

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

EIGHTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 4, 1976

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

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

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

A quorum was present.

Mann, Osthoff, St. Onge, Spanish and Volk were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Vanasek 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. 1699, 1988, 2117, 1939, 1471, 2104, 2285, 2286, 2381, 2414, 435, 930, 1909, 1946, 2046, 2066, 2186, 2219, 2282, 2491, 2335, 468, 1972 and 2203 and S. F. Nos. 749 and 840 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following report was received and filed in the Chief Clerk's Office: Special Report of the Minnesota Indian Affairs Board submitted pursuant to Laws 1975, Chapter 204, Sec. 27.

The following communication was received:

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

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

I have the honor to inform you that the following enrolled Acts of the 1976 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1976</i>	<i>Date Filed 1976</i>
806		21	March 2	March 2
1439		22	March 2	March 2
1501		23	March 2	March 2
2034		24	March 2	March 2
	1721	25	March 2	March 2
	1829	26	March 2	March 2
	1880	27	March 2	March 2

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

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

H. F. No. 1823, A bill for an act relating to motor vehicles; defining terms; providing for the licensure and regulation of certain motor vehicle dealers; prescribing penalties; appropriating money; amending Minnesota Statutes 1974, Section 168.27.

Reported the same back with the following amendments:

Page 2, line 3, delete "*manufacturers,*".

Page 2, line 3, delete "*car*" and insert "*motor vehicle*".

Page 2, line 4, delete "*car*" and insert "*motor vehicle*".

Page 5, line 31, delete "*others*" and insert "*more than a single owner*".

Page 6, line 15, after "*require*" insert "*to administer this section*".

Page 6, line 23, after "*with*" delete "*adequate space to display*".

Page 6, delete lines 24 and 25.

Page 6, line 26, delete "*building; and*".

Page 7, line 9, delete "*, with adequate space for the display of*".

Page 7, line 10, delete "*motor vehicles, either inside or outside the building,*".

Page 7, line 13, after "*hours*" insert "*or automatic telephone answering service during normal working hours*".

Page 8, line 4, after "*foundation*" insert "*within or without the state*".

Page 8, line 5, delete "*sufficient space and accommodations*".

Page 8, delete line 6.

Page 8, line 7, delete "*sale at the auction; with*".

Page 8, line 18, after "*one*" insert "*permanent*".

Page 9, line 8, delete "\$76" and insert "\$100".

Page 10, line 26, delete "made" and insert "been convicted of making".

Page 10, line 27, delete "violated" and insert "been convicted of violating".

Page 10, line 29, delete "violated" and insert "been convicted of violating".

Page 10, line 31, delete "violated" and insert "been convicted of violating".

Page 13, line 12, strike "before the registrar or"; delete "inspector"; and insert "for a hearing".

Page 13, strike lines 15 and 16.

Page 13, line 17, strike "merits" and insert "All hearings shall be conducted in accordance with the provisions of chapter 15 relating to contested cases".

Page 13, line 21, delete "11" and insert "12".

Page 14, line 9, strike "appeal therefrom to any".

Page 14, strike lines 10 to 32.

Page 15, strike lines 1 to 11.

Page 15, line 12, strike the existing language and delete the new language.

Page 15, strike lines 13 to 16 and insert "seek judicial review pursuant to the provisions of chapter 15".

Renumber subdivisions in sequence.

Page 16, line 5, delete "subdivision 1" and insert "subdivisions 2 or 3".

Page 16, line 7, after "\$10" insert "per pair".

Page 16, line 9, after "hire" insert "(except to dealership employees)".

Page 16, line 32, delete "Upon the".

Page 17, delete lines 1 to 13.

Page 21, line 12, delete "\$3,000 to run to the state of Minnesota" and insert "\$10,000".

Page 21, line 17, after "Minnesota" insert "and any purchaser of a motor vehicle for any monetary loss caused by failure of the licensee to meet the obligations enumerated above".

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

The report was adopted.

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

H. F. No. 2332, A bill for an act relating to education; requiring school districts to engage in planning, evaluation and reporting; establishing an office of planning assistance for public elementary and secondary school districts; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [DECLARATION OF POLICY.] The legislature finds that a process for establishing educational goals and objectives, evaluating progress toward these goals, and involving the public in educational planning is needed to improve the educational program for all public school children in the state, and to allow for better evaluation of educational programs by local communities. The legislature further finds that such a process is needed to facilitate decisions by school boards and communities as to which services can best be provided by the public schools and which services can or should be provided by other institutions such as the family, the church, the private sector or other public agencies. The purpose of this act is to encourage local school boards and professional staff to inform and involve the community, and to encourage the citizens of each school district to assist in setting goals and supporting program development when student and community needs have been identified.

Sec. 2. [DISTRICT EDUCATIONAL POLICY.] The school board of each school district in the state shall develop and adopt a written educational policy for the district which establishes educational goals, a process for achieving these goals, and procedures for evaluating and reporting progress toward the goals. The school board shall review this policy each year and adopt revisions which it deems desirable. School boards are encouraged to develop this school district policy and any revisions after consultation with staff of each school building. The school board shall provide for active community participation in the development and revision of the district educational policy and for a public hearing on the policy and any revisions prior to adop-

tion. School boards are encouraged to provide for participation by secondary students and recent graduates in the development and revision of the policy.

Sec. 3. [IMPLEMENTATION OF DISTRICT EDUCATIONAL POLICIES.] The school board shall instruct the administrative and professional staff of the district to develop an instructional plan for the purpose of implementing the goals established in the district educational policy within resources available to the district. Insofar as possible the instructional plan shall include measurable instructional objectives to assist in directing and measuring progress toward the goals established in the district educational policy. For goals toward which progress is not easily measurable, the instructional plan shall include other appropriate means to direct and evaluate progress. Each year a final evaluation of progress shall be conducted, including both professional and consumer evaluations. The professional staff evaluation shall utilize test results and other performance data along with faculty interpretations and judgments. Consumer evaluation shall include the opinions of students, parents and other residents of the community served by the school. Upon receipt of the evaluation reports, each school board shall review the results and develop appropriate school improvement plans to improve areas where goals of the district educational policy have not been met. The district educational policy, the reports of the annual evaluation including summary test results, and the plans for school improvement shall be made available to the citizens of the school district through direct mailing, media releases, and other means of communicating with the public; and these documents shall be on file and available for inspection by the public. Information copies of such reports shall be sent to the state board of education. All activities and reports pursuant to this section shall comply with sections 15.162 to 15.1671 and any other law governing data on individuals in school districts.

Sec. 4. [CREATION OF OFFICE OF LEARNING IMPROVEMENT ASSISTANCE.] Subdivision 1. The state board of education shall designate or establish a unit within the department of education which shall be known as the "office of learning improvement assistance". Whenever possible, present staff and resources from the department shall be reassigned to perform the necessary tasks. Technical assistance shall be made available upon request to each school district by the office in at least the following areas: techniques of needs assessment, goal and objective writing, evaluation and community relations. The office may contract with any school district for the purchase of services of district staff to provide technical assistance to other school districts. The office is encouraged to establish and maintain a catalog of instructional objectives and corresponding test items from which individual school districts and personnel may choose. The office may purchase from a school district and include in the catalog any instructional objectives and corresponding test items which the district has developed. The office may arrange to provide appropriate computer programs and data

processing equipment for processing tests and reporting assessment results. The state board of education may charge for any of these services as it sees fit.

