

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1975

FORTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 8, 1975

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Rice was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Laidig 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. 344, 1140, 1798, 17, 717, 884, 1525, 396, 907, 1569, 1638, 1288, 1441, 379, 619, 629, 1020 and 654 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

May 7, 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 File:

H. F. No. 259, An act relating to real estate; restricting the filing and recording of certain conveyances; amending Minnesota Statutes 1974, Section 462.358, Subdivision 4.

Sincerely,

WENDELL R. ANDERSON
Governor

REPORTS OF STANDING COMMITTEES

Mann from the Committee on Agriculture to which was referred:

S. F. No. 1026, A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

Reported the same back with the following amendments:

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

"Section 1. Minnesota Statutes 1974, Section 500.24, is amended to read:

500.24 [CORPORATE FARMING.] Subdivision 1. [DEFINITIONS.] For the purposes of this section, the terms defined in this subdivision have the meanings here given them:

(a) "Farming" means the (CULTIVATION OF LAND) *owning, leasing, or holding of any interest in land used for or reasonably capable of being used for the production of* (1) agricultural crops; (2) livestock or livestock products; (3) poultry or poultry products; (4) milk or dairy products; or (5) fruit or other horticultural products. It shall not include the production of timber or forest products; nor shall it include a contract whereby a processor or distributor of farm products or supplies provides spraying, harvesting or other farm services.

(b) "Family farm" means an unincorporated farming unit owned by one or more persons residing on the farm or actively engaging in farming:

(c) "Family farm corporation" means a corporation founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are (MEMBERS OF A FAMILY) *persons or the spouses of persons* related to each other within the third degree of kindred according to the rules of the civil law, and at least one of (WHOSE STOCKHOLDERS) *said related persons* is (A PERSON) residing on or actively operating the farm; and none of whose stockholders are corporations; provided that a family farm corporation shall not cease to qualify as such hereunder by reason of any devise or bequest of shares of voting stock.

((D) "AUTHORIZED FARM CORPORATION" MEANS A CORPORATION MEETING THE FOLLOWING STANDARDS:)

((1) ITS SHAREHOLDERS DO NOT EXCEED TEN IN NUMBER;)

((2) ALL ITS SHAREHOLDERS, OTHER THAN ANY ESTATE ARE NATURAL PERSONS;)

((3) IT DOES NOT HAVE MORE THAN ONE CLASS OF SHARES; AND)

((4) ITS REVENUES FROM RENT, ROYALTIES, DIVIDENDS, INTEREST AND ANNUITIES DOES NOT EXCEED 20 PERCENT OF ITS GROSS RECEIPTS.)

((E)) (d) "Agricultural land" means land used for farming.

Subd. 2. [FARMING AND OWNERSHIP OF AGRICULTURAL LAND BY CORPORATIONS RESTRICTED.] After May 20, 1973, no corporation shall engage in farming; nor shall any corporation, directly or indirectly, own, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to real estate used for farming or capable of being used for farming in this state. Provided, however, that the restrictions provided in this subdivision shall not apply to the following:

- (a) A bona fide encumbrance taken for purposes of security;
- (b) A family farm corporation (OR AN AUTHORIZED FARM CORPORATION) as defined in subdivision 1;
- (c) Agricultural land and land capable of being used for farming owned by a corporation as of May 20, 1973 including the normal expansion of such ownership at a rate not to exceed 20 percent of the amount of land owned as of May 20, 1973, measured in acres, in any five year period, and including additional ownership reasonably necessary to meet the requirements of pollution control regulations;
- (d) A farm operated for research or experimental purposes, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;
- (e) Agricultural land operated by a corporation for the purpose of (RAISING BREEDING STOCK FOR RESALE TO FARMERS OR OPERATED FOR THE PURPOSE OF) growing (SEED, WILD RICE,) nursery plants (OR SOD);
- (f) Agricultural land and land capable of being used for farming leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of May 20, 1973 and the additional acreage required for normal expansion at a rate not to exceed 20 percent of the amount of land leased as of May 20, 1973 in any five year period, and the additional acreage reasonably necessary to meet the requirements of pollution control regulations;
- (g) (FUTURE) Interests in agricultural land, including but not limited to future interests and remainder interests following life estates, when acquired (AS A GIFT (EITHER BY GRANT OR A DEVISE) BY AN EDUCATIONAL, OR RELIGIOUS OR CHARITABLE) or owned by a non-profit corporation;
- (h) Agricultural land acquired by a corporation other than a family farm corporation (OR AUTHORIZED FARM CORPORATION,) as defined in subdivision 1, for immediate (OR POTENTIAL) use in nonfarming purposes. A corporation may

hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit(,) or a family farm corporation (OR AN AUTHORIZED FARM CORPORATION), or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901 - 3914) as amended, or a subsidiary or assign of such a corporation; or

(i) Agricultural lands acquired by a corporation by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, however, that all lands so acquired be disposed of within (TEN YEARS) *three years* after acquiring the title thereto, and further provided that the land so acquired shall not be used for farming during the (TEN) *three* year period except under a lease to a family farm unit(,) or a family farm corporation (OR AN AUTHORIZED FARM CORPORATION). The aforementioned (TEN) *three* year limitation period shall be deemed a covenant running with the title to the land against any corporate grantee or assignee or the successor of such corporation.

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

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

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

Subd. 3. [REPORTS.] (a) Every corporation engaged in farming or proposing to commence farming in this state after

May 20, 1973, *except a corporation whose only interest in agricultural land is a bona fide encumbrance taken for purposes of security*, shall file with the commissioner of agriculture a report containing the following information:

(1) The name of the corporation and its place of incorporation;

(2) The address of the registered office of the corporation in this state, the name and address of its registered agent in this state and, in the case of a foreign corporation, the address of its principal office in its place of incorporation;

(3) The acreage and location listed by *quarter-quarter* section, township and county of each lot or parcel of land in this state owned or leased by the corporation and used for the growing of crops or the keeping or feeding of poultry or livestock; (AND)

(4) The names and addresses of the officers, *shareholders owning more than ten percent of the stock including the percent of stock owned by each such shareholder*, and the members of the board of directors of the corporation(.); and

(5) *The type of farm products which the corporation produces or intends to produce on the reported acreage.*

The report of a corporation seeking to qualify hereunder as a family farm corporation (OR AN AUTHORIZED FARM CORPORATION) shall contain the following additional information: The number of shares owned by persons residing on the farm or actively engaged in farming, or their relatives within the third degree of kindred according to the rules of the civil law or their spouses; the name, address and number of shares owned by each shareholder; and a statement as to percentage of gross receipts of the corporation derived from rent, royalties, dividends, interest and annuities. No corporation shall commence farming in this state until the commissioner of agriculture has inspected the report and certified that its proposed operations comply with the provisions of this section.

(b) Every corporation engaged in farming in this state, *except a corporation whose only interest in agricultural land is a bona fide encumbrance taken for purposes of security*, shall, prior to April 15 of each year, file with the commissioner of agriculture a report containing the information required in clause (a), based on its operations in the preceding calendar year and its status at the end of such year.

(c) Failure to file a required report, or the willful filing of false information, shall constitute a gross misdemeanor.

