SUCH PROFESSIONAL SERVICE IN HIS OWN) to practice his profession in a state or country to which the board grants registration by comity in accordance with the provisions of section 326.10, subdivision 1, clause (2);*

(3) Practice as an architect, an engineer, (OR) a land surveyor or a landscape architect solely as an officer or employee of the United States.

Sec. 19. Minnesota Statutes 1974, Section 326.14, is amended to read:

326.14 [CORPORATIONS AND PARTNERSHIPS AUTHORIZED.] A corporation (OR), partnership or other firm may engage in work of an architectural or engineering character, (OR) in land surveying or in landscape architecture in this state, provided the person or persons connected with such corporation (OR), partnership or other firm in responsible charge of such work is or are registered as herein required for the practice of architecture, engineering (AND), land surveying and landscape architecture.”.

Whereas S. F. No. 1290, after the enacting clause reads:

“Section 1. Minnesota Statutes 1974, Section 326.07, is amended to read:

326.07 [BOARD, MEETINGS OF, OFFICERS, QUORUM.] The board shall hold a meeting within 30 days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such times as the bylaws of the board may provide. Notice of all meetings shall be given in such manner as the bylaws may provide. The board shall elect annually from its members a chairman, a vice-chairman (AND), a (SECRETARY-TREASURER) secretary, and a treasurer. A quorum of the board shall consist of not less than eight members, of whom two shall be architects, three engineers, and three public members.

Sec. 2. Minnesota Statutes 1974, Section 326.09, is amended to read:

326.09 [RECORDS AND REPORTS OF BOARD.] The board shall keep a record of its proceedings and a register of all applicants for registration, showing for each the date of application, name, age, educational and other qualifications, place of business, and the place of residence, whether or not an examination was required and whether the applicant was rejected or a certificate of registration granted, and the date of such action. The books and register of the board shall be prima facie evidence of all matters recorded therein. A roster showing the names and places of business (AND) or of residence of all registered architects, engineers, and land surveyors shall be prepared by the (SECRETARY-TREASURER) *executive secretary* of the board during the month of (JANUARY) *July*, of each even numbered year(;). *Roster supplements listing newly registered persons shall be published semi-annually between publications of the biennial roster.* Such (ROSTER SHALL) *rosters may* be printed out of the funds of the board, as provided in section 326.08. On or before the first day of October in each even numbered year, the board shall submit a biennial report to the governor covering its activities during the two preceding fiscal years, together with a complete statement of the receipts and expenditures of the board, signed by the chairman and the (SECRETARY-TREASURER) *treasurer*, and a copy of the roster, *with supplements*, of registered architects, registered engineers, and registered land surveyors.

Sec. 3. Minnesota Statutes 1974, Section 326.10, is amended to read:

326.10 [CERTIFICATES OF REGISTRATION.] Subdivision 1. [ISSUANCE.] The board shall on application therefor on a prescribed form, and the payment of (A) *such* fee (OF \$15) *as the board shall, by regulation, determine*, issue a certificate of registration as an architect, engineer, or land surveyor. a separate fee shall be paid for each profession registered.

(1) To any person over 25 years of age, (WHO IS A CITIZEN OF THE UNITED STATES OR CANADA, OR WHO HAS MADE DECLARATION OF HIS INTENTION TO BECOME A CITIZEN OF THE UNITED STATES; WHO SPEAKS AND WRITES THE ENGLISH LANGUAGE; who is of good moral character and repute, (AND HAS BEEN ACTIVELY ENGAGED FOR EIGHT OR MORE YEARS IN ARCHITECTURAL OR ENGINEERING WORK, OR ENGAGED FOR SIX OR MORE YEARS IN LAND SURVEYING. THE CHARACTER OF SUCH WORK SHALL BE SATISFACTORY TO THE BOARD. EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORILY COMPLETED OF ARCHITECTURE IN A SCHOOL OR COLLEGE OF ARCHITECTURE ACCREDITED BY THE NATIONAL ARCHITECTURAL ACCREDITING BOARD, OR FOR EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORILY COMPLETED OF ENGINEERING IN AN ENGINEERING CURRICULUM ACCREDITED BY THE EN-

GINEERS' COUNCIL FOR PROFESSIONAL DEVELOPMENT, OR FOR THE LAND SURVEYOR EACH SCHOLASTIC YEAR OF TEACHING OR OF STUDY SATISFACTORILY COMPLETED IN AN ENGINEERING AND LAND SURVEYING CURRICULUM ACCREDITED BY THE ENGINEERS' COUNCIL FOR PROFESSIONAL DEVELOPMENT, SHALL BE CONSIDERED AS EQUIVALENT TO ONE YEAR OF SUCH ACTIVE ENGAGEMENT, PROVIDED, HOWEVER, THAT THREE YEARS OF ACTUAL EXPERIENCE OF A STANDARD SATISFACTORY TO THE BOARD SHALL BE REQUIRED IN ADDITION TO SCHOOL ATTENDANCE) *and who shall have such experience and educational qualifications as the board, by regulation, shall require.*

(AN HONORABLY DISCHARGED VETERAN OF WORLD WAR I OR WORLD WAR II SHALL BE GIVEN CREDIT FOR SUCH EXPERIENCE OR EDUCATION GAINED IN THE ARMED SERVICES OF THE UNITED STATES AS MEETS THE STANDARDS FIXED BY THE BOARD.)

(2) To any person who holds (A LIKE) *an unexpired certificate of registration issued to him by proper authority in the District of Columbia, (IN) any state or territory of the United States, (OR IN) any province of Canada, or any foreign country,* in which the requirements for registration of architects, engineers, or land surveyors (ARE), *respectively, at the time of their registration in such other jurisdiction were equal, in the opinion of the board,* to those fixed by the board and by the laws of this state, and in which similar privileges are extended to the holders of certificates of registration issued by this state. The board may require such person to submit a certificate of his technical qualification from the National Council of Architectural Registration Boards in the case of an architect, and from the National Council of Engineering Examiners in the case of an engineer.

Subd. 2. [EXAMINATION.] The board may subject any applicant *for registration, or certification as an engineer-in-training or land surveyor-in-training,* to such examinations as may be deemed necessary to establish his qualifications.

In determining the qualifications in such cases of applicants for registration as architects, a majority vote of the architect members of the board only shall be required; in determining the qualifications in such cases of applicants for registration as engineers, a majority vote of the engineer members of the board only, shall be required; and in determining the qualifications of applicants for registration as land surveyors, the affirmative vote of the land surveyor member and of one engineer of the board only, shall be required.

Subd. 4. [EXPIRATION.] Certificates of registration shall expire on the last day of the (CALENDAR) *fiscal year (FOR) next succeeding the year in which they are issued and shall be-*

come invalid on that date unless renewed. It shall be the duty of the (SECRETARY-TREASURER) *executive secretary* of the board to notify, by mail, every person registered of the date of the expiration of his certificate and the amount of fee required for its renewal (FOR ONE YEAR); such notice shall be mailed to the registrant at his address as shown on the records of the board at least one month in advance of the date of the expiration of the certificate. Renewal may be effected on or before (DECEMBER 31) *June 30* of (EACH) *the year of expiration* by the payment of a fee (OF NOT TO EXCEED \$15) *in such manner and in such amount as the board, by regulation, shall determine* for each profession.

Subd. 5. [DELAYED RENEWAL FEE.] The failure on the part of any registrant to renew his certificate (ANNUALLY) before (DECEMBER 31) *June 30 of the year of expiration* shall not deprive such person of his right of renewal thereafter, but the fee to be paid for the late renewal of the certificate shall be \$3 for each profession in addition to the renewal fee for each profession.

Subd. 7. [ENGINEER-IN-TRAINING; LAND SURVEYOR-IN-TRAINING.] ((1) ANY APPLICANT FOR CERTIFICATION AS AN ARCHITECT-IN-TRAINING WHO IS A GRADUATE WITH A BACHELOR OF ARCHITECTURE DEGREE FROM AN ACCREDITED SCHOOL OR COLLEGE OF ARCHITECTURE OR WHO HAS HAD EQUIVALENT EDUCATION OR EXPERIENCE OR A COMBINATION THEREOF OF A GRADE AND CHARACTER ACCEPTABLE TO THE BOARD SHALL RECEIVE FROM THE BOARD, UPON PASSING AN EXAMINATION IN FUNDAMENTAL ARCHITECTURAL SUBJECTS, A CERTIFICATE STATING THAT HE HAS PASSED SUCH EXAMINATION AND THAT HIS NAME HAS BEEN RECORDED AS AN ARCHITECT-IN-TRAINING.)

((2)) (1) (ANY) An applicant for certification as an engineer-in-training who is a graduate with a bachelor of engineering degree from a school or college having an (ACCREDITED) engineering curriculum *accredited by the engineers' council for professional development* or (WHO HAS HAD EQUIVALENT EDUCATION OR EXPERIENCE OR A COMBINATION THEREOF OF A GRADE AND CHARACTER ACCEPTABLE TO THE BOARD) *whose education, in the opinion of the board, is equivalent thereto*, shall receive from the board, upon passing an examination in fundamental engineering subjects, a certificate stating that he has passed such examination and that his name has been recorded as an engineer-in-training.

((3)) (2) (ANY) An applicant for certification as a land surveyor-in-training who has had a minimum of four years of qualifying experience of a character satisfactory to the board, of which a formal education *in an accredited engineering or land*



*surveying curriculum* may constitute a part thereof, shall receive from the board, upon passing a written examination (ON) in the fundamentals of mathematics and the basic principles of land surveying, a certificate stating that he has passed such examination and that his name has been recorded as a land surveyor-in-training.