Subd. 2. The office shall also administer the statewide educational assessment program for the department of education. In order to provide normative data against which schools can compare their performance, the statewide assessment program shall develop appropriate test instruments and assess a randomly selected sample of students from at least three age or grade levels that will accurately represent the various sizes and types of communities across the state. The statewide assessment cycle shall include the curricular areas of reading and mathematics, and to the extent funds are available shall also include, but not be limited to, the curricular areas of social studies, science, language arts, humanities and consumer preparation. Reports of the results of assessment shall be presented to the state board of education, the legislature and the citizens of the state.

Subd. 3. The office of learning improvement assistance also shall collect normative data from other methods of evaluating student performance which are commonly used in the state and shall make this data available upon request to any district seeking to use it for purposes of comparisons of student performance.

Subd. 4. The school board of any district may by resolution enter into a written agreement with the department for the purpose of having statewide educational assessment instruments administered to its pupils in excess of any sample of its pupils previously selected by the department of education or receiving any related services.

Subd. 5. The department is authorized to enter into a written agreement with a district to provide the services described in subdivision 4 on an actual cost basis to the district and in no event at direct cost expense to the state.

Sec. 5. [TIME OF IMPLEMENTATION.] School districts are encouraged to begin planning, evaluation and reporting to the public pursuant to sections 1, 2 and 3 during the 1977-1978 school year. Insofar as possible, the state board of education shall make technical assistance for planning and evaluation pursuant to section 4 of this act available to school districts upon request during the 1976-1977 school year. After September 1, 1977, the state board of education shall make technical assistance for planning and evaluation pursuant to section 4 of this act available to local school districts upon request. All school districts in the state shall engage in planning, evaluation and reporting to the public pursuant to sections 1, 2 and 3 of this act during the 1978-1979 school year and shall submit a report which has been shared with the public and adopted by the school board to the state board of education by August 1, 1979. During the summer of 1977, the state

board of education shall report to the districts of the state the experiences of the demonstration projects authorized in section 6 of this act and of any similar projects funded from other sources.

Sec. 6. [DEMONSTRATION PROJECTS.] For the 1976-1977 school year, the state board of education shall make grants to several school districts to develop local plans, evaluation techniques using the statewide assessment instruments and procedures or other valid and reliable instruments and procedures for evaluation of student performance, and procedures for reporting to the citizens of the school districts. The state board shall encourage these schools districts to engage in alternative procedures for planning and reporting. The state board of education is encouraged to use available federal funds to support additional demonstration projects. By November 15, 1977, the state board shall report to the education committees of the legislature on the demonstration projects and their direct and indirect costs.

Sec. 7. [APPROPRIATION OF FUNDS.] There is annually appropriated from the state general fund to the department any and all amounts received by the department pursuant to section 4, subdivision 5.

Sec. 8. [APPROPRIATION TO STATE BOARD.] The sum of \$..... is appropriated to the state board of education from the general fund of the state treasury for the purposes of this act for the fiscal year ending June 30, 1977. Of this amount, \$..... shall be expended for grants to demonstration projects pursuant to section 6 of this act.

Sec. 9. This act shall be effective the day following final enactment.”.

Amend the title as follows:

Line 4, delete “planning” and insert “learning improvement”.

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Subdivision 1. For the purpose of this section the term "financial institution" means any bank, savings and loan, credit union, or other entity offering checking account services whether chartered by the state or federal government.

Subd. 2. Any financial institution, prior to opening a checking account shall require the applicant, in writing, to:

(1) Provide his full name, residence address, residence telephone number, and identification number assigned pursuant to Minnesota Statutes, Section 171.07. If the applicant does not have such an identification number then a driver's license number from another state or any identification number given by the federal or any state government which can be used to identify the applicant may be used; and

(2) Answer whether within the past three years he has:

(a) had a checking account closed other than voluntarily by the applicant;

(b) had checks returned for nonsufficient funds or account closed, which have not subsequently been honored; and

(c) been convicted of an offense involving the use of checks.

If any of the inquiries are answered in the affirmative the financial institution shall make further reasonable inquiries to determine if a checking account should be opened. Nothing in this subdivision shall prohibit a financial institution from requiring disclosure of additional information.

Subd. 3. A financial institution shall, upon request, disclose all transactions and balances of an account whereon a check has been drawn and dishonored for reasons of nonsufficient funds or account closed:

(1) To the payee or any subsequent holder who presents the check, such disclosure to be limited to the period of time commencing seven days before and ending seven days after the date of issue; and

(2) To a law enforcement officer or a prosecuting attorney investigating an alleged violation of this section, such disclosure to be limited to the period of time commencing 30 days before and ending 30 days after the date of issue.

Subd. 4. Any payee or subsequent holder may recover from a financial institution for damages caused to him by the failure

of the financial institution to substantially comply with this section.

Sec. 2. Minnesota Statutes 1974, Section 609.535, Subdivision 1, is amended to read:

609.535 [ISSUANCE OF WORTHLESS CHECK.] Subdivision 1. [DEFINITIONS.] *As used in this section:*

(1) "Credit" means an arrangement or understanding with the drawee for the payment of the check or other order for the payment of money to which this section applies.

(2) "Drawee" means the bank upon which the check is drawn.

(3) "Drawer" means the person whose name appears on the check as the primary obligor, whether the actual signature be that of himself or of a person authorized to draw the check in his behalf.

(4) "Issue" or "to issue a check" or any similar term includes issuing a check for goods or services, or for any other transfer wherein a check is exchanged, except as provided in subdivision 5 of this section.

Sec. 3. Minnesota Statutes 1974, Section 609.535, Subdivision 2, is amended to read:

Subd. 2. [ACTS CONSTITUTING.] (WHOEVER ISSUES) *No person shall issue any check or other order for the payment of money which, at the time of issuance, he intends shall not be paid (, IS GUILTY OF A MISDEMEANOR). (IN ADDITION RESTITUTION MAY BE ORDERED BY THE COURT.)*

Sec. 4. Minnesota Statutes 1974, Section 609.535, Subdivision 3, is amended to read:

Subd. 3. [PROOF OF INTENT.] (ANY OF) The following (IS) *shall constitute prima facie evidence (SUFFICIENT TO SUSTAIN A FINDING)* that the person at the time he issued the check or other order for the payment of money, intended it should not be paid:

(1) Proof that, at the time of issuance, he did not have an account with the drawee; or

(2) Proof that, at the time of issuance, he did not have sufficient funds or credit with the drawee and that he failed to pay the check or other order within five business days after (MAILING) receipt of notice of (NONPAYMENT OR) dishonor (AS PROVIDED IN THIS SUBDIVISION); or

(3) Proof that, when presentment was made within a reasonable time, the issuer did not have sufficient funds or credit with the drawee and that he failed to pay the check or other order within five business days after (MAILING) receipt of notice of (NONPAYMENT OR) dishonor (AS PROVIDED IN THIS SUBDIVISION).

Notice of (NONPAYMENT OR) dishonor shall be sent, pursuant to section 336.3-508, by the payee or holder of the check or other order to the maker or drawer by certified mail, return receipt requested, to the address (OF RECORD. REFUSAL BY THE MAKER OR DRAWER OF THE CHECK TO ACCEPT CERTIFIED MAIL NOTICE SHALL NOT CONSTITUTE A DEFENSE THAT NOTICE WAS NOT RECEIVED) printed on the check or given at the time of issuance, and a copy of this notice shall be mailed at the same time to the drawee. If the notice to the maker is returned undelivered, notice shall be deemed to have been received by the maker or drawer on the first date of attempted delivery. The notice may state that unless the check is paid in full within five business days after receipt of the notice of dishonor, the payee or holder of the check or other order will or may refer the matter to the proper authorities for prosecution under this section.