Subd. 4. [ENFORCEMENT.] If the attorney general has reason to believe that a corporation is violating *subdivision 2* of

this section, he shall commence an action in the district court in which any agricultural lands relative to such violation are situated, or if situated in two or more counties, in any county in which a substantial part of the lands are situated. The attorney general shall file for record with the register of deeds or the registrar of titles of each county in which any portion of said lands are located a notice of the pendency of the action as provided in section 557.02. If the court finds that the lands in question are being held in violation of *subdivision 2* of this section, it shall enter an order so declaring. The attorney general shall file for record any such order with the register of deeds or the registrar of titles of each county in which any portion of said lands are located. Thereafter, the corporation owning such land shall have a period of (FIVE YEARS) *one year* from the date of such order to divest itself of such lands. The aforementioned (FIVE) *one year* limitation period shall be deemed a covenant running with the title to the land against any corporate grantee or assignee or the successor of such corporation. Any lands not so divested within the time prescribed shall be sold at public sale in the manner prescribed by law for the foreclosure of a mortgage by action. *In addition, any prospective or threatened violation may be enjoined by an action brought by the attorney general in the manner provided by law.*

Subd. 5. [MANDATORY RECORDING.] All contracts for deed or deeds conveying a fee interest in agricultural real estate to a corporation subject to the reported requirement of subdivision 3 shall be recorded by the grantee, purchaser or his agent within 60 days of the delivery of the deed or the contract for deed to the grantee, purchaser or his agent. Deeds to said corporation or contracts for deed executed by said corporation subsequent to May 20, 1973, shall be recorded by the grantee, purchaser or agent within 60 days after the effective date of this act. All persons required to record contracts for deed pursuant to this section shall be exempt from the mortgage registry tax authorized in Minnesota Statutes 1974, Sections 287.01 to 287.02. Any person violating this act is guilty of a gross misdemeanor. This section shall not apply to conveyances subject to section 508.52.

Sec. 2. Minnesota Statutes 1974, Section 500.22, Subdivision 1, is amended to read as follows:

500.22. [RESTRICTIONS ON ACQUISITION OF TITLE.]
Subdivision 1. [BY ALIENS AND NON-AMERICAN CORPORATIONS.] Except as hereinafter provided, no person, unless he be a citizen of the United States or has declared his intention to become a citizen, and no corporation, unless (CREATED BY OR UNDER THE LAWS OF THE UNITED STATES OR OF SOME STATE THEREOF,) at least 80 percent of each class of stock is owned directly or indirectly by citizens of the United States or persons who have declared their intention to become citizens, shall hereafter acquire lands, or any

interest therein, exceeding 90,000 square feet, except such as have been or may be acquired by devise or inheritance, or by a distribution to stockholders of any assets of a corporation upon dissolution of the corporation or otherwise, and such as may be held as security for indebtedness. The provisions of this section shall not apply to actual settlers upon farms of not more than 160 acres, or to citizens or subjects of a foreign country whose rights to hold land are secured by treaty.

Sec. 3. Minnesota Statutes 1974, Section 500.22, is amended by adding a subdivision to read:

Subd. 6. [EXCEPTIONS.] The prohibitions of subdivision 1 shall not apply to lands acquired by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that all lands so acquired be disposed of within three years after acquiring title thereto; nor to any railroad corporation; nor to any common carrier; nor to any corporation actually engaged in manufacturing in this state, but such corporation may hold such lands as may be reasonably necessary in the carrying on of its business, provided, that all lands so held by such corporation actually engaged in manufacturing in this state, shall be disposed of within three years after it shall cease to use the same for the purposes of its business.

Sec. 4. Minnesota Statutes 1974, Section 500.22, is amended by adding a subdivision to read:

Subd. 7. [EFFECT OF VIOLATIONS.] All lands acquired or held in violation of subdivision 1, after the effective date of this act, shall be forfeited to the state and the attorney general shall enforce the forfeiture. No title to land shall be invalid or subject to forfeiture by reason of the alienage of any former owner or person having a former interest therein."

Further, strike the title in its entirety and insert:

"A bill for an act relating to agriculture; restrictions upon farming by corporations; restrictions upon ownership of land by corporations whose stock is owned by aliens; amending Minnesota Statutes 1974, Sections 500.22, Subdivision 1, and by adding subdivisions; and 500.24."

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

The report was adopted.

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

H. F. No. 358, A bill for an act relating to public health; defining the powers and duties of the state board of health; authorizing the state board of health to enter into contracts for the establishment of mobile health clinics; prescribe fees and requirements for licenses, inspections, and permits for various occupations, institutions, and machines; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; modifying procedures for noncompliance penalty assessments of licensed facilities; providing penalties; transferring the duties and powers of the board of health to the commissioner of health; abolishing the board of health and creating a health advisory council; amending Minnesota Statutes 1974, Sections 62D.21; 144.05; 144.076; 144.12; 144.121; 144.122; 144.53; 144.653, Subdivisions 6 and 8; 144.802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14; 326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 144.01; 144.02; 144.03; 144.04; 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

Reported the same back with the following amendments:

Page 35, delete lines 11 to 32.

Page 36, delete lines 1 to 32.

Page 37, delete lines 1 to 32.

Page 38, delete lines 1 to 32.

Page 39, delete lines 1 and 2.

Page 39, delete lines 20 to 32.

Page 40, delete lines 1 to 5.

Page 40, line 6, delete "144.01;".

Page 40, line 7, delete "144.02; 144.03; 144.04;"

Renumber the sections in sequence.

Further amend the title:

Line 13, delete "transferring the".

Delete lines 14 to 16.

Line 18, delete "144.05;".

Line 26, delete "144.01; 144.02;".

Line 27, delete "144.03; 144.04;".

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.

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

H. F. No. 1498, A bill for an act relating to education; higher education governing bodies; providing for per diem compensation and expenses for members of boards; appropriating money; amending Minnesota Statutes 1974, Sections 136.16; 136.61, Subdivision 4; and 136A.02, Subdivision 4.

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.

SECOND READING OF HOUSE BILLS

H. F. No. 1798 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1026 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Kostohryz, Munger, Hanson, Kalis and Dieterich introduced:

H. F. No. 1800, A bill for an act relating to highway traffic regulations; prohibiting the idling of school buses for warmth; amending Minnesota Statutes 1974, Section 169.44, by adding a subdivision.

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

Clawson, Abeln, Smith, Graba and Jude introduced:

H. F. No. 1801, A bill for an act relating to commerce; providing remedies for worthless checks; providing penalties; amending Minnesota Statutes 1974, Section 609.535, Subdivisions 1, 2 and 3, and by adding subdivisions.

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

Kelly, W., introduced:

H. F. No. 1802, A bill for an act relating to retirement; survivor benefits to certain surviving spouses of deceased members of the public employees retirement association.

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

Rice; Heinitz; Swanson; Sieben, H.; and Brinkman introduced:

H. F. No. 1803, A bill for an act relating to medical malpractice; limiting patients' recovery on malpractice claims; authorizing the commissioner of insurance to issue medical malpractice liability insurance; creating patient's compensation fund; establishing a medical review panel; creating a study commission; defining terms; appropriating money.

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

Kvam, Setzepfandt, Schulz, Begich and Niehaus introduced:

H. F. No. 1804, A bill for an act relating to regional development commissions; providing procedures for terminating commissions; amending Minnesota Statutes 1974, Section 462.393.

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

Voss, Dean, Begich, Setzepfandt and McCarron introduced:

H. F. No. 1805, A bill for an act relating to counties; authorizing the establishment of subordinate service districts in order to provide and finance governmental services.

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

Hanson, by request, introduced:

H. F. No. 1806, A bill for an act relating to local government in Ramsey county; regulating health services, purchasing, street improvements and subordinate officers of Ramsey county and the city of St. Paul; amending Laws 1974, Chapter 435, Sections 1.0207, 3.05, and 3.18; and by adding a section; repealing Laws 1974, Chapters 435, Sections 1.0211 and 3.15; and 581, Sections 1, 2, and 3.

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

HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bill was introduced:

Williamson, Parish, Wieser and Abeln introduced:

H. A. B. No. 41, Protection of fire insureds after they suffer a fire loss.

The bill was referred to the Committee on Financial Institutions and Insurance.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

H. F. No. 113, A bill for an act relating to Clay county; probate judge's service and retirement contributions; appropriating money for refunds.

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

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

H. F. No. 351, A bill for an act relating to the city of Moorhead; firemen's relief funds and pensions therein; amending Laws 1955, Chapter 75, Sections 14, Subdivisions 1, 2, and 6; and 16; as amended, added, and renumbered.