Sec. 4. Minnesota Statutes 1974, Section 326.11, Subdivision 1, is amended to read:

326.11 [CERTIFICATES OF REGISTRATION, REVOCATION, RE-ISSUE, DUPLICATES.] Subdivision 1. [REVOCA-TION.] The board shall have the power to revoke or suspend as hereinafter provided, the certificate of registration of any architect, engineer, or land surveyor, who is found guilty by the board of any fraud or deceit in obtaining a certificate of registration, or of attaching his seal or signature to any plan, specification, report, plat, or other architectural, engineering, or land surveying document not prepared by him or under his direct supervision, or of gross negligence, incompetency, or misconduct in the practice of architecture, engineering, or land surveying, or upon conviction of any violation of sections 326.02 to 326.16 or amendments thereof, or of any crime involving moral turpitude or upon adjudication of insanity or incompetency, and in the case of such conviction or adjudication, such revocation or suspension may be made by the board on its own motion on the filing with its (SECRETARY-TREASURER) *secretary* of a copy of the minutes of such conviction and judgment or adjudication, duly certified by the clerk in whose custody they are, the same to be conclusive evidence of such conviction or adjudication.

Sec. 5. Minnesota Statutes 1974, Section 326.11, Subdivision 2, is amended to read:

Subd. 2. [CHARGES.] Any person may prefer charges of such fraud, deceit, misuse of seal or signature or of (SUCH) gross negligence, incompetency, or misconduct against any person registered hereunder. Such charges shall be in writing, sworn to by the complainant, filed with the (SECRETARY-TREASURER) *secretary* and submitted by him to the board; and, unless dismissed without hearing by the board as unfounded or (TRIVIAL) *not warranting further proceedings*, shall be heard or determined by the board within three months after the date of such filing with the (SECRETARY-TREASURER) *secretary*. A time and place for such hearing shall be fixed by the board.

Sec. 6. Minnesota Statutes 1974, Section 326.11, Subdivision 4, is amended to read:

Subd. 4. [HEARING] *The hearing, and all proceedings to revoke or suspend a certificate of registration, shall be conducted in accordance with the provisions of Minnesota Statutes, Chapter 15, for the conduct of contested cases.* At the hearing the accused

shall have the right to appear personally and by counsel, to cross-examine witnesses against him, and to produce evidence and witnesses in his defense. If, after said hearing, six or more members vote in favor of finding the accused guilty of any charge made against him, the board may revoke or suspend the certificate of registration of the accused.

Sec. 7. Minnesota Statutes 1974, Section 326.13, is amended to read:

326.13 [PRACTICE EXEMPT.] (REGISTRATION UNDER THE PROVISIONS OF SECTIONS 326.02 TO 326.15 SHALL NOT BE REQUIRED FOR THE FOLLOWING TYPES OF PROFESSIONAL PRACTICE) *Practice of architecture, engineering or land surveying in this state prior to registration by the board shall be permitted under the following conditions and limitations:*

(1) (PRACTICE AS AN ARCHITECT OR AN ENGINEER, IN THIS STATE,) By any person or firm not a resident of and having no established place of business in this state, or any person or firm resident in this state, but whose arrival in the state is recent; provided, however, such person (SHALL HAVE FILED AN APPLICATION FOR REGISTRATION AS AN ARCHITECT OR AN ENGINEER, AND SHALL HAVE PAID THE FEE PROVIDED FOR IN SECTION 326.10. SUCH EXEMPTION SHALL CONTINUE FOR ONLY SUCH REASONABLE TIME AS THE BOARD REQUIRES IN WHICH TO CONSIDER AND GRANT OR DENY THE APPLICATION FOR REGISTRATION; AND, PROVIDED, SUCH PERSON) *or a person connected with such firm;*

(a) *is (LEGALLY) registered and qualified to practice such profession in (HIS OWN) a state or country (IN WHICH THE REQUIREMENTS AND QUALIFICATIONS FOR OBTAINING A CERTIFICATE OF REGISTRATION ARE NOT LOWER THAN THOSE SPECIFIED IN SECTIONS 326.02 TO 326.15;) to which the board grants registration by comity in accordance with the provisions of section 326.10, subdivision 1, clause (2); and*

(b) *shall have filed an application for registration as an architect or an engineer, shall have paid the fee provided for in section 326.10, and shall have been notified by the board that the applicant meets the requirements for registration in this state and is entitled to receive a certificate of registration;*

(c) *notwithstanding the provisions of paragraph (b) and prior to the notification provided for therein, an applicant who meets the requirements of paragraph (a) shall be permitted to practice in this state provided that such practice is limited solely to solicitation of work within the terms of sections 326.02 to 326.16;*

(2) Practice as an architect, an engineer, or a land surveyor by any person not a resident of, and having no established place of business in, this state, as (A) *the consulting associate of an architect, an engineer, or a land surveyor, respectively, who is registered under the provisions of sections 326.02 to 326.15; provided, the non-resident is registered and qualified (FOR SUCH PROFESSIONAL SERVICE) to practice his profession in (HIS OWN) a state or country to which the board grants registration by comity in accordance with the provisions of section 326.10, subdivision 1, clause (2);*

(3) Practice as an architect, an engineer, or a land surveyor solely as an officer or employee of the United States.

Sec. 8. Minnesota Statutes 1974, Section 326.14, is amended to read:

326.14 [CORPORATIONS, PARTNERSHIPS OR OTHER FIRMS AUTHORIZED.] A corporation (OR), partnership or other firm may engage in work of an architectural or engineering character, or in land surveying in this state, provided the person or persons connected with such corporation (OR), partnership or other firm in responsible charge of such work is or are registered as herein required for the practice of architecture, engineering and land surveying.”

The title of H. F. No. 1006 reads:

“A bill for an act relating to architects, engineers, surveyors and landscape architects; providing for registration and regulation of landscape architects; changing the number of board members required to revoke, suspend or reissue a certification of registration; amending Minnesota Statutes 1974, Sections 326.02, Subdivisions 1 and 5, and by adding a subdivision; 326.03, subdivisions 1 and 4; 326.04; 326.05; 326.06; 326.07; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1, 2, 4, and 5; 326.12; 326.13; and 326.14.”

Whereas the title of S. F. No. 1290 reads:

“A bill for an act relating to licensing and registration of architects, professional engineers and land surveyors; amending Minnesota Statutes 1974, Sections 326.07; 326.09; 326.10; 326.11, Subdivisions 1, 2, and 4; 326.13; and 326.14.”

#### SUSPENSION OF RULES

Adams, L., moved that the rules be so far suspended that S. F. No. 1290 be substituted for H. F. No. 1006 and that the House File be indefinitely postponed. The motion prevailed.

## PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
ST. PAUL 55155

May 2, 1975

The Honorable Martin Sabo  
Speaker of the House

Sir:

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

H. F. No. 114, An act relating to the operation of state government; providing for the regulation of publications, duplicating services, guidebooks, state vehicles, disposition of surplus state lands;

H. F. No. 130, An act relating to the city of Minneapolis; authorizing the city council to grant certain powers and duties to the commission on human relations, director, and department of civil rights and to subject certain areas of city government to the civil rights ordinance; repealing Laws 1967, Chapter 743.

H. F. No. 594, An act relating to employments licensed by the state; architects, engineers and surveyors; raising the minimum public building cost for which services of a licensed architect, engineer or land surveyor are required;

H. F. No. 967, An act authorizing the city of Plymouth to refund temporary improvement bonds issued in the years 1969 to 1975; amending Laws 1971, Chapter 557, Section 1, as amended.

H. F. No. 988, An act authorizing the issuance of bonds by Independent School District No. 279 without adjustment of maturities.

H. F. No. 1465, An act relating to the city of St. Paul; authorizing restoration of sick leave in certain circumstances.

Sincerely,

WENDELL R. ANDERSON  
Governor

## REPORTS OF STANDING COMMITTEES

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 1373, A bill for an act relating to natural resources; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; appropriating money; amending Minnesota Statutes 1974, Chapter 105, by adding a section.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

*"Section 1. [LEGISLATIVE FINDINGS.] Minnesota is blessed with an abundance of water, including more than 15,000 lakes and 25,000 miles of rivers and streams. This abundance of water creates an abundance of regulatory problems for all levels of government and for private individuals, associations, and corporations. The commissioner of natural resources, who has jurisdiction over public waters pursuant to Minnesota Statutes, Chapter 105, and related laws, has not, by reason of limitations of personnel and appropriations, inventoried, classified, and designated by rule and regulation all of the waters of this state as to their status under the laws defining public waters. The legislature finds that increasing demands upon, and controversies relating to, the waters of this state in matters such as changes in course, current, or cross sections, dams, drainage, flood plain management, and shoreland management, have created a situation which requires an early inventory of the waters of the state for the purpose of accelerating the classification of those waters of the state which should be designated public waters. The purpose of this act is to expedite that process.*

Sec. 2. Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:

*[105.391] [PUBLIC WATERS INVENTORY AND CLASSIFICATION.] Subdivision 1. On the basis of all information available to him, the commissioner shall inventory the water basins of each county and make a preliminary designation as to which of those waters constitute public waters. The commissioner shall send his preliminary designation for each county to the county board of that county for its review and comment.*

*Subd. 2. Within 90 days after a county board has received the commissioner's preliminary designation, it shall notify the commissioner of any disagreement with that designation. The com-*

*missioner may extend the time within which a county may notify him of a disagreement.*