Any payee or holder of a check or other order which has been dishonored for reasons of nonsufficient funds or account closed shall not be civilly or criminally liable for giving the notice permitted herein.

Sec. 5. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

Subd. 3a. Any person violating this section may be sentenced as follows:

(1) To imprisonment for not more than 30 days, to payment of a fine of not more than \$100, or both, if the aggregate amount of the checks or other orders for the payment of money are less than \$100;

(2) To imprisonment for not more than 90 days nor less than 30 days or to payment of a fine of not more than \$300 nor less than \$100, or both, if the aggregate amount of the checks or other orders for the payment of money are between \$100 and \$300;

(3) To imprisonment for not more than five years nor less than six months or to payment of a fine of not more than \$5,000 nor less than \$500, or both, if the aggregate amount of the checks or other orders for the payment of money are between \$300 and \$2,500; or

(4) To imprisonment for not more than ten years nor less than three years or to payment of a fine of not more than \$10,000.

nor less than \$3,000, or both, if the aggregate amount of the checks or other orders for the payment of money exceed \$2,500.

In any prosecution under section 609.535, the checks or other orders for the payment of money issued by the defendant in violation of this section within any six month period may be aggregated and the defendant charged accordingly in applying the provisions of this section. When two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed and his checks or other orders for the payment of money may be aggregated pursuant to this clause. The election to aggregate checks or other orders for the payment of money within any six month period and to charge the defendant accordingly under this section shall not bar any prosecution of the defendant on the nonaggregated checks or other orders for the payment of money by the defendant during that same six month period.

Sec. 6. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

Subd. 3b. In addition to any criminal penalty under this section, restitution may be ordered by the court.

Sec. 7. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

Subd. 3c. If a person institutes or causes to be instituted a prosecution for violation of this section and thereafter fails to cooperate fully in the prosecution of the defendant, the court having jurisdiction, on motion of the prosecution attorney and after notice to the person and an opportunity to be heard, may order the person to pay the county in which the prosecution was commenced all costs of the prosecution including a reasonable amount for the time spent on the matter by the prosecuting attorney.

Sec. 8. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

Subd. 6. [PAYMENT NO DEFENSE.] After the time period provided by subdivision 3 payment of a dishonored check or other order for the payment of money shall not constitute a defense or ground for dismissal of charges brought under this section, nor shall such payment or an offer of payment be admissible as evidence.

Sec. 9. Minnesota Statutes 1974, Section 609.535, is amended by adding a subdivision to read:

Subd. 7. [IDENTITY.] (1) In any prosecution under the provisions of this section, prima facie evidence of the identity

of the party issuing the check, draft, or order and his authority to draw upon the named account may be established by the following information secured in writing at the time of issuance: the full name, residence address, residence telephone number, and identification number assigned pursuant to Minnesota Statutes, Section 171.07. If the party does not have such an identification number then a driver's license number from another state or any identification number given by the federal or any state government to a party which can be used to identify the party shall be obtained. This subdivision does not prohibit the obtaining of additional information from a party nor does it require anyone to accept a check.

(2) The information listed in clause (1) of this subdivision may be provided by either of two methods: (a) it may be recorded upon the check itself; or (b) the number of a check cashing identification card issued by the accepting party may be recorded upon the check. The check cashing identification card shall be issued only after the information listed in clause (1) of this subdivision has been placed in a permanent file kept by the accepting party.

Sec. 10. Minnesota Statutes 1974, Chapter 549, is amended by adding a section to read:

[549.20] *In any action for payment on a check, or in case of restitution ordered by the court pursuant to section 609.535, which check has been dishonored for reasons of nonsufficient funds or account closed and which check is not honored or the underlying obligation is not otherwise settled within five business days after the drawer's receipt of notice of dishonor, the court shall award to the plaintiff if he is the prevailing party or to the complainant if such complaint has led to a conviction under section 609.535, the sum of \$10 or ten percent of the amount of such check, whichever is greater, in addition to any other relief granted."*

Further, strike the title in its entirety and insert:

"A bill for an act relating to commerce; providing for the opening of checking accounts; imposing a duty on financial institutions; providing remedies for worthless checks; providing penalties; amending Minnesota Statutes 1974, Section 609.535, Subdivisions 1, 2 and 3, and by adding subdivisions; and Chapter 549, by adding a section."

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

The report was adopted.

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

H. F. No. 72, A bill for an act relating to the legislature; providing a bipartisan commission to apportion legislative districts.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. The following amendment to the Minnesota Constitution, Article IV, Sections 2 and 3, is proposed to the people. If the amendment is adopted Article IV, Section 2, will read as follows:

Sec. 2. The number of members who compose the senate and house of representatives shall be prescribed by law. (THE REPRESENTATION IN BOTH HOUSES SHALL BE APPORTIONED EQUALLY THROUGHOUT THE DIFFERENT SECTIONS OF THE STATE IN PROPORTION TO THE POPULATION THEREOF.)

The state shall be divided into as many separate congressional, senatorial, and representative election districts as there are congressmen, senators and representatives. No representative district shall be divided in the formation of a senate district. The congressional, senatorial and representative districts shall be separately numbered in a regular series.

Congressional, senatorial and representative districts shall be composed of compact and contiguous territory and shall be apportioned equally throughout the state on the basis of population. In creating congressional and legislative districts, the integrity of political subdivision boundaries shall be maintained to the extent possible without violating the requirement that districts be apportioned equally on the basis of population.

and Article IV, Section 3 will read as follows:

Sec. 3. (AT ITS FIRST SESSION AFTER EACH ENUMERATION OF THE INHABITANTS OF THIS STATE MADE BY THE AUTHORITY OF THE UNITED STATES, THE LEGISLATURE SHALL HAVE THE POWER TO PRESCRIBE THE BOUNDS OF CONGRESSIONAL AND LEGISLATIVE DISTRICTS. SENATORS SHALL BE CHOSEN BY SINGLE DISTRICTS OF CONVENIENT CONTIGUOUS TERRITORY. NO REPRESENTATIVE DISTRICT SHALL BE DIVIDED IN THE FORMATION OF A SENATE DISTRICT. THE SENATE DISTRICTS SHALL BE NUMBERED IN A REGULAR SERIES.)

(a) *In each year following that in which the federal decennial census is officially reported as required by federal law, or whenever a new districting is required by court order, the districting commission created under this section shall prescribe anew the bounds of the congressional, senatorial and representative districts in the state.*

The commission shall also prescribe anew the bounds of senatorial or representative districts whenever the number of members who compose the senate or house has been altered by law.

The commission shall be guided by the standards set forth in section 2 and shall assure all persons fair representation.

(b) *Not later than January 15 of the year following that in which the federal decennial census is officially reported as required by federal law, the governor shall request the persons designated to appoint members of the districting commission.*

(c) (1) *The districting commission shall consist of 13 members and the concurrence of eight shall be required to adopt a final plan of districting.*

The speaker and minority leader of the house of representatives shall be members. The majority and minority leaders of the senate shall be members. The speaker of the house of representatives, the minority leader of the house of representatives, the majority leader of the senate and the minority leader of the senate each may have the right to appoint a member of his legislative body to serve on the districting commission in his place. The governor shall appoint two members. Two members shall be appointed by the state executive committee of each political party, other than that to which the governor belongs, whose candidate for governor received 20 or more percent of the votes at the most recent gubernatorial election, or by any successor authority to the state executive committee which is charged by law with the administration of the party's affairs.