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

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

H. F. No. 1136, A bill for an act relating to the city of Duluth; firemen's service pensions and survivor benefits; amending Laws 1965, Chapter 179, Section 1; repealing Laws 1955, Chapter 188, Section 8.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1743, A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, corrections ombudsman, various health related boards, public assistance programs, aid to dependent children, Minnesota supplemental assistance, and public relief.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1743, 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.

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. 1741, A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1741, 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.

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. 774, A bill for an act relating to the city of Minneapolis; retirement for city officials and employees; retirement allowance, deferred compensation, combined service annuity, disability allowances; amending Minnesota Statutes 1974, Sections 422A.16, Subdivision 8, and by adding a subdivision; 422A.18, Subdivision 3; and 422A.25; repealing Minnesota Statutes 1974, Section 422A.18, Subdivision 6.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Knoll moved that the House concur in the Senate amendments to H. F. No. 774 and that the bill be repassed as amended by the Senate.

The motion prevailed.

H. F. No. 774, A bill for an act relating to the city of Minneapolis; retirement for city officials and employees; retirement allowance, deferred compensation, disability allowances; amending Minnesota Statutes 1974, Sections 422A.16, Subdivision 8; 422A.18, Subdivision 3; and 422A.25; repealing Minnesota Statutes 1974, Section 422A.18, Subdivision 6.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

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

H. F. No. 540, A bill for an act relating to courts; providing for transfer of filing fee when venue is changed in civil actions; amending Minnesota Statutes 1974, Section 542.10.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieloff moved that the House concur in the Senate amendments to H. F. No. 540 and that the bill be repassed as amended by the Senate.

The motion prevailed.

H. F. No. 540, A bill for an act relating to courts; providing for non-transfer of filing fee when venue is changed in civil actions; amending Minnesota Statutes 1974, Section 542.10.

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

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

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the return of Senate File No. 1183 for further consideration:

S. F. No. 1183, A bill for an act relating to motor vehicles; powers of the registrar of motor vehicles; providing that a

county or city officer appointed as a deputy registrar need not give bond to the state; amending Minnesota Statutes 1974, Section 168.33, Subdivision 2.

Senate File No. 1183 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

MOTION FOR RECONSIDERATION

Kvam moved that the vote whereby S. F. No. 1183 was passed by the House on April 28, 1975, be now reconsidered.

The motion prevailed.

Kvam moved that the action whereby S. F. No. 1183 was given a third reading on April 28, 1975, be now reconsidered.

The motion prevailed.

Kvam moved to amend S. F. No. 1183, as follows:

Page 2, line 11, after "*required.*" insert "*If a deputy registrar appointed hereunder is not an officer or employee of a county or city, such deputy shall in addition give bond to the state in the sum of \$10,000, or such larger sum as may be required by the registrar, conditioned upon the faithful discharge of his duties as deputy registrar.*"

The motion prevailed and the amendment was adopted.

S. F. No. 1183, A bill for an act relating to motor vehicles; powers of the registrar of motor vehicles; providing that a county or city officer appointed as a deputy registrar need not give bond to the state; amending Minnesota Statutes 1974, Section 168.33, Subdivision 2.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 133, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Begich	Carlson, A.	Dean	Esau
Adams, L.	Berg	Carlson, L.	DeGroat	Evans
Adams, S.	Berglin	Carlson, R.	Dieterich	Ewald
Albrecht	Biersdorf	Casserty	Doty	Faricy
Anderson, G.	Birnstihl	Clark	Eckstein	Fjoslien
Anderson, I.	Braun	Clawson	Eken	Forsythe
Arlandson	Brinkman	Corbid	Enebo	Friedrich
Beauchamp	Byrne	Dahl	Erickson	Fudro

Fugina	Kempe, A.	Meier	Prahl	Spanish
George	Kempe, R.	Menning	Reding	Stanton
Graba	Ketola	Metzen	St. Onge	Suss
Hanson	Knickerbocker	Moe	Samuelson	Swanson
Haugerud	Knoll	Munger	Sarna	Tomlinson
Heinitz	Kostohryz	Neisen	Savelkoul	Ulland
Hokanson	Kroening	Nelsen	Schreiber	Vanasek
Jacobs	Kvam	Nelson	Schulz	Vento
Jaros	Laidig	Niehaus	Schumacher	Voss
Jensen	Langseth	Norton	Searle	Wenstrom
Johnson, C.	Lemke	Novak	Setzepfandt	Wenzel
Johnson, D.	Lindstrom	Osthoff	Sherwood	White
Jopp	Luther	Parish	Sieben, H.	Wieser
Jude	Mangan	Patton	Sieben, M.	Wigley
Kahn	Mann	Pehler	Sieloff	Williamson
Kaley	McCarron	Peterson	Simoneau	Zubay
Kalis	McCauley	Petraleso	Skoglund	Speaker Sabo
Kelly, R.	McCollar	Philbrook	Smith	
Kelly, W.	McEachern	Pleasant	Smogard	

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Fudro reported on the progress of H. F. No. 249, now in Conference Committee.

CONSENT CALENDAR

S. F. No. 1169, A bill for an act relating to school districts; providing for specifications for school bids; amending Minnesota Statutes 1974, Section 471.35.

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 133, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 923, A bill for an act relating to insurance; increasing the amount of admitted assets that may be invested in certificates of deposit; amending Minnesota Statutes 1974, Section 61A.28, Subdivision 5.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1428 was reported to the House. Upon objection of ten members S. F. No. 1428 was stricken from the Consent Calendar and returned to General Orders.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1741:

Eckstein, Swanson, Erickson, Kahn and Arlandson.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1743:

Samuelson, McCarron, Forsythe, Hanson and Corbid.

CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Norton requested immediate consideration of H. F. Nos. 1074 and 343, S. F. No. 1114 and H. F. Nos. 1292 and 78.

H. F. No. 1074, A bill for an act relating to public welfare; medical assistance for the needy; establishing a department lien on certain causes of action accruing to the needy; authorizing the assignment of insurance proceeds and the subrogation to the department of the rights of any recipient of medical assistance having private health care coverage; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; and 256B, by adding sections; Sections 256B.02, by adding a subdivision; 256B.06, Subdivision 1; and 393.10, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 131, and nays 2, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

DeGroat Sieloff

The bill was passed and its title agreed to.

H. F. No. 343, A bill for an act relating to outdoor recreation; establishing an outdoor recreation system; classifying units of the outdoor recreation system and specifying the purposes and administration of each class of units; providing for authorization, acquisition, and establishment of units; requiring master plans for all units; establishing an outdoor recreation advisory council; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1974, Sections 84.029, Subdivision 1; 84.03; 84.033; 97.48, Subdivisions 13, 15 and 25; 97.481; 99.251; 104.35, Subdivision 3; 104.37; 138.09; 138.52, Subdivision 1; 138.53, Subdivision 49, and by adding subdivisions; 138.56, Subdivision 1, and by adding subdivisions; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivision 2; 161.10; and repealing Minnesota Statutes 1974, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20 Subdivisions 2, 3, 4, and 5; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, 5, and 6; 138.53, Subdivisions 4, 11, 12, 17, 30, 48, and 61; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3.