*Subd. 3. If there is no disagreement between the commissioner and a county concerning the preliminary designation of public waters in that county, the commissioner by rule shall designate as public waters those waters listed in the preliminary designation. In the same rule-making procedure the commissioner may also designate as public waters any watercourses which have been determined to be public and classified as to the level of regulation in accordance with the procedures of the commissioner's interim rules and regulations. The designation of watercourses as public waters pursuant to this subdivision shall remain in effect until changed by rule of the commissioner following the inventory, designation, and classification of watercourses prescribed by this section. A hearing on proper designation of a body of water shall be held in the county in which the waters to be designated are located. Except as provided below, no water basin designated public water may be drained, and no permit authorizing drainage of a water basin containing public water may be issued, unless the public water being drained is replaced by a body of water which will have equal or greater public value. However, after a state water bank program has been established, public waters which are eligible for inclusion in that program may be drained if, upon receiving an application for a permit to drain such water, the commissioner elects neither to place the water basin in the state water bank program nor to acquire it under a wetland acquisition program.*

*Subd. 4. If there is a disagreement between the commissioner and a county concerning a preliminary designation of water basins as public waters in that county, the commissioner shall attempt to resolve the disagreement with the county within 60 days after receiving notice of disagreement from the county. During the 60 day period the commissioner may proceed, in the manner provided by subdivision 3, to make a final designation for those water basins which are not the subject of disagreement between the commissioner and the county.*

*Subd. 5. If after 60 days from the date of receiving notice of disagreement by a county, there remains matters upon which the commissioner and the county disagree, the commissioner shall order a public hearing to be held in the county pursuant to the rule-making provisions of Minnesota Statutes, Chapter 15. A hearings unit composed of two persons appointed by the commissioner, one person appointed by the affected county board and one person appointed by the area soil and water conservation district shall select a fifth member within 45 days of the public hearing order. If the fifth member of the hearings unit cannot be agreed upon by the four appointees within the 45 day period, then the state soil and water conservation commission shall select such member within 30 days. The hearings unit shall conduct a public hearing within the affected county, and such unit*

may designate a hearings officer. In the event there is a watershed district whose boundaries include the waters involved, the district shall provide the hearings unit with its recommendations. Upon completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to chapter 15. The order of the hearings unit after the appeal period has expired, or the final order of the court in the case of an appeal, shall be binding and the commissioner shall then promulgate by rule a list of those waters which are determined to be public waters. In the event the county appeals an order of the hearings unit, the commissioner shall be obligated to pay 50 percent of the reasonable appeal costs of the county. In the event the commissioner appeals an order of the hearings unit, the commissioner shall be obligated to pay the reasonable costs incurred by the county in defense of the appeal.

Subd. 6. From money appropriated to him for the following purposes, the commissioner shall grant aid to counties to facilitate an inventory of all watercourses for the purpose of designating which of the watercourses in the county are watercourses constituting public waters and for the purpose of recommending a management classification for each watercourse. The commissioner shall consider the size of a county and the number of watercourses within the county when making a grant. Within a reasonable time following the grant of aid for a watercourse inventory, as specified by the commissioner, the county shall report to the commissioner on its watercourse inventory, its recommendations as to which watercourses in the county should be designated as public waters, and its recommended management classifications. Within 90 days after receiving a county's report, the commissioner shall notify the county of any disagreement with the county's report. If there is no disagreement concerning a particular watercourse the commissioner shall by rule designate that watercourse as public waters and shall specify its proper management classification. The commissioner shall attempt to resolve any disagreement between the commissioner and a county within 60 days after notifying the county of his disagreement. During the 60 day period the commissioner may proceed, in the manner provided by subdivision 3, to make a final designation for those watercourses which are not the subject of disagreement between the commissioner and the county. If, after 60 days from the date the county receives notice of the commissioner's disagreement, there remain matters upon which the commissioner and a county disagree, the commissioner, in accordance with subdivision 5, shall present the disagreement to a hearings unit as stipulated therein who shall conduct a public hearing which upon completion shall further comply with the provisions of subdivision 5 relating to judicial review, final order and appeal costs.

Subd. 7. Waters of this state are public waters for the purposes of this section if they have been determined to be public waters or navigable waters by the district court or, if appealed,

by the supreme court of this state or by the United States supreme court.

Subd. 8. Notwithstanding any other law to the contrary the procedures, rules and guidelines set forth in the order of the commissioner of natural resources dated prior to the effective date of this act and filed with the secretary of state before the effective date of this act and given a document number by the secretary of state, shall be valid and enforceable emergency rules and regulations of the commissioner of natural resources for the purposes of Minnesota Statutes, Sections 15.0411 to 15.0422, with respect to public waters during the period between the effective date of this act and the designation of those waters as public water pursuant to this section, without further act or deed of the commissioner.

Sec. 3. [APPROPRIATION.] The sum of \$1,160,000 is appropriated from the general fund to the commissioner of natural resources for the purpose of section 2 of this act. Of this amount, \$400,000 is appropriated for grants to counties for watercourse inventories. Notwithstanding the provisions of section 16A.28 or any other law relating to the lapse of an appropriation, the appropriation made by this section shall not lapse but shall continue until fully expended.

Sec. 4. Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:

[105.392] [WATER BANK PROGRAM.] Subdivision 1. The legislature finds that it is in the public interest to preserve the wetlands of the state and thereby to conserve surface waters, to preserve wildlife habitat, to reduce runoff, to provide for floodwater retention, to reduce stream sedimentation, to contribute to improved subsurface moisture, to enhance the natural beauty of the landscape, and to promote comprehensive and total water management planning. Therefore, the commissioner of natural resources is authorized and directed to prepare proposed rules, procedures, and payment rates designed to effectuate the terms of this section, for submission to the legislature by January 15, 1976. This program is intended to supplement and complement the federal water bank program and the payment rates established shall be equal to the federal rates existing at the time any agreements are entered into.

Subd. 2. The commissioner shall have authority to enter into agreements with landowners and operators for the conservation of wetlands. These agreements shall be entered into for a period of ten years, with provision for renewal for additional ten year periods. The commissioner may re-examine the payment rates at the beginning of any such ten year renewal period in the light of the then current land and crop values and make needed adjustments in rates for any such renewal period. For purposes of this



section, except as provided below, wetlands shall mean wetlands types one through four, as described in Circular 39, Wetlands of the United States, published by the United States Department of the Interior, when the commissioner determines that it is lawful and feasible and practical to drain such wetlands, and that drainage would provide high quality cropland which in fact would be used for such purpose. However, as to those water basins which have been declared to be public waters under the provisions of section 2 of this act, only those which are wetlands types three and four and less than 50 acres in area which were declared public waters because of their beneficial public value as wildlife habitat, shall be considered for inclusion in the water bank program.

Subd. 3. In the agreement between the commissioner and an owner or operator, the owner or operator shall agree:

(1) to place in the program for the period of the agreement eligible wetland areas he designates, which areas may include wetlands covered by a federal or state government easement which permits agricultural use, together with such adjacent areas as determined desirable by the commissioner;

(2) not to drain, burn, fill, or otherwise destroy the wetland character of such areas, nor to use such areas for agricultural purposes, as determined by the commissioner;

(3) to effectuate the wetland conservation and development plan for his land in accordance with the terms of the agreement, unless any requirement thereof is waived or modified by the commissioner;

(4) to forfeit all rights to further payments or grants under the agreement and refund to the state all payments or grants received thereunder upon his violation of the agreement at any stage during the time he has control of the land subject to the agreement if the commissioner determines that such violation is of such a nature as to warrant termination of the agreement, or to make refunds or accept such payment adjustments as the commissioner may deem appropriate if he determines that the violation by the owner or operator does not warrant termination of the agreement;

(5) upon transfer of his right and interest in the lands subject to the agreement during the agreement period, to forfeit all rights to further payments or grants under the agreement and refund to the state all payments or grants received thereunder during the year of the transfer unless the transferee of any such land agrees with the commissioner to assume all obligations of the agreement;

(6) not to adopt any practice specified by the commissioner in the agreement as a practice which would tend to defeat the purposes of the agreement; and

(7) to such additional provisions as the commissioner determines are desirable and includes in the agreement to effectuate the purposes of the program or to facilitate its administration.

Subd. 4. In return for the agreement of the owner or operator, the commissioner shall (1) make an annual payment to the owner or operator for the period of the agreement at such rate or rates as the commissioner determines to be fair and reasonable in consideration of the obligations undertaken by the owner or operator; and (2) provide advice on conservation and development practices on the wetlands and adjacent areas for the purposes of this act as the commissioner determines to be appropriate. In making his determination, the commissioner shall consider, among other things, the rate of compensation necessary to encourage owners or operators of wetlands to participate in the water bank program.

Subd. 5. Any agreement may be renewed or extended at the end of the agreement period for an additional period of ten years by mutual agreement of the commissioner and the owner or operator, subject to any rate redetermination by the commissioner. If during the agreement period the owner or operator sells or otherwise divests himself of the ownership or right of occupancy of such land, the new owner or operator may continue such agreement under the same terms or conditions, or enter into a new agreement in accordance with the provisions of this act, including the provisions for renewal and adjustment of payment rates, or he may choose not to participate in such program, except that for any water declared public waters they shall not be drained.

Subd. 7. The commissioner may terminate any agreement by mutual agreement with the owner or operator if the commissioner determines that such termination would be in the public interest, and may agree to such modification of agreements as he may determine to be desirable to carry out the purposes of the program or facilitate its administration.

Sec. 5. [EFFECTIVE DATE.] This act is effective the day following its final enactment."

Further amend the title as follows:

Page 1, line 6, after the ":", insert "providing for a hearings unit in certain cases;"

Page 1, line 7, after the ":", insert "establishing a state water bank program for public waters;"

Page 1, line 9, delete "a section" and insert "sections".

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:

S. F. No. 114, A bill for an act relating to no-fault automobile insurance; requiring that a plan of reparation security be maintained for certain motor vehicles only during the period of their contemplated operation or use; amending Minnesota Statutes 1974, Section 65B.48, Subdivision 1.