Within ten days after the governor has requested the appointment of a districting commission, the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate, the governor and the state executive committees of the political parties or their successor authorities, shall certify the members they have appointed to the secretary of state, or notify the secretary of state of their failure to make any appointment.

Within three days after receiving notice that an appointing authority has failed to appoint its quota of members, the secretary of state shall inform the chief justice of the supreme court. Within ten days after the information has been received, a majority of the entire membership of the supreme court shall appoint those members and certify them to the secretary of state.

The commission members appointed and certified shall meet within seven days of their appointment and within 17 days thereafter shall elect, by unanimous vote, the number of members necessary to complete the commission and certify them to the secretary of state, or notify the secretary of state that they are unable to do so. Within three days after receiving notice of failure to complete the membership of the commission, the secretary of state shall inform the chief justice of the state supreme court. Within 17 days after the information has been received, a majority of the entire membership of the supreme court shall appoint the members necessary to complete the commission and certify them to the secretary of state.

(2) No United States senator or representative or member of the Minnesota senate or house of representatives, other than the speaker and minority leader of the house, the majority and minority leaders of the senate, or their designees, shall serve on the commission.

(3) In making their appointments, the state executive committees or their successor authorities, the original commission members and the supreme court shall give due consideration to the representation of the various geographical areas of the state.

(4) Any vacancy on the commission shall be filled within five days in the manner provided for the original appointment.

(5) A majority of all the members of the commission shall choose a chairman and a vice chairman and establish its rules of procedure.

(6) Members of the commission shall hold office until the new apportionment and districting in which they participated becomes effective. Except for the speaker and minority leader of the house of representatives, the majority and minority leaders of the senate and their designees, they shall not be eligible for election to congress or the state legislature until the general election following the first one under the districting in which they participated.

(7) The secretary of state shall be secretary of the commission without vote and in that capacity shall furnish all technical services requested by the commission. Commission members shall be compensated as provided by law.

(d) (1) Not later than five months after the commission has been finally constituted, or the population count for the state and its political subdivisions as determined by the federal decennial census is available, whichever is later, the commission shall file its final districting plans and maps of the districts with the secretary of state.

(2) Within ten days from the date of the filing, the secretary of state shall publish the final plans once in at least one newspaper of general circulation in each congressional and representative district. The publication shall contain maps showing all the new congressional, senatorial and representative districts in the state and a separate map showing the districts in the principal area served by the newspaper in which publication is made. The publication shall also state the population of the congressional, senatorial, and representative districts having the smallest and largest population, respectively, and the percentage variation of the districts from the average population for congressional, senatorial and representative districts.

(3) The final plans shall have the force and effect of law upon the date of the publication.

(4) The secretary of state shall keep a public record of all the proceedings of the commission.

(e) Within 30 days after any districting plan adopted by the commission is published by the secretary of state, any qualified voter may petition the state supreme court to review the plan. The state supreme court shall have original jurisdiction to review the plan, exclusive of all other courts of this state.

If a petition for review is filed, the supreme court shall determine whether the plan complies with the requirements of this constitution and the United States Constitution. If the supreme court determines that the plan complies with constitutional requirements, it shall dismiss the petition within 45 days of the filing of the original petition. If the supreme court, or any United States court, finally determines that the plan does not comply with constitutional requirements, the supreme court, within 45 days of the filing of the original petition or 30 days of the decision of the United States court, shall modify the plan to comply with constitutional requirements and direct that the modified plan be adopted by the commission.

(f) If the commission fails to adopt final plans to provide anew the bounds of congressional or senatorial and representative districts by the two specified herein, each member of the commission, individually or jointly with other members, may submit a proposed plan or plans to the supreme court within 30 days after the date for commission action has expired. Within 90 days after the submission, the supreme court shall select the plan which it finds most closely satisfies the requirements of this constitution and, with the modifications it deems necessary to completely satisfy these requirements, direct that it be adopted by the commission and published as provided herein. If no commission member submits a plan by the time specified, a majority of the entire membership of the supreme court shall select a panel of three state court judges, other than supreme court justices, to prescribe anew the bounds of congressional districts,

or senatorial and representative districts, or both. The panel shall do so within four months after the date for the submission of individual member plans has expired.

The districting prescribed by the panel shall be subject to review by the supreme court and the federal courts in the manner provided for review of a plan adopted by the districting commission.

(g) Each new districting made in accordance with the provisions of this article shall govern the next succeeding general elections of congressmen, senators and representatives.

Sec. 2. The proposed amendment shall be submitted to the people at the 1976 general election. The question proposed shall be:

"Shall the Minnesota Constitution be amended to provide for apportionment of congressional and legislative districts by a commission?

Yes

No

Further, strike the title in its entirety and insert the following:

"A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3; providing for congressional and legislative apportionments by a commission."

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.

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

H. F. No. 2225, A bill for an act relating to veterans affairs; applications for adjusted compensation; establishing an application time limit; extending the appropriation expiration date; amending Minnesota Statutes, 1975 Supplement, Section 197.973; and Laws 1975, Chapter 3, Section 2.

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

The report was adopted.

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

S. F. No. 1273, A bill for an act relating to fair campaign practices; permitting corporations to conduct non-partisan voter registration campaigns and provide meeting facilities to political parties and candidates; authorizing the state ethics commission to issue and publish certain advisory opinions; amending Minnesota Statutes 1974, Section 10A.02, Subdivision 12; and Minnesota Statutes, 1975 Supplement, Section 210A.34, by adding a subdivision.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 210A.34, is amended by adding subdivisions to read:

Subd. 5. It shall not be a violation of this section for a corporation to contribute to or conduct public media projects to encourage individuals to attend precinct caucuses, register, or vote provided that the projects are not controlled by or operated for the advantage of any candidate, political party, or political committee.

Subd. 6. It shall not be a violation of this section for a corporation to provide meeting facilities to any political committee, political party or candidate on a nondiscriminatory and nonpreferential basis.

Subd. 7. It shall not be a violation of this section for a corporation selling products or services to the public to post on their public premises messages which promote participation in precinct caucuses, voter registration, or elections, provided that such messages are not controlled by or operated for the advantage of any candidate, political party, or political committee.

Subd. 8. The total amount of any expenditure or contribution or any one project permitted by subdivisions 5 and 7 which exceeds \$100, together with the date, purpose and the names and addresses of the persons receiving the contribution or expenditures, shall be reported to the secretary of state. The reports shall be filed on a form provided by the secretary of state on the dates required for political committees under the provisions of section 210A.26, subdivision 1. Failure to comply shall be subject to the penalties related to campaign finance reporting under the provisions of this chapter.

Sec. 2. This act is effective on the day following final enactment."

And further amend the title to read:

Page 1, line 3, delete "conduct non-partisan voter".

Page 1, line 4, delete "registration campaigns" and insert "engage in certain political activities".

Page 1, delete all of line 6.

Page 1, line 7, delete everything before "amending".

Page 1, delete all of line 8.

Page 1, line 9, delete "Subdivision 12; and".

Page 1, line 10, delete "a".

Page 1, line 11, delete "subdivision" and insert "subdivisions".

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

The report was adopted.

Enebo from the Committee on Labor-Management Relations to which was referred:

H. F. No. 2308, A bill for an act relating to public employment labor relations; reconciling negotiated contract provisions with existing law; designating the number of arbitrators; modifying the fees chargeable by arbitrators; amending Minnesota Statutes 1974, Sections 179.66, Subdivision 5; and 179.72, Subdivision 6.

Reported the same back with the following amendments:

Page 2, line 13, after "*requests*" insert "*, prior to the submission to the parties of the list of seven arbitrators,*".