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 74, and nays 55, as follows:

Those who voted in the affirmative were:

Adams, L.	Dean	Jacobs	Kostohryz	Nelson
Arlandson	Dieterich	Jaros	Laidig	Norton
Berg	Enebo	Jensen	Luther	Novak
Berglin	Faricy	Jude	Mangan	Osthoff
Birnstihl	Fjoslien	Kahn	Mann	Parish
Byrne	Forsythe	Kaley	McCarron	Patton
Carlson, A.	Fudro	Kelly, R.	McCollar	Pehler
Carlson, L.	George	Kempe, A.	Metzen	Petrafeso
Carlson, R.	Hanson	Kempe, R.	Moe	Philbrook
Casserly	Haugerud	Knickerbocker	Munger	Reding
Clark	Hokanson	Knoll	Neisen	Sarna

Schreiber	Sieloff	Spanish	Tomlinson	Voss
Sherwood	Simoneau	Stanton	Ulland	Williamson
Sieben, H.	Skoglund	Suss	Vanasek	Speaker Sabo
Sieben, M.	Smith	Swanson	Vento	

Those who voted in the negative were:

Adams, S.	Dahl	Johnson, C.	McCauley	Schulz
Albrecht	DeGroat	Johnson, D.	McEachern	Schumacher
Anderson, G.	Doty	Jopp	Meier	Searle
Anderson, I.	Eckstein	Kalis	Menning	Setzepfandt
Beauchamp	Erickson	Kelly, W.	Nelsen	Smogard
Begich	Esau	Ketola	Niehaus	Wenstrom
Biersdorf	Evans	Kroening	Peterson	Wenzel
Braun	Ewald	Kvam	Prahl	White
Brinkman	Friedrich	Langseth	St. Onge	Wieser
Clawson	Fugina	Lemke	Samuelson	Wigley
Corbid	Heinitz	Lindstrom	Savelkoul	Zubay

The bill was passed and its title agreed to.

S. F. No. 1114, A bill for an act relating to the operation of state government; providing for salary setting authority and classification for certain positions in the office of attorney general; amending Minnesota Statutes 1974, Sections 8.02; 15A.081, Subdivision 1; and 43.064.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 1292, A bill for an act relating to crime prevention; increasing the compensation for dependents of peace officers killed in the line of duty; amending Minnesota Statutes 1974, Section 352A.04.

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 133, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 78, A bill for an act relating to the operation of state government; requiring departments, agencies and institutions of the state to procure products and services from sheltered workshpans and work activity programs.

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 133, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

RECESS

RECONVENED

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

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

REPORTS OF STANDING COMMITTEES

Parish from the Committee on Judiciary to which was referred:

H. F. No. 1508, A bill for an act relating to game and fish; regulating entry on agricultural lands for taking big game; providing a penalty; amending Minnesota Statutes 1974, Section 100.273.

Reported the same back with the following amendments:

Page 1, line 18, delete "30rms" and insert "farms".

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 46, A bill for an act relating to courts; jurisdictional amount in conciliation court actions; amending Minnesota Statutes 1974, Sections 487.30; 491.03, Subdivision 4; and 491.04, Subdivision 1.

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 306, A bill for an act relating to courts; authorizing county boards to direct county and municipal courts to hold conciliation court sessions during the evening and on Saturday and at specified locations throughout the county or municipality; amending Minnesota Statutes 1974, Sections 487.30; 488A.13, Subdivision 5; 488A.30, Subdivision 4; and 491.02.

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

The report was adopted.

Parish from the Committee on Judiciary to which was referred:

S. F. No. 747, A bill for an act relating to crimes; specifying the acts constituting the offense of possession of shoplifting devices or gear; prescribing penalties; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

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

The report was adopted.

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

H. F. No. 1672, A bill for an act relating to taxation; providing additional duties and powers for the state board of equaliza-

tion; providing for tax equalization when one taxing jurisdiction includes two or more counties; amending Minnesota Statutes 1974, Section 270.12.

Reported the same back with the following amendments:

Page 1, line 18, strike "true".

Page 1, line 19, strike "and full" and insert "*market*".

Page 1, line 22, strike "true and full" and insert "*market*".

Page 1, line 23, strike "true and full" and insert "*market*".

Page 2, line 4, strike "true and full" and insert "*market*".

Page 2, line 5, strike "true and".

Page 2, line 6, strike "full" and insert "*market*".

Page 2, line 16, strike "true and full" and insert "*market*".

Page 2, line 19, strike "true and".

Page 2, line 20, strike "full" and insert "*market*".

Page 2, line 21, strike "true and full" and insert "*market*".

Page 2, line 24, strike "true".

Page 2, line 25, strike "and full" and insert "*market*".

Page 2, line 26, strike "true and full" and insert "*market*".

Page 3, line 19, after "*the*" and before "*assessed*" insert "*adjusted*".

Page 3, line 21, after "*total*" insert "*adjusted*".

Page 3, line 27, after "*year*" insert "*preceding the year*".

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

The report was adopted.

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

S. F. No. 39, A bill for an act relating to taxation; providing exemptions from the motor vehicle excise tax; amending Minnesota Statutes 1974, Section 297B.03.

Reported the same back with the following amendments:

Page 2, line 2, delete "or from".

Page 2, line 3, delete "corporation by or" and insert "family farm corporation or authorized farm corporation, as defined in section 500.24, or any small business corporation, as defined in sections 1371 to 1379 of the Internal Revenue Code of 1954, as amended through December 31, 1974,".

Page 2, line 5, after "or by" delete "or from".

Page 2, line 5, after "partnership" delete "by or".

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 1672 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 46, 306, 747 and 39 were read for the second time.

SPECIAL ORDERS

H. F. No. 1441 was reported to the House.

There being no objection, H. F. No. 1441 was continued on Special Orders until Monday, May 12, 1975.

H. F. No. 749 was reported to the House.

Knoll moved to amend H. F. No. 749 as follows:

Page 2, line 23, after the word "evaluation," insert "Upon conviction under this section the courts shall forward a report of said conviction to the department of public safety which shall make and maintain a nonpublic record for a period not to exceed three years from the date of conviction. The nonpublic record shall be solely for use by the courts in determining the penalties which attach upon conviction under this section."

The motion prevailed and the amendment was adopted.

Doty and Ketola moved to amend H. F. No. 749, as amended, as follows:

Page 1, line 24, delete "*except small amounts of marijuana*,".

Page 2, line 9, reinstate stricken language.

Page 2, delete lines 12 to 23 including the Knoll amendment after "evaluation." on line 23 and insert "(5) A small amount of marijuana is guilty of a misdemeanor *and in addition, must participate in a drug education program at an area mental health board with a curriculum provided by the State Alcohol and Drug Abuse Authority.*"

Page 3, delete lines 5 to 12.

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 34, and nays 93, as follows:

Those who voted in the affirmative were:

Begich	Eken	Jude	Lindstrom	Sarna
Biersdorf	Fjoslien	Kaley	McCauley	Schulz
Birnstihl	Fudro	Kempe, A.	McEachern	Sherwood
Braun	Heinitz	Kempe, R.	Menning	Spanish
Brinkman	Jensen	Ketola	Prahl	Swanson
DeGroat	Johnson, C.	Kroening	St. Onge	Wieser
Doty	Jopp	Langseth	Samuelson	

Those who voted in the negative were:

Abeln	Enebo	Knickerbocker	Norton	Skoglund
Adams, S.	Esau	Knoll	Novak	Smith
Albrecht	Evans	Kostohryz	Parish	Smogard
Anderson, G.	Ewald	Kvam	Patton	Stanton
Anderson, I.	Faricy	Laidig	Pehler	Suss
Arlandson	Forsythe	Lemke	Peterson	Tomlinson
Beauchamp	Friedrich	Luther	Petraleso	Ulland
Berg	Fugina	Mangan	Philbrook	Vanasek
Berglin	George	Mann	Pleasant	Vento
Byrne	Graba	McCarron	Reding	Voss
Carlson, A.	Hanson	McCollar	Savelkoul	Wenstrom
Carlson, L.	Haugerud	Meier	Schreiber	Wenzel
Carlson, R.	Hokanson	Metzen	Schumacher	White
Casserly	Jacobs	Moe	Searle	Wigley
Clark	Jaros	Munger	Setzepfandt	Williamson
Clawson	Johnson, D.	Neisen	Sieben, H.	Zubay
Corbid	Kahn	Nelsen	Sieben, M.	Speaker Sabo
Dean	Kalis	Nelson	Sieloff	
Eckstein	Kelly, W.	Niehaus	Simoneau	

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

Knickerbocker moved to amend H. F. No. 749, as follows:

Page 2, line 16, after "authority" insert "or both".