Reported the same back with the following amendments:

Page 1, line 24, after "(2)." insert "*Provided however, during the period in which the operation or use of such motor vehicle is not contemplated the basic economic loss benefits and residual liability coverages may be suspended or cancelled by the reparation obligor upon the written request of the owner of the motor vehicle during such period so long as it exceeds 30 consecutive days in duration. Such suspension or cancellation may be made at any time.*".

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:

S. F. No. 733, A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

Reported the same back with the following amendments:

Page 1, line 17, delete "five" and insert "three".

Page 1, line 19, after the period delete "The".

Page 1, delete lines 20 and 21.

Page 2, line 10, after "enactment" insert "and shall expire July 1, 1977. A loan made on or before July 1, 1977, at a rate of interest not in excess of the rate authorized by this act at the time the loan is made, shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied".

Amend the title as follows:

Page 1, line 4, delete "five" and insert "three".

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:

S. F. No. 765, A bill for an act relating to insurance; defining certain unfair discriminatory practices; amending Minnesota Statutes 1974, Section 72A.20, Subdivision 1.

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

The report was adopted.

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

S. F. No. 1131, 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.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 59, A bill for an act relating to towns; authorizing a special census for taxation purposes; amending Minnesota Statutes 1974, Section 275.14.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 365, is amended by adding a section to read:

[365.61] [TOWNS; CENSUS.] *In any year in which neither a state nor federal census is taken pursuant to law in any town a census may be taken as hereinafter provided. The town*

*board shall pass a resolution requesting the taking of a census by the secretary of state and shall furnish the secretary of state a certified copy of such resolution, whereupon the secretary of state shall cause such census to be taken under his or her immediate supervision and such rules and regulations as he or she may prescribe, and shall certify the result thereof to the town board within three months of the receipt of the certified copy of the resolution. The expense of taking the census shall be paid by the town in which it is taken and the population of said town for all purposes shall be as determined by such census until the next federal census."*

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

"A bill for an act relating to towns; authorizing towns to request the taking of a census by the secretary of state; amending Minnesota Statutes 1974, Chapter 365, by adding a section."

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

H. F. No. 1337, A bill for an act authorizing the city of Shakopee to issue general obligation revenue bonds for the purpose of financing improvements to, and refunding bonds payable from the revenues of, its light and power system.

Reported the same back with the following amendments:

Page 1, line 9, after "bonds" insert "in an amount not to exceed \$3,000,000".

Page 2, line 2, after the period insert "Any action pursuant to this section, however, shall not be authorized if 15 percent of the voters in the 1974 general election petition the city council of Shakopee for referendum within 30 days after affirmative action taken by the city council. In that event, a referendum shall be held by the city to consider whether the city of Shakopee, by its governing body, may issue general obligation bonds for the purpose of providing funds to acquire, improve and extend its electric light and power system."

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 571, A bill for an act relating to Wright county; requiring, with certain exceptions, the approval of the county board before any lands within the county are acquired for park purposes.

Reported the same back with the following amendments:

Page 1, after line 22, insert a new section:

"Sec. 3. This act shall be effective for two years dating from its approval by the board of county commissioners of Wright county."

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 665, A bill for an act relating to the town of Taylor; restoring state payments lost because of failure of county auditor to forward report.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1119, A bill for an act relating to the city of Alexandria, the towns of Alexandria, Carlos, Hudson and LaGrand in the county of Douglas, and the Alexandria lake area sanitary district; authorizing formation of certain service regions; providing certain procedures for allocating costs; amending Laws 1971, Chapter 869, Sections 2, by adding a subdivision; 9, Subdivision 1, and by adding a subdivision; 10, Subdivision 3, and by adding subdivisions; and 18, Subdivisions 4, and 6, as amended, and by adding a subdivision; repealing Laws 1971, Chapter 869, Section 9, Subdivisions 2, 3, 4, and 5.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1168, A bill for an act relating to certain political subdivisions; authorizing the governing bodies of cities and counties to advance expense money; amending Minnesota Statutes 1974, Section 471.96, Subdivision 1; and Chapter 471, by adding a section.

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

The report was adopted.

Berg from the Committee on Local and Urban Affairs to which was referred:

S. F. No. 1451, A bill for an act relating to the counties of Pennington and Marshall and their respective interests in a certain nursing home; providing for the withdrawal of the interest of Marshall county therein; repealing Laws 1965, Chapter 406.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

H. F. No. 1697, A bill for an act relating to highways; designating and describing the route of the Viking Trail; amending Minnesota Statutes 1974, Section 161.14, by adding a subdivision.

Reported the same back with the following amendments:

Page 5, line 10, delete "*shall adopt*" and insert "*may erect*".

Page 5, line 12, delete "*Said*" and insert "*The commissioner of highways shall approve an*".

Page 5, line 12, after "*emblem*" insert "*which*".

Page 5, delete lines 16 to 19.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 143, A bill for an act relating to drivers licenses; permitting persons holding drivers licenses not including school bus endorsements to drive passenger automobiles used as school buses; amending Minnesota Statutes 1974, Section 171.321, Subdivision 1.

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

The report was adopted.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 320, A bill for an act relating to taxation; increasing the percentage of unrefunded gasoline excise taxes attributable to snowmobile operation; appropriating money; amending Minnesota Statutes 1974, Sections 296.16, Subdivision 1; and 296.421, Subdivisions 6 and 7.

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.

Fudro from the Committee on Transportation to which was referred:

S. F. No. 949, A bill for an act relating to motor vehicles; registration of school buses; requiring certificate of conformance before registration of school buses; amending Minnesota Statutes 1974, Chapter 168, by adding a section.

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

The report was adopted.

## SECOND READING OF SENATE BILLS

S. F. Nos. 1290, 114, 733, 765, 1131, 571, 665, 1119, 1168, 1451, 143 and 949 were read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:



Petrafeso introduced:

H. F. No. 1779, A bill for an act relating to the metropolitan airports commission; exercise of powers; tax levy; amending Minnesota Statutes 1974, Section 360.109, Subdivision 5.

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

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 1697.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 1697, A bill for an act relating to claims against the state; appropriating moneys for the payment thereof.

The bill was read for the first time.

Norton moved that S. F. No. 1697 and H. F. No. 1742, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

### PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Enebo reported on the progress of S. F. No. 72, now in Conference Committee.

Pursuant to Joint Rule 13, Prahl reported on the progress of S. F. No. 499, now in Conference Committee.

Pursuant to Joint Rule 13, Haugerud reported on the progress of S. F. No. 460, now in Conference Committee.

Pursuant to Joint Rule 13, Beauchamp reported on the progress of S. F. No. 226, now in Conference Committee.

REPORT FROM THE COMMITTEE ON RULES AND  
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 1.9, Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following Number 19 of the Special Orders Calendar for today, Monday, May 5, 1975:

H. F. Nos. 1247, 721, 607, 719, 832, 1277, 629, 61 and 744.

CONSENT CALENDAR

S. F. No. 244 was reported to the House.

Clark moved to amend S. F. No. 244 as follows:

On page 2, line 12, after the "." insert "No fee shall be required of the general public for admittance to any building owned or leased by the non-profit corporation on which premises food and intoxicating liquor are served."

POINT OF ORDER

Casserly raised a point of order pursuant to Rule 3.9. The Speaker ruled the point of order not well taken.

There being no objection, S. F. No. 244 was continued on the Consent Calendar for one day.

S. F. No. 1142 was reported to the House.

There being no objection, S. F. No. 1142 was continued on the Consent Calendar for one day.

S. F. No. 476 was reported to the House.

Patton moved to amend S. F. No. 476 as follows:

Page 1, line 14, strike everything after the period.

Strike everything in lines 15 and 16.

The motion prevailed and the amendment was adopted.

S. F. No. 476, A bill for an act relating to pensions; invalidating provisions limiting pension or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 129, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 115, A bill for an act relating to the arts; creating a board of the arts to succeed the state arts council; prescribing powers and duties; amending Minnesota Statutes 1974, Chapter 139 by adding sections; repealing Minnesota Statutes 1974, Sections 139.01, 139.02, 139.03, 139.04 and 139.05.

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

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

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, I.	Beauchamp	Berglin
Adams, L.	Anderson, G.	Arlandson	Begich	Biersdorf

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

The bill was passed and its title agreed to.

S. F. No. 605 was reported to the House.

There being no objection, S. F. No. 605 was continued on the Consent Calendar for one day.

S. F. No. 1101, A bill for an act relating to acquisition of land for natural resources purposes; specifying procedure to be followed.

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 126, and nays 1, as follows:

Those who voted in the affirmative were:

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

Petraseso	Savelkoul	Sieloff	Tomlinson	Wigley
Philbrook	Schreiber	Simoneau	Vanasek	Williamson
Pleasant	Schulz	Skoglund	Vento	Zubay
Prahl	Schumacher	Smith	Voss	Speaker Sabo
Reding	Setzepfandt	Smogard	Wenstrom	
St. Onge	Sherwood	Stanton	Wenzel	
Samuelson	Sieben, H.	Suss	White	
Sarna	Sieben, M.	Swanson	Wieser	

Those who voted in the negative were:

Ulland

The bill was passed and its title agreed to.

### CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 474.

H. F. No. 474 was reported to the House.

Berglin moved to amend H. F. No. 474 as follows:

Page 1, line 11, after "*receives*" insert "*or has received*".

Page 1, line 12, after "*state*" strike "*is*" and insert "*shall be*".

Page 1, line 17, after "*to*" strike "*a*" and insert "*that*".

Page 1, line 20, after "*appropriate*" insert "*state or the*".

Page 1, line 23, after "*violate*" insert "*a provision or provisions of such*".

Page 1, line 23, after "*codes*" insert a comma.

Page 2, line 1, after "*violation*" strike the remainder of the line.

Page 2, line 2, strike the entire line.

Page 2, line 8, after "*notice*" strike the remainder of the line.

Page 2, line 9, strike "*ordinance,*" and after "*or*" insert "*within*".