Page 2, line 14, after "*shall*" insert "*, by alternately striking names,*".

Page 2, line 14, after "arbitrator" insert "*from the list*".

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

The report was adopted.

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

H. F. No. 2172, A bill for an act relating to municipalities within Dakota county; providing for financing of the Dakota County League of Municipalities; amending Laws 1967, Chapter 112, Section 1.

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

The report was adopted.

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

H. F. No. 2207, A bill for an act relating to the city of Duluth; liquor license for the arena-auditorium complex; amending Laws 1967, Chapter 406, Section 1, Subdivision 1.

Reported the same back with the following amendments:

Page 2, line 5, after "in any" insert "*amateur hockey game or*".

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

The report was adopted.

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

S. F. No. 1156, A bill for an act relating to political subdivisions; authorizing direct loans to cities, counties and towns; amending Minnesota Statutes 1974, Chapter 465, by adding a section.

Reported the same back with the following amendments:

Page 1, delete lines 10 to 23.

Page 2, delete lines 1 to 14.

Page 2, line 15, delete "*Subd. 3.*" and insert "*For purposes of constructing or acquiring fire halls or fire equipment*".

Page 2, line 15, after "*borrow*" insert "*up to \$100,000*".

Page 2, line 16, delete "*a federal agency*" and insert "*the Farmers Home Administration*".

Page 2, delete line 32.

Page 3, delete lines 1 and 2.

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

The report was adopted.

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

S. F. No. 1252, A bill for an act relating to the blind; providing for vending stands and machines to be operated by the blind on property of state governmental subdivisions; amending Minnesota Statutes 1974, Section 248.07, Subdivision 7.

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

The report was adopted.

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

S. F. No. 1873, A bill for an act relating to counties; authorizing counties to levy special assessments for county highway improvements within portions of unorganized townships; amending Minnesota Statutes 1974, Section 429.011, Subdivision 2a.

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

The report was adopted.

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

S. F. No. 2033, A bill for an act relating to municipalities; temporary investment of surplus funds; amending Minnesota Statutes, 1975 Supplement, Section 471.561.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1801, 2225, 2308, 2172 and 2207 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1273, 1156, 1252, 1873 and 2033 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Wenstrom, Schumacher, Smogard, Anderson, G., and Sherwood introduced:

H. F. No. 2563, A bill for an act relating to highway traffic regulations; requiring surrender of certain licenses.

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

Lindstrom, Searle, Dahl, Pleasant and Berg introduced:

H. F. No. 2564, A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1974, Sections 16.023; 16A.27; 84B.07; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision 1; 351.11; 352E.02; 355.46, Subdivision 3; 355.50; 481.15, Subdivision 2; Minnesota Statutes, 1975 Supplement, Section 136A.08, Subdivisions 1 and 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1974, Sections 124.23; 136.508; 352E.05; 355.31 to 355.39; Minnesota Statutes, 1975 Supplement, Section 261.233.

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

Samuelson, Byrne, Wigley, Clark and Corbid introduced:

H. F. No. 2565, A bill for an act relating to public welfare; mental health; allocating fees for services collected by mental health centers.

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

Vento introduced:

H. F. No. 2566, A bill for an act relating to education; providing for termination procedure to apply to certain athletic coaches; amending Minnesota Statutes, 1975 Supplement, Section 125.12, Subdivision 4.

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

Kostohryz, Knickerbocker, Hanson, Johnson, C., and McCollar introduced:

H. F. No. 2567, A bill for an act relating to education; school districts; authorizing school districts to exceed levy limitations; amending Minnesota Statutes 1974, Sections 353.28, Subdivision 8; and 355.299.

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

McCollar; Kelly, R.; Kroening; Begich and Wenstrom introduced:

H. F. No. 2568, A bill for an act relating to insurance; permitting certain insurers to reinsure certain kinds of risks through pooling arrangements or otherwise; amending Minnesota Statutes 1974, Section 60A.06, by adding a subdivision.

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

Philbrook, Simoneau, Pahl, Novak and Knickerbocker introduced:

H. F. No. 2569, A bill for an act relating to insurance; extending eligibility for continuation of group coverage for certain terminated employees; amending Minnesota Statutes 1974, Section 62A.17, Subdivision 2.

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

Kroening, Abeln, Sabo, Moe and Fudro introduced:

H. F. No. 2570, A bill for an act relating to retirement; elections to receive a combined service annuity.

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

Patton introduced:

H. F. No. 2571, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 5; permitting a state lottery for an athletic stadium.

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

Fugina, Clawson and Johnson, D., introduced:

H. F. No. 2572, A bill for an act relating to health; prohibiting kick-backs for prescribing drugs and medicines.

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

Ketola introduced:

H. F. No. 2573, A bill for an act relating to health; authorizing the board of health to initiate injunction proceedings for certain violations; authorizing appeals from administrative rulings; amending Minnesota Statutes 1974, Chapter 144, by adding sections.

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

Doty introduced:

H. F. No. 2574, A bill for an act relating to the city of Duluth and the town of Herman; providing for the duties of paramedics; amending Laws 1975, Chapter 209, Section 3, Subdivision 1.

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

Fudro and Simoneau introduced:

H. F. No. 2575, A bill for an act relating to the city of Columbia Heights; providing for the appointment of certain public safety personnel in the city.

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

Kempe, A.; Vento; Kostohryz; Tomlinson and Sieben, H., introduced:

H. F. No. 2576, A bill for an act relating to highways; removing highway construction limitations; repealing Minnesota Statutes, 1975 Supplement, Section 161.123.

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

Kelly, W., introduced:

H. F. No. 2577, A bill for an act relating to bonding; authorizing the sale of general obligation bonds for limited purposes without a referendum.

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

Kroening; Kelly, R.; McCollar and Knickerbocker introduced:

H. F. No. 2578, A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1974, Section 273.13, Subdivision 17b; and Chapter 273, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 276.04.

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

Tomlinson; Sieloff; Kempe, A.; Abeln and Jacobs introduced:

H. F. No. 2579, A bill for an act relating to taxation; providing for additional income-adjusted homestead credit relief in certain cases; amending Minnesota Statutes, 1975 Supplement, Section 290A.04, Subdivision 2, and by adding a subdivision.

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, McCarron reported on the progress of H. F. No. 943, now in Conference Committee.

Pursuant to Joint Rule 13, Esau reported on the progress of H. F. No. 1057, now in Conference Committee.

Pursuant to Joint Rule 13, Clawson reported on the progress of H. F. No. 1199, now in Conference Committee.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee.

Said Senate File is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 733

A bill for an act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

May 19, 1975

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

We, the undersigned conferees for S. F. No. 733 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendment to page 1, line 17 and that the house recede from its amendment to the title.

We request adoption of this report and repassage of the bill.

Senate Conferees: BALDY HANSEN, LEW W. LARSON and B. ROBERT LEWIS.

House Conferees: BERNARD J. BRINKMAN and M. J. McCauley.