Page 2, line 20, after "necessary" insert "or both".

Page 2, line 22, strike "may" and insert "shall".

The motion prevailed and the amendment was adopted.

Jensen moved to amend H. F. No. 749 as follows:

Page 3, line 15, delete "No" and insert "Any".

Page 3, line 19, strike "which" and insert "an".

Page 3, line 19, after "regulation" insert "which".

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

H. F. No. 749, A bill for an act relating to controlled substances; providing medical and educational intervention, evaluation, and treatment of persons in possession of small amounts of marijuana; providing penalties for possession of small amounts of marijuana; and prohibiting municipalities from enacting ordinances imposing greater civil or criminal penalties than provided by state law for the possession, sale or distribution of small amounts of marijuana; amending Minnesota Statutes 1974, Section 152.15, Subdivision 2, 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 45, as follows:

Those who voted in the affirmative were:

Abeln	Dieterich	Johnson, D.	Neisen	Sieben, H.
Adams, S.	Eckstein	Kahn	Nelson	Sieben, M.
Albrecht	Enebo	Kalis	Niehaus	Sieloff
Anderson, G.	Esau	Kelly, W.	Norton	Simoneau
Arlandson	Ewald	Knickerbocker	Novak	Skoglund
Beauchamp	Faricy	Knoll	Parish	Smith
Berg	Forsythe	Kostohryz	Patton	Smogard
Berglin	Friedrich	Kvam	Pehler	Stanton
Byrne	Fugina	Laidig	Peterson	Suss
Carlson, A.	George	Luther	Petraleso	Tomlinson
Carlson, L.	Graba	Mangan	Philbrook	Ulland
Casserly	Hanson	Mann	Pleasant	Vanasek
Clark	Haugerud	McCarron	Reding	Voss
Clawson	Hokanson	Meier	Savelkoul	Williamson
Corbid	Jacobs	Metzen	Schreiber	Zubay
Dahl	Jaros	Moe	Searle	Speaker Sabo
Dean	Jensen	Munger	Setzepfandt	

Those who voted in the negative were:

Adams, L.	Doty	Kaley	McCollar	Sherwood
Anderson, I.	Eken	Kelly, R.	McEachern	Spanish
Begich	Erickson	Kempe, A.	Menning	Swanson
Biersdorf	Evans	Kempe, R.	Nelsen	Vento
Birnstihl	Fjoslien	Ketola	Prahl	Wenstrom
Braun	Heinitz	Kroening	St. Onge	Wenzel
Brinkman	Johnson, C.	Langseth	Samuelson	White
Carlson, R.	Jopp	Lemke	Schulz	Wieser
DeGroat	Jude	Lindstrom	Schumacher	Wigley

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

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce 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. 1674, A bill for an act relating to taxation; providing state relief to homeowners and renters for extraordinary property tax burdens; prohibiting certain escrow arrangements for tax payments; requiring interest payment on money received for payment of real estate taxes and insurance coverage; increasing market value of homesteads eligible for lower rate of assessment; providing for a four year rotation for reassessment of real property with increases in assessed valuation to be made in equal increments over the four year period; increasing and changing the calculation of local government aid to be paid for extended period; distributing certain gross earnings taxes to local governments; redefining special levies; altering means of calculation of property tax levy limitations for governmental subdivisions; providing for increases in levy limit bases of governmental subdivisions; exempting certain governmental subdivisions from levy limits; providing for reimbursement by the state to taxing districts for tax reduction granted to certain property; increasing the taconite production tax; creating a northeast Minnesota economic development and environment council; creating a northeast Minnesota economic protection fund; imposing a surtax on taconite producers which fail to meet standards for disposal of waste; creating a budget protection fund to hold excess money from the general fund and providing for transfers of money from that fund; exempting federal income tax rebates from state income taxation; modifying duties of the tax study commission; requiring payment of interest by corporations on

unpaid estimated taxes; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 270.16; 273.01; 273.011, Subdivision 6; 273.012, by adding a subdivision; 273.03, Subdivision 1; 273.061, by adding a subdivision; 273.08; 273.11, Subdivisions 1, 2 and 5, and by adding a subdivision; 273.121; 273.13, Subdivisions 6 and 7; 273.135, Subdivision 2; 273.17, Subdivision 1; 275.50, Subdivision 5; 275.51, Subdivisions 1 and 4, and by adding subdivisions; 275.52, by adding a subdivision; 275.53, Subdivision 3; 275.59; 276.01; 276.04; 294.26; 298.03; 298.24, Subdivision 1; 298.27; 298.28, Subdivisions 1 and 1a, and by adding a subdivision; 298.282, Subdivisions 1 and 2; 477A.01, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16; Chapters 273, by adding sections; and 477A, by adding a section; and Laws 1973, Chapter 601, Section 1, Subdivisions 2 and 8; repealing Minnesota Statutes 1974, Sections 273.11, Subdivision 3; 273.13, Subdivisions 14a, 15a, and 18; 275.51, Subdivisions 3 and 3a; 298.24, Subdivision 2; 298.241; 298.242; 298.281; 298.32; and 477A.01, Subdivision 13.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kelly moved that the House refuse to concur in the Senate amendments to H. F. No. 1674, 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.

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. 110, A bill for an act relating to retirement; authorizing purchase of service credit by certain members of the Minnesota state retirement system.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Patton moved that the House concur in the Senate amendments to H. F. No. 110 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 110, A bill for an act relating to retirement; authorizing purchase of service credit by certain members of the Minnesota state retirement system.

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

The question being taken on the repassage of the bill and the roll being-called, there were yeas 128, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kroening.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1674:

Kelly, W.; Sabo; Anderson, I.; Johnson, D.; and Vanasek.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as Special Orders to be acted upon immediately following those bills continued on the Special Orders for Thursday, May 8, 1975:

S. F. No. 1142, H. F. No. 1530 and S. F. Nos. 741, 1098, 1196, 303, 1015, 1057, 332, 876, 114 and 469.

SPECIAL ORDERS

H. F. No. 581 was reported to the House.

Beauchamp moved to amend H. F. No. 581, as follows:

Page 2, line 21, after the period insert the following:

"For the purpose of computing benefits under this section the formula percentages used by any covered fund shall in no event exceed two and one-half percent per year of service for any year of service or fraction thereof. Any period of time for which a person has credit in more than one of the covered funds shall be used only once for the purpose of determining total allowable service. Such period shall be used in the computation of the benefit by the fund having primary and principal coverage prior to and following the period. However, if such dual coverage is the result of two part time employments each fund shall apply a pro rata fraction of its formula."

Page 3, after line 8, insert:

"(5) legislators' retirement plan, established pursuant to chapter 3A;

(6) elective state officers' retirement plan, established pursuant to chapter 352C;"

Renumber the clauses accordingly.

Page 3, after line 22, insert a section to read as follows:

"Sec. 2. This act is effective July 1, 1975."

The motion prevailed and the amendment was adopted.