Page 2, line 10, after "*notice*" insert "*in accordance with applicable state law or local ordinance*".

Page 2, line 18, after "*and shall*" insert "*contain the particulars of the non-compliance and shall*" and after "*include*" strike "*the*" and insert "*such*".

Page 2, line 19, after "*commissioner*," insert "*and*".

Page 3, line 7, after "*entire*" strike "*income*" and insert "*taxable*".

The motion prevailed and the amendment was adopted.

Sieloff moved that H. F. No. 474, as amended, be re-referred to the Committee on Taxes.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 45, and nays 81, as follows:

Those who voted in the affirmative were:

Adams, S.	Eckstein	Jensen	Metzen	Schreiber
Albrecht	Erickson	Jopp	Nelsen	Schumacher
Begich	Esau	Kaley	Niehaus	Setzepfandt
Biersdorf	Evans	Kalis	Novak	Sieloff
Braun	Ewald	Knickerbocker	Osthoff	Swanson
Carlson, A.	Fjoslien	Kvam	Patton	Ulland
Dean	Forsythe	Laidig	Peterson	Voss
DeGroat	Friedrich	Lemke	Pleasant	Wigley
Doty	Heinitz	McCollar	Savelkoul	Zubay

Those who voted in the negative were:

Abeln	Dahl	Kelly, R.	Neisen	Smith
Adams, L.	Dietrich	Kelly, W.	Nelson	Smogard
Anderson, G.	Eken	Kempe, A.	Norton	Stanton
Anderson, I.	Enebo	Kempe, R.	Parish	Suss
Arlandson	Faricy	Ketola	Pehler	Tomlinson
Beauchamp	Fugina	Knoll	Petraleso	Vanasek
Berg	George	Kostohryz	Philbrook	Vento
Berglin	Graba	Kroening	Prahl	Wenstrom
Birnstihl	Hanson	Langseth	Reding	Wenzel
Brinkman	Haugerud	Lindstrom	St. Onge	White
Byrne	Hokanson	Luther	Samuelson	Wieser
Carlson, L.	Jacobs	Mangan	Schulz	Williamson
Carlson, R.	Jaros	Mann	Sherwood	Speaker Sabo
Casserly	Johnson, C.	McCarron	Sieben, H.	
Clark	Johnson, D.	Meier	Sieben, M.	
Clawson	Jude	Menning	Simoneau	
Corbid	Kahn	Moe	Skoglund	

The motion did not prevail.

Sieloff moved to amend H. F. No. 474, as amended, as follows:

Page 1, line 17, after "*building*" and before the period, insert "*to the extent that the total of such deductions in any taxable year exceed income derived from such substandard building. Any deductions disallowed hereunder shall be treated as paid or accrued in the year in which the enforcing agency determines*

*that the substandard building has been brought to a condition of compliance. Any transferee of the substandard building shall succeed to the right to a deduction for any deduction disallowed hereunder to the transferor".*

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 42, and nays 72, as follows:

Those who voted in the affirmative were:

Adams, S.	Esau	Jopp	McEachern	Schumacher
Albrecht	Evans	Kaley	Metzen	Sieloff
Begich	Fjoslien	Ketola	Nelsen	Ulland
Carlson, A.	Forsythe	Knickerbocker	Niehaus	Wieser
Dean	Friedrich	Kvam	Osthoff	Wigley
DeGroat	Graba	Laidig	Patton	Zubay
Doty	Haugerud	Lemke	Peterson	
Eckstein	Jensen	Lindstrom	Pleasant	
Erickson	Johnson, C.	McCauley	Savelkoul	

Those who voted in the negative were:

Abeln	Corbid	Kalis	Nelson	Smogard
Adams, L.	Dahl	Kelly, R.	Norton	Stanton
Anderson, G.	Dieterich	Kelly, W.	Parish	Suss
Anderson, I.	Eken	Kempe, A.	Petrafeso	Tomlinson
Arlandson	Enebo	Kempe, R.	Philbrook	Vanasek
Beauchamp	Faricy	Knoll	Prahl	Vento
Berg	Fugina	Kostohryz	Reding	Voss
Berglin	George	Luther	St. Onge	Wenstrom
Birnstihl	Hanson	Mangan	Samuelson	Wenzel
Byrne	Hokanson	McCarron	Setzepfandt	White
Carlson, L.	Jacobs	McCollar	Sieben, H.	Williamson
Carlson, R.	Jaros	Meier	Sieben, M.	Speaker Sabo
Casserly	Johnson, D.	Menning	Simoneau	
Clark	Jude	Moe	Skoglund	
Clawson	Kahn	Neisen	Smith	

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

Sieloff moved to amend H. F. No. 474, as amended, as follows:

*Page 1, line 17, after "building." insert "Notwithstanding the preceding sentence any amounts paid or accrued for repairs, improvements, utilities or maintenance shall be treated as if this section had not been enacted.".*

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 49, and nays 68, as follows:

Those who voted in the affirmative were:

Adams, S.	Dieterich	Jopp	Lindstrom	Savelkoul
Albrecht	Eckstein	Kaley	McCauley	Schreiber
Anderson, G.	Erickson	Kempe, R.	Metzen	Setzepfandt
Begich	Esau	Ketola	Nelsen	Sieloff
Berg	Evans	Knickerbocker	Niehaus	Smith
Birnstihl	Ewald	Kostohyrz	Osthoff	Ulland
Brinkman	Fjoslien	Kvam	Patton	Wieser
Carlson, A.	Forsythe	Laidig	Peterson	Wigley
Dean	Friedrich	Langseth	Philbrook	Zubay
DeGroat	Heinitz	Lemke	Pleasant	

Those who voted in the negative were:

Adams, L.	Enebo	Kelly, W.	Neisen	Skoglund
Anderson, I.	Faricy	Kempe, A.	Nelson	Smogard
Arlandson	Fugina	Knoll	Norton	Stanton
Beauchamp	George	Kroening	Novak	Suss
Berglin	Hanson	Luther	Parish	Tomlinson
Byrne	Hokanson	Mangan	Pehler	Vento
Carlson, L.	Jacobs	Mann	Petrateso	Voss
Carlson, R.	Jaros	McCarron	Prahl	Wenstrom
Casserly	Jensen	McCollar	Reding	Wenzel
Clark	Johnson, C.	McEachern	St. Onge	White
Clawson	Johnson, D.	Meier	Samuelson	Williamson
Corbid	Jude	Menning	Sieben, H.	Speaker Sabo
Dahl	Kahn	Moe	Sieben, M.	
Eken	Kelly, R.	Munger	Simoneau	

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

Sieloff moved to amend H. F. No. 474, as amended, as follows:

Page 12, line 22, after "1974" and before the period insert *"provided that section 1 shall not be effective in any political subdivision of this state until the agency charged with enforcing the codes described in this act has inspected 80 percent of the buildings covered by this act located in such political subdivision and has determined whether they are substandard buildings within the meaning of this act."*

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 33, and nays 81, as follows:

Those who voted in the affirmative were:

Albrecht	Evans	Johnson, C.	Nelsen	Sieloff
Begich	Ewald	Jopp	Niehaus	Smith
Biersdorf	Fjoslien	Kaley	Novak	Smogard
DeGroat	Forsythe	Knickerbocker	Osthoff	Wieser
Eckstein	Friedrich	Kvam	Patton	Wigley
Erickson	Graba	Laidig	Peterson	
Esau	Haugerud	Lemke	Philbrook	



Those who voted in the negative were:

Abeln	Dahl	Kelly, R.	Munger	Skoglund
Adams, L.	Dean	Kelly, W.	Neisen	Stanton
Adams, S.	Dieterich	Kempe, A.	Nelson	Suss
Anderson, G.	Doty	Ketola	Parish	Tomlinson
Anderson, I.	Eken	Knoll	Pehler	Ulland
Arlandson	Enebo	Kostohryz	Petrafeso	Vanasek
Beauchamp	Faricy	Langseth	Prahl	Vento
Berg	Fugina	Lindstrom	Reding	Voss
Berglin	George	Luther	St. Onge	Wenstrom
Brinkman	Hanson	Mangan	Samuelson	Wenzel
Carlson, A.	Hokanson	Mann	Sarna	White
Carlson, L.	Jacobs	McCarron	Schumacher	Williamson
Carlson, R.	Jaros	McCauley	Setzepfandt	Speaker Sabo
Casserly	Jensen	McCollar	Sherwood	
Clark	Johnson, D.	McEachern	Sieben, H.	
Clawson	Jude	Meier	Sieben, M.	
Corbid	Kahn	Menning	Simoneau	

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

Friedrich moved to amend H. F. No. 474, as amended, as follows:

Page 1, line 17, before the period add "*other than buildings used for agricultural purposes*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 111, and nays 14, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Byrne	Faricy	Kempe, A.	Novak	Voss
Carlson, A.	George	Kostohryz	Petrafeso	Williamson
Dieterich	Kelly, R.	Moe	Vento	

The motion prevailed and the amendment was adopted.

Carlson, A. moved to amend H. F. No. 474, as amended, as follows:

Page 12, line 22, before the period add "*and shall expire December 31, 1977*".

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

Adams, S. moved to amend H. F. No. 474, as amended, as follows:

Page 1, line 13, after the word "*for*" delete "*interest,*" and after the word "*depreciation*" insert a period and delete "*, taxes, trade*".