Brinkman moved that the report of the Conference Committee on S. F. No. 733 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Brinkman motion and the roll being called, there were yeas 74, and nays 54, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kaley	Metzen	Setzepfandt
Adams, S.	Eken	Kalis	Munger	Sieloff
Albrecht	Erickson	Kelly, W.	Nelsen	Smith
Arlandson	Esau	Kempe, R.	Nelson	Stanton
Biersdorf	Evans	Ketola	Niehaus	Suss
Birnstihl	Ewald	Knickerbocker	Patton	Tomlinson
Brinkman	Fjoslien	Kvam	Peterson	Ulland
Carlson, A.	Forsythe	Laidig	Petraseso	Vanasek
Cassery	Friedrich	Langseth	Pleasant	Wenzel
Clark	Graba	Lemke	Reding	White
Clawson	Haugerud	Lindstrom	Samuelson	Wieser
Corbid	Heinitz	McCarron	Savelkoul	Wigley
Dahl	Johnson, C.	McCauley	Schreiber	Zubay
Dean	Jopp	McEachern	Schulz	Speaker Sabo
DeGroat	Jude	Menning	Searle	

Those who voted in the negative were:

Adams, L.	Berglin	Enebo	Hokanson	Kelly, R.
Anderson, G.	Byrne	Faricy	Jacobs	Kempe, A.
Anderson, I.	Carlson, L.	Fudro	Jaros	Knoll
Beauchamp	Carlson, R.	Fugina	Jensen	Kostohryz
Begich	Dieterich	George	Johnson, D.	Kroening
Berg	Doty	Hanson	Kahn	Luther

Mangan	Novak	Rice	Sieben, M.	Vento
McCollar	Parish	Sarna	Simoneau	Voss
Moe	Pehler	Schumacher	Skoglund	Wenstrom
Neisen	Philbrook	Sherwood	Smogard	Williamson
Norton	Prahl	Sieben, H.	Swanson	

The motion prevailed and the report was adopted.

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

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 84, and nays 42, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Jopp	Metzen	Sieloff
Adams, S.	Eckstein	Jude	Neisen	Smith
Albrecht	Eken	Kaley	Nelsen	Stanton
Anderson, I.	Erickson	Kalis	Nelson	Suss
Arlandson	Esau	Kelly, W.	Niehaus	Swanson
Beauchamp	Evans	Kempe, R.	Patton	Tomlinson
Biersdorf	Ewald	Ketola	Peterson	Ulland
Birnstihl	Fjoslien	Knickerbocker	Petrafeso	Vanasek
Brinkman	Forsythe	Kvam	Pleasant	Vento
Carlson, A.	Friedrich	Laidig	Reding	Voss
Carlson, R.	Graba	Langseth	Samuelson	Wenzel
Casserly	Haugerud	Lemke	Savelkoul	White
Clark	Heinitz	Lindstrom	Schreiber	Wieser
Clawson	Hokanson	McCarron	Schulz	Wigley
Corbid	Jacobs	McCauley	Searle	Zubay
Dahl	Jensen	McEachern	Setzepfandt	Speaker Sabo
Dean	Johnson, C.	Menning	Sieben, M.	

Those who voted in the negative were:

Adams, L.	Enebo	Kempe, A.	Norton	Sieben, H.
Anderson, G.	Faricy	Knoll	Novak	Simoneau
Begich	Fudro	Kostohryz	Parish	Skoglund
Berg	Fugina	Kroening	Pehler	Smogard
Berglin	Hanson	Luther	Philbrook	Wenstrom
Byrne	Jaros	Mangan	Prahl	Williamson
Carlson, L.	Johnson, D.	McCollar	Rice	
Dieterich	Kahn	Moe	Sarna	
Doty	Kelly, R.	Munger	Schumacher	

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

Mr. Speaker:

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

S. F. Nos. 1223, 1493, 1924, 2051 and 2155.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1838, 1862, 2124 and 2223.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. No. 2237.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1223, A bill for an act relating to public welfare; authorizing grants for programs of child care services; altering allocations of grants; amending Minnesota Statutes 1974, Sections 245.83, Subdivisions 2 and 5; 245.84; 245.85; 245.86; and 245.87.

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

S. F. No. 1493, A bill for an act relating to natural resources; amending certain laws concerning minnows; amending Minnesota Statutes 1974, Sections 97.40, Subdivision 27; 97.45, Subdivision 15; 97.55, Subdivision 13; 98.46, Subdivision 17; 101.42, Subdivisions 5 and 6; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5.

The bill was read for the first time.

Hanson moved that S. F. No. 1493 and H. F. No. 1677, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1924, A bill for an act relating to employment agencies; excluding teacher and nurse placement agencies from the definition of employment agency; amending Minnesota Statutes 1974, Section 184.21, Subdivision 2.

The bill was read for the first time.

Berg moved that S. F. No. 1924 and H. F. No. 1939, now on the Technical Consent Calendar, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2051, A bill for an act relating to local improvements; council procedure; authorizing percentage payment in advance of completion of improvement on engineer's estimate; amending Minnesota Statutes 1974, Section 429.041, Subdivision 6.

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

S. F. No. 2155, A bill for an act relating to United Hospital District, Staples, Minnesota; authorizing the issuance of general obligation bonds of the district without the consent of the governing bodies of the municipalities included in the district; excluding the bonds from the net debt of the district; and excluding taxes levied for the payment of the bonds from certain levy limitations.

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

S. F. No. 1838, A bill for an act relating to crimes; accusation; increasing the limitation on time in which an indictment for offering of bribes to or acceptance of bribes by public officers or employees may be found; amending Minnesota Statutes 1974, Section 628.26.

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

S. F. No. 1862, A bill for an act relating to motor vehicles; registration and taxation; removing certain requirements for notarization; amending Minnesota Statutes, 1975 Supplement, Section 168.10, Subdivision 1.

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

S. F. No. 2124, A bill for an act relating to cities; increasing the amount of obligations that may be issued for television systems; validating prior issuances; amending Minnesota Statutes 1974, Section 465.70.

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

S. F. No. 2223, A bill for an act relating to the city of Albert Lea; authorizing a housing finance program; providing for the

issuance of general obligation and revenue bonds to finance the program.

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

S. F. No. 2237, A bill for an act directing the sale of a certain parcel of tax forfeited land in St. Louis county.

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

CALENDAR

S. F. No. 749, A bill for an act relating to intoxicating liquor; investigation of certain license applicants; amending Minnesota Statutes 1974, Section 340.13, 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 65, and nays 62, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Kempe, R.	Novak	Simoneau
Adams, L.	Enebo	Knickerbocker	Parish	Skoglund
Anderson, I.	Faricy	Knoll	Patton	Smith
Arlandson	Fudro	Kroening	Pehler	Suss
Berg	Hanson	Laidig	Petrafeso	Swanson
Berglin	Hokanson	Lindstrom	Philbrook	Tomlinson
Byrne	Jacobs	Luther	Reding	Ulland
Carlson, A.	Jaros	McCarron	Samuelson	Vento
Carlson, L.	Jensen	McCollar	Sarna	Voss
Carlson, R.	Johnson, D.	Menning	Savelkoul	Wenzel
Clark	Jude	Metzen	Sherwood	White
Dahl	Kelly, R.	Munger	Sieben, H.	Williamson
Dean	Kempe, A.	Nelson	Sieben, M.	Speaker Sabo

Those who voted in the negative were:

Adams, S.	Eckstein	Heinitz	McCauley	Searle
Albrecht	Eken	Johnson, C.	McEachern	Setzepfandt
Anderson, G.	Erickson	Jopp	Moe	Sieloff
Begich	Esau	Kahn	Neisen	Smogard
Biersdorf	Evans	Kaley	Nelsen	Stanton
Birnstihl	Ewald	Kalis	Niehaus	Vanasek
Braun	Fjoslien	Kelly, W.	Norton	Wenstrom
Brinkman	Forsythe	Ketola	Peterson	Wieser
Casserly	Friedrich	Kostohryz	Pleasant	Wigley
Clawson	Fugina	Kvam	Prahl	Zubay
Corbid	George	Langseth	Schreiber	
DeGroat	Graba	Lemke	Schulz	
Dieterich	Haugerud	Mangan	Schumacher	

The bill was not passed.