H. F. No. 581, A bill for an act relating to retirement; providing a combined service annuity for public employees who have allowable service credit in more than one Minnesota retirement fund; amending Minnesota Statutes 1974, Chapter 356, 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	Menning	Schumacher
Adams, L.	Doty	Jude	Metzen	Setzepfandt
Adams, S.	Eckstein	Kahn	Moe	Sherwood
Albrecht	Eken	Kaley	Munger	Sieben, M.
Anderson, G.	Enebo	Kalis	Neisen	Sieloff
Anderson, I.	Erickson	Kelly, R.	Nelsen	Simoneau
Arlandson	Esau	Kelly, W.	Nelson	Skoglund
Beauchamp	Evans	Kempe, A.	Niehau	Smith
Begich	Ewald	Kempe, R.	Norton	Smogard
Berg	Faricy	Ketola	Novak	Spanish
Berglin	Fjoslien	Knickerbocker	Osthoff	Stanton
Biersdorf	Forsythe	Kostohryz	Parish	Suss
Birnstihl	Friedrich	Kroening	Patton	Swanson
Braun	Fudro	Kvam	Pehler	Tomlinson
Brinkman	Fugina	Laidig	Peterson	Ulland
Byrne	George	Langseth	Petrafeso	Vento
Carlson, A.	Graba	Lemke	Philbrook	Voss
Carlson, L.	Hanson	Lindstrom	Pleasant	Wenstrom
Carlson, R.	Haugerud	Luther	Prahl	Wenzel
Casserly	Heinitz	Mangan	Reding	White
Clark	Hokanson	Mann	St. Onge	Wieser
Clawson	Jacobs	McCarron	Samuelson	Wigley
Corbid	Jaros	McCauley	Sarna	Williamson
Dahl	Jensen	McCollar	Savelkoul	Zubay
Dean	Johnson, C.	McEachern	Schreiber	Speaker Sabo
DeGroat	Johnson, D.	Meier	Schulz	

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

H. F. No. 951 was reported to the House.

Savelkoul moved to amend H. F. No. 951, as follows:

Page 2, line 17, after "institutions" insert "*and shall provide that the admission of non-residents shall be on a space available basis only*".

The motion prevailed and the amendment was adopted.

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

H. F. No. 951, A bill for an act relating to education; state colleges; authorizing the state college board to enter into reciprocity agreements with foreign institutions; amending Minnesota Statutes 1974, Section 136.111, Subdivisions 1 and 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 131, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 557, A bill for an act relating to commerce; consumer fraud; providing an exclusion for mass media; amending Minnesota Statutes 1974, Sections 325.774, Subdivision 1, and by adding a subdivision; and 325.79, Subdivision 3.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 1476, A bill for an act relating to highways; municipal state-aid street system; payment of contract price; amending Minnesota States 1974, Section 162.10.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 831, A bill for an act relating to crimes; prescribing penalties for certain acts relating to the crime of prostitution; prescribing penalties; amending Minnesota Statutes 1974, Section 609.32, Subdivisions 2, 3, and 4, and by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Abeln and Sarna were excused between the hour of 5:30 p.m. and 6:30 p.m.

H. F. No. 404 was reported to the House.

Brinkman moved to amend H. F. No. 404 as follows:

Page 3, line 7, after "commissioner" insert the following: "*unless these reserve requirements are less than those contained in subdivision 1*".

The motion prevailed and the amendment was adopted.

H. F. No. 404, A bill for an act relating to banks; cash reserves of banks and trust companies; record keeping of savings associations; amending Minnesota Statutes 1974, Sections 48.22; and 51A.19, Subdivision 4.

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 112, and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams, S.	Esau	Fjoslien	Kaley	Kroening
Doty	Faricy	Fugina		

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

H. F. No. 929 was reported to the House.

Eken moved to amend H. F. No. 929 as follows: Page 1, line 11, strike the comma after "state" and insert a period; strike the remainder of line 11; strike lines 12 and 13.

Page 6, after section 10 insert the following:

"Sec. 11. [CREDIT UNION CONSUMER BANKING FACILITY; AUTHORITY.] Subdivision 1. "Credit union" means a cooperative association organized in accordance with the provisions of Minnesota Statutes, Section 52.01 et seq. or Title 12 of the United States Code.

Subd. 2. A credit union may establish, maintain or use one or more consumer banking facilities.

Subd. 3. A credit union may participate with one or more banks organized under the laws of this state or under the laws of the United States in the establishment, maintenance or use of one or more consumer banking facilities and any electronic funds

transfer system established by a bank pursuant to the laws of the United States. Credit unions may own stock in a corporation organized to facilitate the establishment, maintenance or use of these shared facilities.

Subd. 4. The commissioner of banks may promulgate such rules and regulations as are reasonably necessary to carry out the provisions of this section in conjunction with the other provisions of this act.

Subd. 5. This section shall not be construed to provide authority for any party other than a bank to engage in the business of banking."

Renumber the remaining sections accordingly.

Further amend the title:

Page 1, line 2, after "banks" insert ", savings banks and credit unions".

The motion prevailed and the amendment was adopted.

H. F. No. 929, A bill for an act relating to banks, savings banks and credit unions; authorizing consumer banking facilities; providing penalties.

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 109, and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Brinkman	Enebo	Schulz	Wenstrom
Birnstihl	Doty	Haugerud	Suss	Speaker Sabo

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

H. F. No. 1304 was reported to the House.

Philbrook moved to amend H. F. No. 1304, as follows:

Page 2, line 14, delete "11" and insert "12".

Page 2, line 25, delete "11" and insert "12".

Page 5, line 21, delete "\$25,000" and insert "\$7,500".

Page 6, line 8, delete "\$15" and insert "\$10".

A roll call was requested and properly seconded.

Wenstrom requested a division of the Philbrook amendment.

The question was taken on the first portion of the Philbrook amendment as follows:

Page 2, line 14, delete "11" and insert "12".

Page 2, line 25, delete "11" and insert "12".

The roll being called, there were yeas 61, and nays 57, as follows:

Those who voted in the affirmative were:

Adams, S.	Dean	Knickerbocker	Niehaus	Suss
Albrecht	Eken	Knoll	Parish	Swanson
Beauchamp	Erickson	Kvam	Peterson	Tomlinson
Berg	Esau	Laidig	Philbrook	Ulland
Berglin	Evans	Lemke	Pleasant	Vanasek
Biersdorf	Ewald	Lindstrom	Reding	Vento
Braun	Forsythe	Mangan	Savelkoul	Voss
Brinkman	Friedrich	Mann	Schreiber	Wenzel
Carlson, A.	Heinitz	McCauley	Setzepfandt	White
Clark	Hokanson	McEachern	Sieben, M.	
Clawson	Kahn	Metzen	Sieloff	
Corbid	Kaley	Neisen	Smith	
Dahl	Kalis	Nelsen	Stanton	

Those who voted in the negative were:

Adams, L.	Begich	Carlson, L.	Eckstein	Fjoslien
Anderson, G.	Birnstihl	DeGroat	Enebo	George
Anderson, I.	Byrne	Doty	Fariy	Graba

Hanson	Kempe, A.	Menning	Petrafeso	Smogard
Haugerud	Kempe, R.	Moe	Prahl	Spanish
Jacobs	Ketola	Munger	St. Onge	Wenstrom
Jaros	Kostohryz	Nelson	Samuelson	Wieser
Jensen	Kroening	Norton	Schulz	Williamson
Johnson, C.	Langseth	Novak	Schumacher	Speaker Sabo
Johnson, D.	Luther	Osthoff	Sherwood	
Jude	McCarron	Patton	Simoneau	
Kelly, R.	McCollar	Pehler	Skoglund	

The motion prevailed and the first portion of the Philbrook amendment was adopted.

The question was taken on the second portion of the Philbrook amendment as follows:

Page 5, line 21, delete "\$25,000" and insert "\$7,500".

Page 6, line 8, delete "\$15" and insert "\$10".

The roll being called, there were yeas 122, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Birnstihl

The motion prevailed and the second portion of the Philbrook amendment was adopted.

Dieterich moved to amend H. F. No. 1304, as follows:

Page 6, after Section 5, add the following sections:

"Section 6. [334.20] [DEFINITIONS.] The definitions and provisions in the Truth-In-Lending Act, Title I of the Consumer Credit Protection Act, P.L. 90-321, and in Regulation Z of the Board of Governors of the Federal Reserve System adopted pursuant thereto, 12 CFR 226, as in effect on June 5, 1971, shall apply to the terms used in sections 6 to 12.

Sec. 7. [334.21] [FINANCE CHARGES FOR OTHER THAN OPEN END CREDIT.] Subdivision 1. Unless otherwise authorized by statute, the parties to a consumer credit sale other than a sale pursuant to an open end credit plan may agree to payment by the consumer of a maximum finance charge calculated according to the actuarial method using the rate of finance charge specified by section 334.16.