Strike lines 14, 15, 16 and 17.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 89, and nays 37, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Jude	McCarron	Savelkoul
Albrecht	Esau	Kaley	McCauley	Schreiber
Beauchamp	Evans	Kalis	McEachern	Schulz
Begich	Ewald	Kelly, R.	Menning	Setzepfandt
Berg	Faricy	Kempe, A.	Metzen	Sherwood
Biersdorf	Fjoslien	Kempe, R.	Moe	Sieloff
Birnstihl	Forsythe	Ketola	Neisen	Smith
Braun	Friedrich	Knickerbocker	Nelsen	Smogard
Byrne	Fudro	Kostohryz	Niehau	Swanson
Carlson, A.	Graba	Kroening	Novak	Ulland
Carlson, L.	Hanson	Kvam	Osthoff	Voss
Carlson, R.	Haugerud	Laidig	Patton	Wenstrom
Dean	Heinitz	Langseth	Pehler	Wenzel
DeGroat	Hokanson	Lemke	Peterson	White
Dieterich	Jacobs	Lindstrom	Philbrook	Wieser
Doty	Jensen	Luther	Pleasant	Wigley
Eckstein	Johnson, C.	Mangan	Prahl	Zubay
Eken	Jopp	Mann	St. Onge	

Those who voted in the negative were:

Abeln	Anderson, I.	Clark	Dahl	George
Adams, L.	Berglin	Clawson	Enebo	Jaros
Anderson, G.	Casserly	Corbid	Fugina	Johnson, D.

Kahn	Munger	Samuelson	Simoneau	Williamson
Kelly, W.	Nelson	Sarna	Skoglund	Speaker Sabo
Knoll	Norton	Schumacher	Stanton	
McCollar	Parish	Sieben, H.	Suss	
Meier	Reding	Sieben, M.	Vento	

The motion prevailed and the amendment was adopted.

Berglin moved to amend H. F. No. 474, as amended, as follows:

Page 1, line 13, after "*depreciation*" strike the period.

Page 1, line 15, re-insert "*authorized under Minnesota Statutes, Section 290.09 or 290.01, Subdivision 20 which relate to that substandard building other than buildings used for agricultural purposes.*"

The motion prevailed and the amendment was adopted.

Anderson, G. moved to amend H. F. No. 474, as amended, as follows:

Page 1, line 13, after "*for*" insert "*interest and*".

The motion prevailed and the amendment was adopted.

H. F. No. 474, A bill for an act relating to taxation; denying tax deductions relating to substandard rental housing; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivision 20; and 290.12, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 92, and nays 38, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kelly, R.	Nelson	Simoneau
Adams, L.	DeGroat	Kelly, W.	Norton	Skoglund
Adams, S.	Dieterich	Kempe, A.	Novak	Smith
Anderson, G.	Eken	Kempe, R.	Parish	Smogard
Anderson, I.	Enebo	Knickerbocker	Pehler	Stanton
Arlandson	Evans	Knoll	Petraleso	Suss
Beauchamp	Faricy	Kostohryz	Philbrook	Tomlinson
Berg	Fudro	Kroening	Pleasant	Ulland
Berglin	Fugina	Langseth	Prahl	Vanasek
Birnstihl	George	Lindstrom	Reding	Vento
Byrne	Graba	Luther	Samuelson	Voss
Carlson, A.	Hanson	Mangan	Sarna	Wenstrom
Carlson, L.	Hokanson	Mann	Savelkoul	Wenzel
Carlson, R.	Jacobs	McCarron	Schreiber	White
Casserly	Jaros	McCollar	Schumacher	Williamson
Clark	Johnson, C.	Menning	Setzepfandt	Speaker Sabo
Clawson	Johnson, D.	Moe	Sherwood	
Corbid	Jude	Munger	Sieben, H.	
Dahl	Kahn	Neisen	Sieben, M.	

Those who voted in the negative were:

Albrecht	Esau	Jopp	McEachern	St. Onge
Begich	Ewald	Kaley	Meier	Sieloff
Biersdorf	Fjoslien	Kalis	Metzen	Spanish
Braun	Forsythe	Ketola	Nelsen	Wieser
Brinkman	Friedrich	Kvam	Niehaus	Wigley
Doty	Haugerud	Laidig	Osthoff	Zubay
Eckstein	Heinitz	Lemke	Patton	
Erickson	Jensen	McCauley	Peterson	

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

Pursuant to Rule 1.10, Norton requested immediate consideration of H. F. Nos. 525 and 1009.

H. F. No. 525 was reported to the House.

Hanson moved to amend H. F. No. 525 as follows:

Page 13, strike line 11 and insert "Sec. 13. [EFFECTIVE DATE.] Section 2, Subdivision 1, of this act is effective July 1, 1975. The remaining provisions of this act except as provided in this section are effective upon".

The motion prevailed and the amendment was adopted.

Schreiber moved to amend H. F. No. 525, as amended, as follows:

Page 5, line 7, delete "The governor shall".

Page 5, delete lines 8 through 11.

Page 5, line 12, delete "area."

Page 5, line 7, after "[TRANSPORTATION ADVISORY COMMITTEE.]" insert "A transportation advisory committee consisting of 25 persons shall be appointed in the following manner: one public official from each development region as established under chapter 462, appointed by the members of the regional development commission; six additional persons appointed by the chairman of the metropolitan council with approval of the council; and seven persons appointed by the governor."

Page 5, line 12, after "staggered" insert "according to the direction of the commissioner".

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

H. F. No. 525, A bill for an act relating to state government; creating a department of transportation; prescribing its duties and responsibilities; transferring the functions of some state

departments; appropriating money; amending Minnesota Statutes 1974, Sections 43.09, Subdivision 2a; and 360.017, Subdivision 1; repealing Minnesota Statutes 1974, Sections 4.20; 161.03; and 360.014.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 80, and nays 48, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kelly, W.	Munger	Sieben, H.
Adams, L.	Dieterich	Kempe, A.	Neisen	Sieben, M.
Adams, S.	Eken	Knickerbocker	Nelson	Simoneau
Anderson, G.	Enebo	Knoll	Norton	Skoglund
Anderson, I.	Faricy	Kostohryz	Novak	Smogard
Arlandson	Fudro	Kroening	Osthoff	Stanton
Beauchamp	Fugina	Laidig	Parish	Swanson
Berg	George	Lemke	Patton	Tomlinson
Berglin	Hanson	Luther	Peher	Vanasek
Byrne	Haugerud	Mangan	Philbrook	Vento
Carlson, A.	Hokanson	McCarron	Prahl	Voss
Carlson, L.	Jacobs	McCauley	Reding	Wenstrom
Carlson, R.	Jaros	McCollar	St. Onge	Wenzel
Cassery	Jude	McEachern	Samuelson	White
Clawson	Kahn	Metzen	Sarna	Williamson
Corbid	Kelly, R.	Moe	Schumacher	Speaker Sabo

Those who voted in the negative were:

Albrecht	Erickson	Johnson, D.	Meier	Setzepfandt
Begich	Esau	Jopp	Menning	Sherwood
Biersdorf	Evans	Kaley	Nelsen	Sieloff
Birnstihl	Ewald	Kalis	Niehous	Smith
Braun	Fjoslien	Kempe, R.	Peterson	Ulland
Brinkman	Forsythe	Ketola	Petrateso	Wieser
Clark	Friedrich	Kvam	Pleasant	Wigley
DeGroat	Graba	Langseth	Savelkoul	Zubay
Doty	Heinitz	Lindstrom	Schreiber	
Eckstein	Johnson, C.	Mann	Schulz	

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

H. F. No. 1009, A bill for an act relating to health and welfare; providing for increasing service levels under the nutrition for the elderly program; appropriating money.

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

The bill was passed and its title agreed to.

Vanasek was excused for the remainder of today's session.

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

### MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 235, A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; changing the funding of post-secondary vocational-technical education and of education of handicapped children to a current funding basis; providing for changes in the maximum effort school aid law; granting certain powers and duties to school districts and the state board of education; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, Subdivision 1; 121.21, Subdivisions 2, 4,

and 6; 121.89; 124.04; 124.11; 124.17, Subdivisions 1 and 2; 124.18, Subdivision 2; 124.20; 124.212, Subdivisions 1, 3a, 8a, and 11, and by adding subdivisions; 124.215, by adding a subdivision; 124.222, Subdivisions 2 and 3, and by adding subdivisions; 124.223; 124.28, Subdivision 2; 124.32, Subdivision 1, and by adding a subdivision; 124.38, Subdivisions 4, 5, 6, and 7; 124.42, Subdivisions 1, 2, and 4; 124.43, Subdivisions 1, 2, 3, and 4; 124.45; 124.57; 275.125, Subdivisions 2a and 3, and by adding subdivisions; 475.54, Subdivision 2; Chapter 124, by adding sections; Laws 1967, Chapter 822, Section 7, as amended; Laws 1969, Chapter 775, Section 4, Subdivision 2, as amended; Laws 1969, Chapter 1060, Section 7; Laws 1971, Chapter 722, Section 1; and Laws 1974, Chapter 521, Section 9; repealing Minnesota Statutes 1974, Sections 121.21, Subdivisions 5, 7, 9, and 10; 121.211; 124.212, Subdivisions 6a and 7a; 124.215, Subdivision 2a; 124.222, Subdivision 1; 124.25; 124.30; 124.475; 124.50; 124.801; 124.802; 124.803; 124.804; 124.805; 124.806; and Laws 1969, Chapters 945, Section 3; 1060, Section 8; and Laws 1975, Chapter 13, Sections 110 and 111.

PATRICK E. FLAHAVEN, Secretary of the Senate

Graba moved that the House refuse to concur in the Senate amendments to H. F. No. 235, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 235:

Graba; Johnson, C.; Adams, S.; Berg and Vento.

#### SPECIAL ORDERS

H. F. No. 184, as amended on Special Orders for April 28, 1975, was reported to the House.

Byrne moved to amend H. F. No. 184 as follows:

Page 2, line 15, after "*discrimination*" insert "*because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance or disability*".

Page 2, line 15, delete "1973" and insert "1974".

Page 2, after line 21, insert a new section 2 to read as follows:

"Sec. 2. Minnesota Statutes 1974, Section 124.15, is amended by adding a subdivision to read:

*Subd. 2a. After consultation with the commissioner of human rights, the state board of education shall adopt rules and regulations which direct school districts to file with the commissioner of education assurances of compliance with state and federal laws prohibiting discrimination and which specify the information required to be submitted in support of the assurances. The commissioner of education shall provide copies of the assurances and the supportive information to the commissioner of human rights. If, after review of the assurances, the supportive information and any other information which the commissioner of human rights may require, it appears to the commissioner of human rights that one or more violations of the Minnesota human rights act are occurring in the district, he shall notify the commissioner of education of the violations, and the commissioner of education may then proceed pursuant to subdivision 3 of this section."*

Insert a new section 3 to read as follows:

"Sec. 3. Minnesota Statutes 1974, Section 124.15, Subdivision 3, is amended to read:

*Subd. 3. When it appears to the commissioner that one or more of the violations enumerated is occurring in a district, he shall forthwith notify the board of that district in writing thereof. Such notice shall specify the violations, set a reasonable time within which the district shall correct the specified violations, describe the correction required, and advise that if the correction is not made within the time allowed, special state aids to the district will be reduced. The time (FIRST) allowed for correction may be extended by the commissioner if there is reasonable ground therefor.*

Further, amend the title as follows:

Line 6, delete "certificates" and insert "assurances".

Line 6, after "state" insert "and federal".

Line 8, delete "Subdivision 2" and insert "Subdivisions 2 and 3, and by adding a subdivision".

The motion prevailed and the amended was adopted.

Faricy moved to amend H. F. No. 184, as amended by the Byrne amendment, as follows:

In the new section 2 after "rules and regulations" insert "in conformance with Minnesota Statutes Chapter 15".



The motion prevailed and the amendment was adopted.

H. F. No. 184, A bill for an act relating to education; providing for a reduction of state aid to school districts permitting violation of state laws prohibiting discrimination; directing the filing of assurances of compliance with state and federal law; amending Minnesota Statutes 1974, Section 124.15, Subdivisions 2 and 3, and by adding a subdivision.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 84, and nays 38, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Kelly, R.	Neisen	Sieloff
Anderson, I.	Enebo	Kelly, W.	Nelsen	Simoneau
Arlandson	Evans	Kempe, A.	Nelson	Skoglund
Beauchamp	Ewald	Knickerbocker	Norton	Smogard
Berg	Faricy	Knoll	Novak	Stanton
Berglin	Fjoslien	Kostohryz	Parish	Suss
Brinkman	Fugina	Kroening	Patton	Swanson
Byrne	George	Lindstrom	Pehler	Tomlinson
Carlson, A.	Graba	Luther	Petrafeso	Ulland
Carlson, L.	Hanson	Mangan	Philbrook	Vento
Carlson, R.	Hokanson	Mann	Pleasant	Voss
Casserly	Jacobs	McCarron	Prahl	Wenstrom
Clark	Jaros	McCollar	Samuelson	Wenzel
Clawson	Johnson, C.	Meier	Schumacher	White
Corbid	Johnson, D.	Menning	Setzepfandt	Williamson
Dahl	Jude	Moe	Sieben, H.	Speaker Sabo
Dean	Kahn	Munger	Sieben, M.	

Those who voted in the negative were:

Albrecht	Eckstein	Jensen	Lemke	Schreiber
Anderson, G.	Eken	Jopp	McCauley	Schulz
Begich	Erickson	Kaley	McEachern	Sherwood
Biersdorf	Esau	Kalis	Niehaus	Wieser
Birnstihl	Forsythe	Kempe, R.	Peterson	Wigley
Braun	Friedrich	Ketola	Reding	Zubay
DeGroat	Fudro	Laidig	St. Onge	
Doty	Haugerud	Langseth	Savelkoul	

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

Samuelson and Sarna were excused for the remainder of today's session.

H. F. No. 999 was reported to the House.

Philbrook moved to amend H. F. No. 999 as follows:

Page 2, after line 28, insert *"Except for home improvement loans this subdivision applies only to non-automobile loans in a*

*principal amount of \$3,000 or more. Separate loans may not be aggregated to attain the \$3,000 level."*

The motion prevailed and the amendment was adopted.

Casserly moved to amend H. F. No. 999, as amended, as follows:

Page 2, line 7, after "States," delete "including any".

Page 2, delete line 8.

Page 2, line 9, delete "United States,".

Page 2, delete lines 12 through 30.

Further amend the title as follows:

Page 1, line 5, after "Subdivision 1" insert a period and strike the balance of the line.

Page 1, strike lines 6 and 7.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 30, and nays 90, as follows:

Those who voted in the affirmative were:

Adams, L.	Casserly	Jaros	Luther	Swanson
Arlandson	Dieterich	Johnson, D.	McCollar	Ulland
Berg	Enebo	Kahn	Moe	Vento
Berglin	Faricy	Kelly, R.	Petrafeso	Voss
Carlson, A.	George	Kostohryz	Sieben, M.	Wenstrom
Carlson, L.	Hanson	Kroening	Sieloff	Speaker Sabo

Those who voted in the negative were:

Abeln	Doty	Jude	Meier	Savelkoul
Adams, S.	Eckstein	Kaley	Menning	Schreiber
Albrecht	Eken	Kalis	Metzen	Schulz
Anderson, G.	Erickson	Kelly, W.	Munger	Schumacher
Anderson, I.	Esau	Kempe, A.	Neisen	Setzepfandt
Beauchamp	Evans	Kempe, R.	Nelsen	Sherwood
Begich	Ewald	Ketola	Niehäus	Sieben, H.
Biersdorf	Fjoslien	Knickerbocker	Norton	Simoneau
Birnstihl	Forsythe	Kvam	Novak	Skoglund
Braun	Friedrich	Laidig	Parish	Smith
Brinkman	Fugina	Langseth	Patton	Smogard
Byrne	Graba	Lemke	Pehler	Stanton
Carlson, R.	Heinitz	Lindstrom	Peterson	Tomlinson
Clawson	Hokanson	Mangan	Philbrook	Wenzel
Corbid	Jacobs	Mann	Pleasant	White
Dahl	Jensen	McCarron	Prahl	Wieser
Dean	Johnson, C.	McCauley	Reding	Wigley
DeGroat	Jopp	McEachern	St. Onge	Williamson

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

Casserly moved to amend H. F. No. 999, as amended, as follows:

Page 2, line 29, before "Sec. 3." insert "*Provided, however, that any homestead property, as defined in Minnesota Statutes 1974, Chapter 510, may not be used as security for a junior lien.*"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 30, and nays 90, as follows:

Those who voted in the affirmative were:

Adams, L.	Casserly	George	Kostohryz	Skoglund
Arlandson	Clark	Hanson	Kroening	Swanson
Berglin	Dieterich	Jaros	Luther	Ulland
Byrne	Enebo	Johnson, D.	Nelson	Vento
Carlson, A.	Faricy	Kahn	Sieben, H.	Wenstrom
Carlson, L.	Fugina	Kelly, R.	Sieben, M.	White

Those who voted in the negative were:

Abeln	Eken	Kalis	Menning	Schreiber
Adams, S.	Erickson	Kelly, W.	Metzen	Schulz
Albrecht	Esau	Kempe, A.	Munger	Schumacher
Anderson, I.	Evans	Kempe, R.	Neisen	Setzepfandt
Beauchamp	Ewald	Ketola	Nelsen	Sherwood
Begich	Fjoslien	Knickerbocker	Niehaus	Sieloff
Biersdorf	Forsythe	Kvam	Norton	Simoneau
Birnstihl	Friedrich	Laidig	Novak	Smith
Braun	Graba	Langseth	Parish	Smogard
Brinkman	Haugerud	Lemke	Patton	Spanish
Carlson, R.	Heinitz	Lindstrom	Pehler	Stanton
Clawson	Hokanson	Mangan	Peterson	Tomlinson
Corbid	Jacobs	Mann	Philbrook	Voss
Dahl	Jensen	McCarron	Pleasant	Wenzel
Dean	Johnson, C.	McCauley	Prahl	Wieser
DeGroat	Jopp	McCollar	Reding	Wigley
Doty	Jude	McEachern	St. Onge	Williamson
Eckstein	Kaley	Meier	Savelkoul	Speaker Sabo

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

H. F. No. 999, A bill for an act relating to state banks; authorizing state banks to take second liens on real estate; amending Minnesota Statutes 1974, Section 48.19, Subdivision 1, and by adding a subdivision; and repealing Minnesota Statutes 1974, Section 48.19, Subdivision 3.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 19, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kelly, W.	Nelsen	Sieloff
Adams, L.	Eckstein	Kempe, A.	Niehaus	Simoneau
Adams, S.	Eken	Kempe, R.	Norton	Smith
Albrecht	Erickson	Ketola	Novak	Smogard
Anderson, G.	Esau	Knickerbocker	Osthoff	Spanish
Anderson, I.	Evans	Knoll	Parish	Stanton
Beauchamp	Ewald	Kostohryz	Patton	Suss
Begich	Fjoslien	Kvam	Pehler	Swanson
Berglin	Forsythe	Laidig	Peterson	Tomlinson
Biersdorf	Friedrich	Langseth	Petraleso	Ulland
Birnstihl	Fudro	Lemke	Philbrook	Voss
Braun	Graba	Lindstrom	Pleasant	Wenstrom
Brinkman	Haugerud	Mangan	Prahl	Wenzel
Carlson, A.	Heinitz	Mann	Reding	White
Carlson, L.	Hokanson	McCarron	St. Onge	Wieser
Carlson, R.	Jacobs	McCauley	Savelkoul	Wigley
Clark	Jensen	McEachern	Schreiber	Williamson
Clawson	Johnson, C.	Meier	Schulz	Speaker Sabo
Corbid	Johnson, D.	Menning	Schumacher	
Dahl	Jopp	Metzen	Setzepfandt	
Dean	Jude	Munger	Sherwood	
DeGroat	Kalis	Neisen	Sieben, H.	

Those who voted in the negative were:

Arlandson	Enebo	Hanson	Kelly, R.	Sieben, M.
Byrne	Faricy	Jaros	Kroening	Skoglund
Casserly	Fugina	Kahn	Luther	Vento
Dieterich	George	Kaley	McCollar	

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

H. F. No. 998 was reported to the House.

There being no objection, H. F. No. 998 was continued on Special Orders for one day.

Voss was excused for the remainder of today's session.

H. F. No. 925 was reported to the House.

Hanson moved to amend H. F. No. 925 as follows:

Page 2, line 3, after "issued" and before the comma add "*for out state vehicles and a fee of \$3 for resident vehicles*".

Page 2, line 5, after the figure "\$1.50" add "*for out state vehicles and \$1.00 for resident vehicles*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 75, and nays 47, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Heinitz	Lemke	Philbrook
Adams, L.	Dieterich	Hokanson	Luther	Pleasant
Albrecht	Doty	Jacobs	McCauley	Prahl
Anderson, I.	Eckstein	Johnson, C.	McCollar	Schulz
Beauchamp	Erickson	Johnson, D.	Meier	Sieloff
Begich	Esau	Jopp	Menning	Skoglund
Biersdorf	Evans	Jude	Moe	Smogard
Birnstihl	Ewald	Kaley	Neisen	Spanish
Braun	Faricy	Kelly, R.	Nelsen	Swanson
Byrne	Fjoslien	Kempe, A.	Nelson	Vento
Carlson, A.	Friedrich	Kempe, R.	Niehau	Wenzel
Carlson, L.	Fudro	Ketola	Novak	White
Carlson, R.	George	Kroening	Osthoff	Wieser
Clawson	Graba	Kvam	Patton	Wigley
Corbid	Hanson	Langseth	Petraseso	Zubay

Those who voted in the negative were:

Adams, S.	Forsythe	Lindstrom	Reding	Stanton
Anderson, G.	Fugina	Mangan	St. Onge	Suss
Arlandson	Haugerud	Mann	Savelkoul	Tomlinson
Berg	Jensen	McCarron	Schreiber	Ulland
Casserly	Kahn	McEachern	Schumacher	Wenstrom
Clark	Kalis	Munger	Setzepfandt	Williamson
Dahl	Kelly, W.	Norton	Sherwood	Speaker Sabo
Dean	Knickerbocker	Parish	Sieben, M.	
Eken	Kostohryz	Pehler	Simoneau	
Enebo	Laidig	Peterson	Smith	

The motion prevailed and the amendment was adopted.

H. F. No. 925, A bill for an act relating to natural resources, monuments, recreation reserves, and waysides; increasing motor vehicle permit fees; amending Minnesota Statutes 1974, Section 85.05, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 10, as follows:

Those who voted in the affirmative were:

Abeln	Birnstihl	Dahl	Faricy	Jaros
Adams, L.	Braun	DeGroat	Fjoslien	Jensen
Adams, S.	Brinkman	Dieterich	Forsythe	Johnson, C.
Albrecht	Byrne	Doty	Friedrich	Johnson, D.
Anderson, G.	Carlson, A.	Eckstein	Fudro	Jopp
Anderson, I.	Carlson, L.	Eken	George	Jude
Arlandson	Carlson, R.	Enebo	Graba	Kahn
Beauchamp	Casserly	Erickson	Hanson	Kaley
Begich	Clark	Esau	Heinitz	Kalis
Berg	Clawson	Evans	Hokanson	Kelly, R.
Berglin	Corbid	Ewald	Jacobs	Kelly, W.

Kempe, A.	Mangan	Novak	Setzepfandt	Swanson
Kempe, R.	Mann	Osthoff	Sherwood	Tomlinson
Ketola	McCarron	Parish	Sieben, H.	Ulland
Knickerbocker	McCauley	Pehler	Sieben, M.	Vento
Knoll	McCollar	Peterson	Sieloff	Wenstrom
Kroening	Meier	Petrafeso	Simoneau	Wenzel
Kvam	Munger	Philbrook	Skoglund	White
Laidig	Neisen	Pleasant	Smith	Wieser
Langseth	Nelsen	Prahl	Smogard	Wigley
Lemke	Nelson	Reding	Spanish	Williamson
Lindstrom	Niehaus	Schulz	Stanton	Zubay
Luther	Norton	Schumacher	Suss	Speaker Sabo

Those who voted in the negative were:

Biersdorf	Fugina	Kostohryz	Menning	Patton
Dean	Haugerud	McEachern	Moe	St. Onge

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

H. F. No. 1147 was reported to the House.

There being no objection, H. F. No. 1147 was continued on Special Orders for one day.

H. F. No. 610 was reported to the House.

There being no objection, H. F. No. 610 was continued on Special Orders for one day.

H. F. No. 1050 was reported to the House.

Eken moved to amend H. F. No. 1050 as follows:

Page 2, line 16, strike "*resident aliens who operate farms on not more*".

Page 2, line 17, strike "*than 320 acres, or to*".

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Albrecht	Clark	Faricy	Kelly, R.	McEachern
Anderson, G.	Clawson	Fjoslien	Kelly, W.	Meier
Anderson, I.	Corbid	Friedrich	Ketola	Menning
Beauchamp	Dahl	Fudro	Kroening	Neisen
Begich	DeGroat	Hanson	Langseth	Nelsen
Biersdorf	Doty	Jacobs	Lemke	Nelson
Birnstihl	Eken	Jensen	Lindstrom	Niehaus
Braun	Erickson	Johnson, C.	Mangan	Osthoff
Brinkman	Esau	Jopp	Mann	Patton
Carlson, R.	Evans	Kalis	McCollar	Peterson

Reding	Setzepfandt	Smogard	Swanson	White
St. Onge	Sherwood	Spanish	Vento	Wieser
Schulz	Simoneau	Stanton	Wenstrom	Wigley
Schumacher	Smith	Suss	Wenzel	Zubay

Those who voted in the negative were:

Adams, L.	Eckstein	Kahn	Metzen	Schreiber
Adams, S.	Enebo	Kaley	Moe	Sieben, H.
Arlandson	Ewald	Kempe, A.	Munger	Sieben, M.
Berg	Forsythe	Kempe, R.	Norton	Sieloff
Berglin	Fugina	Knickerbocker	Novak	Skoglund
Byrne	George	Knoll	Parish	Tomlinson
Carlson, A.	Haugerud	Kostohryz	Pehler	Williamson
Carlson, L.	Heinitz	Laidig	Petraseso	Speaker Sabo
Casserly	Hokanson	Luther	Philbrook	
Dean	Jaros	McCarron	Pleasant	
Dieterich	Johnson, D.	McCauley	Savelkoul	

The motion prevailed and the amendment was adopted.

Kahn moved to amend H. F. No. 1050, as amended by the Eken amendment, as follows:

Page 2, line 16, after "to" insert "*resident aliens who operate and reside upon a farm of not more than 160 acres, or to*".

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

Anderson, G., moved to amend H. F. No. 1050, as follows:

Page 2, line 1, after "of" strike "*its*" and insert "*each class of*".

The motion prevailed and the amendment was adopted.

Metzen was excused for the remainder of today's session.

H. F. No. 1050, A bill for an act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1974, Chapter 500, by adding a section; repealing Minnesota Statutes 1974, Section 500.22.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 95, and nays 29, as follows:

Those who voted in the affirmative were:

Adams, L.	Anderson, G.	Beauchamp	Berglin	Birnstihl
Albrecht	Anderson, I.	Begich	Biersdorf	Braun

Brinkman	Forsythe	Kempe, R.	Nelsen	Sieben, H.
Byrne	Friedrich	Ketola	Nelson	Sieloff
Carlson, R.	Fudro	Knickerbocker	Niehaus	Simoneau
Clark	Graba	Kroening	Novak	Smith
Clawson	Hanson	Kvam	Osthoff	Smogard
Corbid	Haugerud	Langseth	Parish	Spanish
Dahl	Hokanson	Lemke	Patton	Stanton
DeGroat	Jacobs	Lindstrom	Pehler	Suss
Doty	Jensen	Mangan	Peterson	Swanson
Eckstein	Johnson, C.	Mann	Prahl	Vento
Eken	Jopp	McCauley	Reding	Wenstrom
Enebo	Jude	McCollar	St. Onge	Wenzel
Erickson	Kaley	McEachern	Savelkoul	White
Esau	Kalis	Meier	Schulz	Wieser
Evans	Kelly, R.	Menning	Schumacher	Wigley
Faricy	Kelly, W.	Munger	Setzepfandt	Zubay
Fjoslien	Kempe, A.	Neisen	Sherwood	Speaker Sabo

Those who voted in the negative were:

Adams, S.	Dean	Jaros	McCarron	Sieben, M.
Arlandson	Dieterich	Johnson, D.	Moe	Skoglund
Berg	Ewald	Kahn	Norton	Tomlinson
Carlson, A.	Fugina	Kostohryz	Petraleso	Ulland
Carlson, L.	George	Laidig	Philbrook	Williamson
Casserly	Heinitz	Luther	Pleasant	

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

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Tuesday, May 6, 1975, immediately following the Calendar. The motion prevailed.

#### UNANIMOUS CONSENT

Fugina requested unanimous consent to make a motion. The request was granted.

Fugina moved that H. F. No. 1747 and H. F. No. 1748 be returned to their authors. The motion prevailed.

#### ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Tuesday, May 6, 1975.

EDWARD A. BURDICK, Chief Clerk, House of Representatives