S. F. No. 43, bill for an act relating to the city of Minneapolis; amending Minnesota Statutes 1974, Section 462.364; repealing Laws 1963, Chapter 405.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 124, and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Prahl

The bill was passed and its title agreed to.

Erickson and Novak were excused at 3:10 p.m. Carlson, A., was excused at 3:50 p.m. Johnson, C., was excused at 4:20 p.m. Doty; Kelly, R.; and Norton were excused at 5:00 p.m. Abeln and Birnstihl were excused at 5:30 p.m.

GENERAL ORDERS

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

Pursuant to Rule 1.6, a roll call was taken on the motion of Knickerbocker to recommend re-referral of H. F. No. 2220, to the Committee on Appropriations.

The roll being called, there were yeas 17, and nays 99, as follows:

Those who voted in the affirmative were:

Abeln	Doty	Knickerbocker	Reding	Zubay
Albrecht	Friedrich	McCauley	Savelkoul	
Birnstihl	Jensen	Menning	Schreiber	
DeGroat	Jopp	Peterson	Sherwood	

Those who voted in the negative were:

Adams, L.	Dieterich	Johnson, C.	Metzen	Sieben, M.
Adams, S.	Eckstein	Johnson, D.	Moe	Sieloff
Anderson, G.	Eken	Jude	Munger	Simoneau
Anderson, I.	Enebo	Kahn	Neisen	Skoglund
Arlandson	Esau	Kaley	Nelsen	Smith
Beauchamp	Evans	Kalis	Nelson	Smogard
Begich	Ewald	Kelly, R.	Niehaus	Stanton
Berg	Faricy	Kelly, W.	Norton	Suss
Berglin	Fjoslien	Kempe, A.	Parish	Swanson
Braun	Forsythe	Kempe, R.	Pehler	Tomlinson.
Brinkman	Fudro	Knoll	Petrafeso	Ulland
Byrne	Fugina	Kostohryz	Philbrook	Vanasek
Carlson, A.	George	Kroening	Pleasant	Vento
Carlson, L.	Graba	Kvam	Prahl	Voss
Carlson, R.	Hanson	Laidig	Samuelson	Wenstrom
Casserly	Haugerud	Lindstrom	Sarna	Wenzel
Clark	Heinitz	Luther	Schulz	White
Corbid	Hokanson	Mangan	Schumacher	Wieser
Dahl	Jacobs	McCarron	Setzepfandt	Speaker Sabo
Dean	Jaros	McCollar	Sieben, H.	

The motion did not prevail.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 608 offered by Setzepfandt:

Page 2, delete lines 23 to 29.

Further, amend the title as follows:

Line 3, delete "regulating".

Line 4, delete "hours for minor sugar beet employees;"

Lines 6 and 7, delete "; and Section 181A.07, Subdivision 1".

The roll being called, there were yeas 74, and nays 38, as follows:

Those who voted in the affirmative were:

Adams, L.	Anderson, G.	Berg	Brinkman	Corbid
Adams, S.	Beauchamp	Biersdorf	Byrne	Dean
Albrecht	Begich	Braun	Carlson, R.	DeGroat

Eckstein	Heinitz	Lindstrom	Niehaus	Sieloff
Eken	Jacobs	Luther	Norton	Smith
Esau	Jopp	Mangan	Peterson	Smogard
Evans	Jude	McCauley	Philbrook	Suss
Ewald	Kaley	McCollar	Reding	Swanson
Faricy	Kelly, R.	McEachern	Savelkoul	Ulland
Fjoslien	Kelly, W.	Menning	Schreiber	Wenstrom
Friedrich	Knickerbocker	Metzen	Schulz	Wenzel
Fudro	Kvam	Moe	Schumacher	Wieser
Graba	Laidig	Neisen	Searle	Wigley
Hanson	Langseth	Nelsen	Setzepfandt	Zubay
Haugerud	Lemke	Nelson	Sherwood	

Those who voted in the negative were:

Abeln	Enebo	Ketola	Petrafeso	Stanton
Anderson, I.	Fugina	Knoll	Pleasant	Tomlinson
Arlandson	Hokanson	Kostohryz	Prahl	Vanasek
Carlson, L.	Jaros	Kroening	Sarna	Vento
Casserly	Johnson, D.	Munger	Sieben, H.	Voss
Clark	Kahn	Parish	Sieben, M.	Speaker Sabo
Dahl	Kempe, A.	Patton	Simoneau	
Dieterich	Kempe, R.	Pehler	Skoglund	

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 608, as amended, offered by Kelly, W.:

Page 2, delete lines 18 to 22.

The roll being called, there were yeas 59, and nays 53, as follows:

Those who voted in the affirmative were:

Adams, S.	Eckstein	Jude	McCollar	Setzepfandt
Albrecht	Eken	Kaley	McEachern	Sherwood
Anderson, G.	Esau	Kalis	Menning	Sieloff
Beauchamp	Evans	Kelly, W.	Neisen	Smith
Begich	Ewald	Knickerbocker	Nelsen	Smogard
Biersdorf	Fjoslien	Kvam	Niehaus	Wenstrom
Birnstihl	Friedrich	Laidig	Peterson	Wenzel
Braun	Graba	Langseth	Savelkoul	Wieser
Brinkman	Haugerud	Lemke	Schreiber	Wigley
Corbid	Heinitz	Lindstrom	Schulz	Williamson
Dean	Jensen	Luther	Schumacher	Zubay
DeGroat	Jopp	McCauley	Searle	

Those who voted in the negative were:

Abeln	Dahl	Jaros	McCarron	Pleasant
Adams, L.	Dieterich	Johnson, D.	Moe	Prahl
Anderson, I.	Enebo	Kahn	Munger	Reding
Arlandson	Faricy	Kempe, A.	Nelson	Sarna
Byrne	Fudro	Kempe, R.	Parish	Sieben, H.
Carlson, L.	Fugina	Ketola	Patton	Sieben, M.
Carlson, R.	Hanson	Knoll	Pehler	Simoneau
Casserly	Hokanson	Kroening	Petrafeso	Skoglund
Clark	Jacobs	Mangan	Philbrook	Stanton

Suss
Swanson

Tomlinson
Vanasek

Vento
Voss

White

Speaker Sabo

The motion prevailed and the amendment was adopted.

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 608, as amended, offered by Kelly, W.:

Page 1, line 19, delete "*Persons*".

Page 1, delete lines 20 to 24.

Page 2, delete lines 1 to 16.

The roll being called, there were yeas 52, and nays 64, as follows:

Those who voted in the affirmative were:

Adams, S.	Eken	Jopp	Lindstrom	Sieloff
Albrecht	Esau	Jude	McEachern	Smith
Anderson, G.	Evans	Kaley	Menning	Smogard
Beauchamp	Ewald	Kalis	Niehaus	Suss
Begich	Fjoslien	Kelly, W.	Peterson	Wenstrom
Biersdorf	Forsythe	Ketola	Savelkoul	Wieser
Braun	Friedrich	Knickerbocker	Schreiber	Wigley
Brinkman	Graba	Kvam	Schulz	Zubay
Corbid	Hangerud	Laidig	Schumacher	
DeGroat	Heinitz	Langseth	Searle	
Eckstein	Jensen	Lemke	Setzepfandt	

Those who voted in the negative were:

Adams, L.	Dieterich	Knoll	Parish	Simoneau
Anderson, I.	Enebo	Kroening	Patton	Skoglund
Arlandson	Faricy	Luther	Pehler	Stanton
Berg	Fudro	Mangan	Petrafeso	Swanson
Berglin	Fugina	McCarron	Philbrook	Tomlinson
Byrne	Hanson	McCauley	Pleasant	Vanasek
Carlson, L.	Hokanson	McCollar	Prahl	Vento
Carlson, R.	Jacobs	Metzen	Reding	Voss
Casserly	Jaros	Moe	Samuelson	Wenzel
Clark	Johnson, D.	Munger	Sarna	White
Clawson	Kahn	Neisen	Sherwood	Williamson
Dahl	Kempe, A.	Nelsen	Sieben, H.	Speaker Sabo
Dean	Kempe, R.	Nelson	Sieben, M.	