Subd. 2. For the purposes of this section:

(a) The finance charge may be calculated on the assumption that all scheduled payments will be made when due;

(b) The dollar amount of the finance charge shall include the prepaid finance charge excluded from the amount financed; and

(c) The effect of prepayment is governed by the provisions on rebate upon prepayment under section 9 of this act.

Subd. 3. For the purposes of this section, the term of a consumer credit sale other than one pursuant to an open end credit plan commences with the date the credit is granted or, if goods are delivered, services performed or proceeds of a loan paid ten days or more after that date, with the date of commencement of delivery or performance. Differences in lengths of months are disregarded and a day may be counted as 1/30 of a month.

Subd. 4. A seller may contract for and receive a minimum finance charge with respect to a sale other than one pursuant to an open end credit plan, of not more than sixty cents per month for each month of the original contract term.

Sec. 8. [334.22] [PREPAYMENT PENALTIES PROHIBITED.] Subject to section 4, and unless otherwise authorized by statute, a buyer may prepay in full, or in any part, the unpaid balance of a consumer credit sale at any time without penalty.

Sec. 9. [334.23] [REBATE ON PREPAYMENT.] Subdivision 1. Unless otherwise authorized by statute, and upon

prepayment in full of the unpaid balance of a precomputed consumer credit sale, refinancing or consolidation, an amount not less than the unearned portion of the finance charge calculated according to this section shall be rebated to the buyer. If the total of all rebates, refunds and credits to be paid to the buyer under sections 6 to 12 is less than \$2, no rebate need be made.

Subd. 2. The unearned portion of the precomputed finance charge on consumer credit sales shall be at least as great a proportion of the time price differential as the sum of the periodic time balances after the month in which prepayment is made, bears to the sum of all the periodic time balances under the schedule of payments in the original contract. This method of calculating rebates may be referred to as the "rule of 78" or "sum of the digits" method. When a rebate computed by the "rule of 78" results in a buyer having been charged an effective rate of interest in excess of that allowable under section 334.16, it shall not be a violation of law.

Subd. 3. Unless otherwise authorized by statute, the parties to a consumer credit sale other than one pursuant to an open end credit plan, may agree in writing at any time subsequent to the transaction to a deferral of all or part of any installments and an appropriate deferral charge which may not exceed one percent per month on the amount deferred. If prepayment in full is made on a transaction for which there was a prior agreement for a deferral and a deferral charge, the unearned portion of the finance charge shall be computed without regard to the deferral. The amount of deferral charge accumulated at the date of prepayment shall also be calculated. If the deferral charge accumulated is less than the deferral charge actually paid by the buyer, the difference shall be added to the unearned portion of the finance charge to be rebated to the buyer. If any part of a deferral charge has been accumulated but has not been paid, that part shall be subtracted from the unearned portion of the finance charge to be rebated to the buyer.

Subd. 4. In the absence of an agreement for deferral of any installment, as provided in subdivision 3, and if the contract between the seller and the buyer so provides, the seller may collect, or retain, in the event of prepayment, a delinquency charge with respect to any installment not paid in full within ten days after its due date, as originally scheduled or as deferred by agreement, in an amount which is five percent of the unpaid amount of such delinquency installment, or \$6 whichever is less. Such a delinquency charge with respect to any single delinquent installment may be collected only once, however long such installment remains in default. A separate delinquency charge, as computed above, may be imposed with respect to each separate installment that is delinquent. A delinquency charge may not be collected on an installment paid in full within ten days after its scheduled or deferred installment due date even though an earlier maturing installment or a delinquency or deferral charge on an earlier in-

stallment has not been paid in full. For purposes of this subdivision, and in the absence of specific direction by the buyer to the contrary, a payment is applied first to any installment due and not delinquent at the time in which it is received and then to delinquent installments and charges. A delinquency charge may be collected at the time it accrues or at any time thereafter.

Subd. 5. Unless otherwise authorized by statute, if the maturity of the obligation is accelerated for any reason and judgment is obtained, the buyer is entitled to the same rebate as if payment in full had been made on the date judgment is entered against the buyer excluding delinquency charges previously collected by the creditor.

Sec. 10. [334.24] [PENALTY.] Any seller who violates any of the provisions of sections 6 to 12 except as a bona fide error, shall forfeit to the buyer an amount which is three times any finance charge imposed, charged or collected, in connection with a consumer credit sale, with a minimum forfeiture of \$100 plus reasonable attorneys fees and court costs.

Sec. 11. [334.25] [ASSIGNEES AND PURCHASERS.] Any conditional sales contract, personal note or other instrument arising out of or given in connection with a consumer credit sale which reflects or bears a finance charge higher than allowed under sections 1 to 6, or higher than otherwise authorized by statute, may not be held in good faith by an assignee or purchaser of commercial or negotiable paper, and any assignee who acquires said instrument shall be liable for the penalties provided by section 10.

Sec. 12. [334.26] [MOTOR VEHICLE RETAIL INSTALLMENT SALES ACT.] Sections 6 to 12 shall not apply to sections 168.66 to 168.77, known as the motor vehicle retail installment sales act."

POINT OF ORDER

Savelkoul raised a point of order pursuant to Rule 3.9 on the Dieterich amendment. The Speaker ruled the point of order well taken and the Dieterich amendment out of order.

Kempe, A., and Kroening were excused for the remainder of today's session.

H. F. No. 1304, A bill for an act relating to banks and savings banks; providing for installment and open end loans; amending Minnesota Statutes 1974, Chapter 48, by adding a section; Sections 48.153; 48.154; 48.155; and repealing Minnesota Statutes 1974, Sections 50.161; 50.162; 50.163; 50.164 and 50.165.

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 107, and nays 15, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Byrne	Fugina	Johnson, D.	McCollar	Parish
Dieterich	Hanson	Kostohryz	Moe	Samuelson
Doty	Jaros	McCarron	Niehaus	Wenstrom

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

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

MESSAGES FROM THE SENATE

The following 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. 1758, A bill for an act relating to the organization and operation of state government; imposing regulations for community college operations; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, state colleges, aids to

libraries, community colleges, higher education coordinating commission, and moneys for medical education.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1758, 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. 1758:

Smith, Faricy, Searle, Enebo and Fugina.

SPECIAL ORDERS, Continued

H. F. No. 534, A bill for an act relating to chiropractic; further defining the term "chiropractic"; amending Minnesota Statutes 1974, Section 148.01, by adding a subdivision; and 148.08, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 114, and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Forsythe George Peterson Searle Ulland

The bill was passed and its title agreed to.

H. F. No. 536 was reported to the House.

Tomlinson moved to amend H. F. No. 536, as follows:

Page 7, after line 12, insert the following:

"Sec. 4. Minnesota Statutes 1974, Section 363.03, Subdivision 3, is amended to read:

Subd. 3. [PUBLIC ACCOMMODATIONS.] It is an unfair discriminatory practice:

(1) To deny any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation because of race, color, creed, religion, national origin or sex. It is an unfair discriminatory practice for a taxicab company to discriminate in the access to, full utilization of or benefit from service because of a person's disability.

(2) *To deny any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public lodging, refreshment, entertainment, or recreation, or of a public transportation facility because of affectional preference.*

Sec. 5. Minnesota Statutes 1974, Section 363.03, Subdivision 4, is amended to read:

Subd. 4. [PUBLIC SERVICES.] It is an unfair discriminatory practice:

(1) To discriminate against any person in the access to, admission to, full utilization of or benefit from any public service because of race, color, creed, religion, national origin, sex or status with regard to public assistance.

(2) *To discriminate against any person in the access to, admission to, full utilization of or benefit from any public service, except those public services whose primary function is to create or facilitate the creation of the legal relationships defined in sections 259.29 and 517.01, because of affectional preference."*

Page 9, line 6, after "sex" insert "*, affectional preference,*".

Page 9, line 8, after "status," insert "*affectional preference*."

Renumber the sections in proper sequence.

Further, amend the title as follows:

Page 1, line 6, after "2," insert "3, 4,".

The motion prevailed and the amendment was adopted.

Carlson, A., moved to amend H. F. No. 536, as amended by the Tomlinson amendment, as follows:

Page 1, after line 14, insert:

"Subd. 29. Transsexualism means having or projecting a self-image not associated with one's biological maleness or femaleness."

Page 2 of the Tomlinson amendment, line 13, after "*preference*" and before the period insert "*or transsexualism*".

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

Smith moved to amend H. F. No. 536, as follows:

Page 3, line 24, after "*disability*," insert "*For the purpose of this section an educational institution shall not be considered as an employer insofar as the provisions of this section relate to affectional preference.*".

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 79, and nays 36, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kelly, R.	Neisen	Setzepfandt
Adams, L.	Eken	Kelly, W.	Nelsen	Sherwood
Albrecht	Erickson	Kempe, R.	Niehaus	Sieloff
Anderson, G.	Esau	Ketola	Novak	Smith
Anderson, I.	Evans	Kvam	Osthoff	Smogard
Beauchamp	Fjoslien	Langseth	Patton	Spanish
Begich	Friedrich	Lemke	Pehler	Swanson
Biersdorf	Graba	Lindstrom	Peterson	Vanasek
Birnstihl	Hanson	Luther	Philbrook	Vento
Braun	Haugerud	Mangan	Prahl	Wenstrom
Brinkman	Jensen	Mann	Reding	Wenzel
Carlson, R.	Johnson, C.	McCauley	St. Onge	White
Dahl	Jopp	McCollar	Samuelson	Wieser
Dean	Jude	McEachern	Schulz	Wigley
DeGroat	Kaley	Menning	Schumacher	Zubay
Doty	Kalis	Metzen	Searle	

Those who voted in the negative were:

Berg	Corbid	Knoll	Petrafeso	Ulland
Berglin	Dieterich	Kostohryz	Pleasant	Voss
Byrne	Enebo	Laidig	Sieben, H.	Williamson
Carlson, A.	Ewald	Meier	Sieben, M.	Speaker Sabo
Carlson, L.	Fugina	Moe	Simoneau	
Casserly	Jaros	Munger	Skoglund	
Clark	Johnson, D.	Nelson	Suss	
Clawson	Kahn	Norton	Tomlinson	

The motion prevailed and the amendment was adopted.

George moved to amend H. F. No. 536, as amended by the Smith amendment, as follows:

Line 2, of the Smith amendment, after "an" and before "educational" insert "elementary or secondary".

The question was taken on the adoption of the amendment and the roll being called, there were yeas 58, and nays 56, as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Johnson, D.	Neisen	Stanton
Adams, L.	Corbid	Kahn	Nelson	Suss
Anderson, G.	Dean	Kelly, W.	Norton	Swanson
Arlandson	Dieterich	Knoll	Novak	Tomlinson
Beauchamp	Enebo	Kostohryz	Parish	Ulland
Berg	Ewald	Laidig	Pehler	Vanasek
Berglin	Faricy	Langseth	Petrafeso	Voss
Byrne	Forsythe	Luther	Pleasant	Williamson
Carlson, A.	Fugina	Meier	Sieben, H.	Zubay
Carlson, L.	George	Metzen	Sieben, M.	Speaker Sabo
Casserly	Hokanson	Moe	Simoneau	
Clark	Jaros	Munger	Skoglund	

Those who voted in the negative were:

Albrecht	Eken	Lemke	Peterson	Smith
Anderson, I.	Erickson	Lindstrom	Philbrook	Smogard
Begich	Esau	Mangan	Reding	Spanish
Biersdorf	Evans	Mann	St. Onge	Wenstrom
Birnstihl	Fjoslien	McCauley	Samuelson	Wenzel
Braun	Friedrich	McCollar	Savelkoul	White
Brinkman	Jensen	McEachern	Schulz	Wieser
Carlson, R.	Jopp	Menning	Schumacher	Wigley
Dahl	Kaley	Nelsen	Searle	
DeGroat	Kalis	Niehaus	Setzepfandt	
Doty	Ketola	Osthoff	Sherwood	
Eckstein	Kvam	Patton	Sieloff	

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

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

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

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

H. F. No. 536, A bill for an act relating to human rights; prohibiting discrimination on the basis of affectional preference; providing definitions; amending Minnesota Statutes 1974, Sections 363.01, by adding a subdivision; 363.03, Subdivisions 1, 2, 3, 4, 5, 7, and 8; and 363.12, Subdivision 1.

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

The question being taken on the passage of the bill.

Savelkoul moved that those not voting be excused from voting. The motion prevailed.

The roll being called, there were yeas 51, and nays 68, as follows:

Those who voted in the affirmative were:

Abeln	Dean	Kahn	Nelson	Stanton
Berg	Dieterich	Knickerbocker	Norton	Suss
Berglin	Enebo	Knoll	Novak	Tomlinson
Byrne	Ewald	Kostohryz	Patton	Ulland
Carlson, A.	Faricy	Laidig	Pehler	Voss
Carlson, L.	Forsythe	Luther	Petraleso	Williamson
Cassery	Fugina	Meier	Pleasant	Speaker Sabo
Clark	Haugerud	Metzen	Sieben, H.	
Clawson	Hokanson	Moe	Sieben, M.	
Corbid	Jaros	Munger	Simoneau	
Dahl	Johnson, D.	Neisen	Skoglund	

Those who voted in the negative were:

Albrecht	Esau	Kvam	Peterson	Sieloff
Anderson, I.	Evans	Langseth	Philbrook	Smith
Beauchamp	Fjoslien	Lemke	Prahl	Smogard
Begich	Friedrich	Lindstrom	Reding	Spanish
Biersdorf	George	Mangan	St. Onge	Swanson
Birnstihl	Jensen	Mann	Samuelson	Vanasek
Braun	Jopp	McCauley	Sarna	Wenstrom
Brinkman	Jude	McCollar	Savelkoul	Wenzel
Carlson, R.	Kaley	McEachern	Schreiber	White
DeGroat	Kalis	Menning	Schulz	Wieser
Doty	Kelly, R.	Nelsen	Schumacher	Wigley
Eckstein	Kelly, W.	Niehaus	Searle	Zubay
Eken	Kempe, R.	Osthoff	Setzepfandt	
Erickson	Ketola	Parish	Sherwood	

The bill was not passed, as amended.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders until Friday, May 9, 1975, immediately following the Calendar. The motion prevailed.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 1741, A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for the horticultural society; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government; for maintenance of the uniform laws commission; for the Port Authority of Duluth; and for other purposes.

The Senate has appointed as such committee Messrs. Purfeerst, Willet, Merriam, Kirchner and Ogdahl.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1759, A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money therefor and limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; providing penalties for misusing appropriated moneys; amending Minnesota Statutes 1974, Sections 12.21, Subdivision 3; 16.012; 16A.125, Subdivisions 5 and 6; 17A.11; 17B.15; 30.20; 116C.05; 116D.04, Subdivision 3; 144.61; 149.04; 176.611, Subdivision 6A; 181A.07; 308.905; 326.44; 326.64; 308.905; 347.33, Subdivision 3; 484.54; and Laws 1965, Chapter 415, Section 1, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 33.17; 88.063, Subdivision 2; and 246.32.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House refuse to concur in the Senate amendments to H. F. No. 1759, 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.

Mr. Speaker:

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

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.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Patton moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 476. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

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

Haugerud, Eken, Voss, Knickerbocker and Norton.

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 476:

Patton, Faricy and Moe.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Friday, May 9, 1975. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 11:00 a.m., Friday, May 9, 1975.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