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

Pursuant to Rule 1.6, a roll call was taken on the following amendment to H. F. No. 608, as amended, offered by Luther:

Page 2, after line 17, insert a subdivision to read:

"Subd. 2. Regulations established pursuant to section 177.28, subdivision 3 notwithstanding, no reductions from wages shall

be allowed for lodging furnished by the employer to employees covered by this section."

The roll being called, there were yeas 52, and nays 55, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Kempe, A.	Patton	Stanton
Anderson, I.	Enebo	Kempe, R.	Pehler	Swanson
Arlandson	Faricy	Ketola	Pleasant	Tomlinson
Berglin	Fudro	Knoll	Prahl	Vanasek
Byrne	Fugina	Kroening	Reding	Voss
Carlson, L.	Hanson	Luther	Samuelson	White
Carlson, R.	Hokanson	Mangan	Sarna	Williamson
Casserly	Jacobs	McCollar	Sieben, H.	Speaker Sabo
Clark	Johnson, D.	Moe	Sieben, M.	
Clawson	Jude	Nelson	Simoneau	
Dahl	Kahn	Parish	Skoglund	

Those who voted in the negative were:

Adams, S.	Eken	Jopp	McEachern	Searle
Albrecht	Esau	Kaley	Menning	Setzepfandt
Anderson, G.	Evans	Kalis	Neisen	Sherwood
Beauchamp	Ewald	Kelly, W.	Nelsen	Sieloff
Begich	Fjoslien	Knickerbocker	Niehaus	Smith
Biersdorf	Forsythe	Kvam	Peterson	Smogard
Braun	Friedrich	Laidig	Petrafeso	Wenstrom
Brinkman	Graba	Langseth	Savelkoul	Wenzel
Corbid	Haugerud	Lemke	Schreiber	Wieser
DeGroat	Heinitz	Lindstrom	Schulz	Wigley
Eckstein	Jensen	McCauley	Schumacher	Zubay

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

Pursuant to Rule 1.6, a roll call was taken on the motion of Pehler to recommend passage of H. F. No. 608, as amended.

The roll being called, there were yeas 57, and nays 58, as follows:

Those who voted in the affirmative were:

Adams, L.	Dieterich	Kempe, R.	Parish	Skoglund
Anderson, I.	Enebo	Knoll	Patton	Stanton
Arlandson	Faricy	Kroening	Pehler	Swanson
Berg	Fudro	Luther	Philbrook	Tomlinson
Berglin	Fugina	Mangan	Pleasant	Vanasek
Byrne	Hanson	McCarron	Prahl	Voss
Carlson, L.	Hokanson	McCollar	Reding	White
Carlson, R.	Jacobs	Metzen	Samuelson	Williamson
Casserly	Jaros	Moe	Sarna	Speaker Sabo
Clark	Johnson, D.	Munger	Sieben, H.	
Clawson	Kahn	Neisen	Sieben, M.	
Dahl	Kempe, A.	Nelson	Simoneau	

Those who voted in the negative were:

Adams, S.	Eken	Jude	McEachern	Sherwood
Albrecht	Esau	Kaley	Menning	Sieloff
Anderson, G.	Evans	Kalis	Nelsen	Smith
Beauchamp	Ewald	Kelly, W.	Niehaus	Smogard
Begich	Fjoslien	Ketola	Peterson	Suss
Biersdorf	Forsythe	Knickerbocker	Petrafaso	Wenstrom
Braun	Friedrich	Kvam	Savelkoul	Wenzel
Brinkman	Graba	Laidig	Schreiber	Wieser
Corbid	Haugerud	Langseth	Schulz	Wigley
Dean	Heinitz	Lemke	Schumacher	Zubay
DeGroat	Jensen	Lindstrom	Searle	
Eckstein	Jopp	McCauley	Setzepfandt	

The motion did not prevail.

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

H. F. Nos. 1249 and 1814 upon which it recommended progress.

S. F. No. 840 upon which it recommended progress retaining its place on General Orders.

H. F. No. 510 which it recommended be returned to its author.

H. F. No. 995 upon which it recommended progress retaining its place on General Orders.

H. F. No. 2220 upon which it recommended to pass with the following amendment offered by Moe:

Page 1, line 16, after "inmates," strike "*pay them wages at least equal to minimum*".

Page 1, line 17 strike "*wages established by law*".

S. F. No. 1794 upon which it recommended to pass with the following amendment offered by Schreiber:

Page 2, after line 2 insert:

"Sec. 3. Minnesota Statutes 1974, Section 488A.14, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge, in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever.

Sec. 4. Minnesota Statutes 1974, Section 488A.31, Subdivision 6, is amended to read:

Subd. 6. [REPLEVIN.] If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of (\$500) \$1,000, the judge, in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever."

Renumber the sections.

Further, amend the title as follows:

Page 1, line 5, delete "and" and insert "488A.14, Subdivision 6;".

Page 1, line 5, after "3" insert "; and 488A.31, Subdivision 6".

H. F. No. 1897 upon which it recommended to pass as amended by the Committee of the Whole on Wednesday, February 18, 1976 and with the following amendment offered by Fugina:

Page 1, line 12, after the word "licensee" insert the following: "*except those licensees operating on Rainy Lake*".

Further, amend the title as follows:

Line 3, strike the words "Rainy Lake and".

H. F. No. 608 upon which it recommended progress with the following amendments:

Offered by Setzepfandt:

Page 2, delete lines 23 to 29.

Further, amend the title as follows:

Line 3, delete "regulating".

Line 4, delete "hours for minor sugar beet employees;".

Lines 6 and 7, delete "; and Section 181A.07, Subdivision 1".

Offered by Kelly, W.:

Page 2, delete lines 18 to 22.

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

MOTIONS AND RESOLUTIONS

Fugina moved that the names of Begich and McCollar be added as authors on H. F. No. 2572. The motion prevailed.

Faricy moved that the name of Menning be added as an author on H. F. No. 1615. The motion prevailed.

Jude moved that the name of Vanasek be stricken as an author on H. F. No. 2404. The motion prevailed.

Jopp moved that the names of Mann and Adams, S., be added as authors on H. F. No. 2520. The motion prevailed.

Vento moved that the name of Clawson be added as an author on House Concurrent Resolution No. 23. The motion prevailed.

Anderson, I., moved that the following bills be unofficially engrossed and printed for the House:

S. F. No. 749, to include floor amendments.

S. F. No. 840, to include floor amendments.

S. F. No. 1156, to include committee amendments.

S. F. No. 1273, to include committee amendments.

S. F. No. 1794, to include floor amendments.

The motion prevailed.

MOTION FOR RECONSIDERATION

Haugerud moved that the vote whereby S. F. No. 749 was not passed on the Calendar for today be now reconsidered. The motion prevailed.

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

Lindstrom moved that S. F. No. 749 be returned to General Orders and be placed at the top of General Orders. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, March 8, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 2:00 p.m., Monday, March 8, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives