

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

NINETY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 18, 1976

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

A quorum was present.

Kalis was excused. Vanasek was excused until 11:45 a.m. Volk was excused until 3:00 p.m.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 2072 and 2280 and S. F. Nos. 2254, 2362, 454, 1188, 1841, 674, 2208, 2223, 1627, 1976, 1876, 354 and 864 have been placed in the members' files.

REPORTS OF STANDING COMMITTEES

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

S. F. No. 407, A bill for an act relating to education; providing for kindergarten and pilot second level preschool assessment programs; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert the following:

"Section 1. [DECLARATION OF POLICY.] The legislature finds that health and educational growth and development screening performed no later than the end of the kindergarten year is necessary to plan educational programs which provide equal opportunity for all children. The legislature further finds that such screening is currently available in some communities of the state through programs established jointly by the state departments of health and welfare and through independent programs established by local school districts. The purpose of this act is to encourage local school boards to utilize the technical assistance and cooperative efforts of the departments of education, health and welfare in combination with the planning and resource capabilities of local school districts to develop health and educational growth and development screening programs for kindergarten and preschool children.

Sec. 2. [DEVELOPMENT OF SCREENING CRITERIA.] No later than July 15, 1976, the department of education in cooperation with the department of health and other appropriate agencies shall have established criteria for the purpose of assisting local districts in the development of health and educational growth and development screening programs for kindergarten and preschool children. The criteria shall include: identification of and coordination with existing screening services and resources; appropriateness of proposed screening procedures with respect to available school services and resources, and the age and particular needs of the children to be screened; and, determination of a process by which results of the screening procedure can be used when necessary to refer certain children for additional health and educational growth evaluation. The results of the screening procedure shall be used by school districts to develop appropriate educational programs for the early elementary years.

Sec. 3. [DEMONSTRATION PROJECTS.] By September 1, 1976, local school districts may apply to the state board of education to receive funding in an amount not to exceed \$15 per child estimated to be screened, for purposes of implementing health and educational growth and development screening procedures for the 1976-1977 school year. On or before September 30, 1976, the state board of education shall approve or disapprove district applications in accordance with the criteria established pursuant to section 2. No district shall charge fees for the screening service unless such fees are authorized by the state board of education at the time the application is approved. These screening grants shall be distributed as equally as possible among districts of varied size and location and shall include funding for proposals submitted by districts with access to established screening programs as well as districts where screening services are currently not available.

Sec. 4. [APPLICATION OF FUNDS.] The sum of \$300,000 is appropriated from the general fund to the state board of education for purposes of funding the demonstration projects authorized pursuant to this act. The appropriation shall be divided as equally as possible between districts located within the seven county metropolitan region and districts located outside the metropolitan region. The state board shall approve applications and grant funding pursuant to this act only to the extent that funds are available.

Sec. 5. [EFFECTIVE DATE.] This act shall be effective the day following final enactment.”.

Further, amend the title as follows:

Line 3, delete “pilot second level preschool assessment”.

Line 4, delete “programs” and insert “preschool health and educational growth and development screening”.

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

The report was adopted.

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

H. F. No. 2657, A bill for an act relating to game and fish; increasing certain license fees; amending Minnesota Statutes 1974, Sections 98.46, Subdivisions 2, 4, 5, 7, 8, 9, 14, 15, 16, 17, and 19; and 101.44; repealing Minnesota Statutes 1974, Section 84.14, Subdivisions 1, 2; 3, 4 and 6.

Reported the same back with the following amendments:

Page 1, after line 24 insert:

"Sec. 2. Minnesota Statutes 1974, Section 98.46, is amended by adding a subdivision to read:

Subd. 2a. The commissioner of natural resources may issue Minnesota sportsman licenses. The licenses shall be issued to residents only. The fee for licenses shall be \$16.

The license shall authorize the licensee to:

- (1) Take small game;*
- (2) Take fish by angling;*
- (3) Take deer or bear with firearms during the period in which the licensee may take deer; or take deer or bear with bow and arrow during the period in which the licensee may take deer."*

Page 2, line 27, delete "1974" and insert ", 1975 Supplement".

Page 3, after line 18, insert "(7) To take, transport, purchase and possess for sale unprocessed turtles and tortoises within the state, \$25;".

Page 3, line 19, delete "(7)" and insert "(8)".

Page 3, line 22, delete "(8)" and insert "(9)".

Page 3, line 22, delete "\$150" and insert "\$50".

Page 3, line 24, delete "(9)" and insert "(10)".

Page 3, line 28, delete "(10)" and insert "(11)".

Page 6, line 3, after "deer" strike the comma and insert "and".

Page 6, line 3, after "bear" strike ", or timber wolf, any or all of".

Page 6, line 4, strike "them,".

Page 6, line 6, strike "\$50.25" and insert "\$60".

Page 6, line 7, after "deer" strike the comma and insert "and".

Page 6, line 7, after "bear" strike ", or timber wolf, any or all of".

Page 6, line 8, strike "them,".

Page 6, line 11, after "bear" strike "or timber wolf, or both".

Page 8, delete line 32.

Page 9, delete line 1 and insert:

"Sec. 14. Minnesota Statutes 1974, Section 85.05, Subdivision 2, is amended to read:

Subd. 2. [PERMITS FOR MOTOR VEHICLES.] (a) Except as provided in clauses (b), (c), (d) and (e) of this subdivision, no motor vehicle shall enter or be permitted to enter any state park, state monument, state recreation area or state wayside over 50 acres in area unless it has affixed to its windshield in the lower right corner thereof a permit which is provided for hereinafter. The commissioner of natural resources shall procure permits in such form as he shall prescribe for each calendar year which by appropriate language shall grant permission to use any state park, state monument, state recreation area or state wayside over 50 acres in area. Permits for each calendar year shall be provided and placed on sale before October 1 next preceding, and may be affixed and used on or at any time after said date until the end of the calendar year for which issued. Such permits in each category shall be numbered consecutively for each year of issue. A fee of (\$3) \$5 shall be charged for each *resident permit issued and a fee of \$8 shall be charged for each nonresident permit issued*, except that permits of appropriate special design may be sold individually at (\$1) \$1.50 covering the use of state parks, state monuments, state recreation areas or state waysides under such conditions as the commissioner may prescribe for a designated period of not more than two days. The fee collected shall be deposited in the state park development account in the state treasury. Such permits shall be issued by such employees of the division of parks and recreation as the commissioner of natural resources may designate in writing and as hereinbefore provided.

(b) The commissioner shall issue without charge an employee's motor vehicle permit to any state employee who, for the purpose of performing official duties, must enter places where park stickers are required. The employee shall display his employee's permit on his motor vehicle in the same manner as state park stickers are displayed. A motor vehicle displaying only an employee's permit may not enter a place where park stickers are required if the vehicle is used for purposes other than those authorized by this clause (b).

(c) The commissioner shall issue without charge a motor vehicle permit to any individual of the age of 65 years or over who furnishes satisfactory proof of age. Such permit or the decal evidencing its issuance shall be valid only when displayed upon the vehicle owned and occupied by the person to whom issued.

(d) No state park permit is necessary for entry of a motor vehicle into a state park, state monument, state recreation area, or state wayside, on one day each calendar year which the commissioner may designate as state park open house day for the purpose of acquainting the public with state parks, monuments, recreation areas, and waysides. The commissioner shall announce the date of state park open house day at least 30 days in advance of the open house.

(e) No state park permit is necessary, nor shall any fee, including a parking fee, be charged, for entry of a motor vehicle into that part of Fort Snelling state park commonly known as Fort Snelling Memorial Chapel island.

Sec. 15. [APPROPRIATION.] *In those years a firearms deer hunting season is held, a minimum of \$300,000 shall be appropriated from the game and fish fund for deer habitat improvement programs from the increase in deer hunting license receipts provided pursuant to this act. Any unexpended balance in this appropriation at the end of each fiscal year shall not cancel but shall be reappropriated in the following and subsequent fiscal years and available for deer habitat improvement programs."*

Page 9, line 2, delete "Sections 1 through 12 are" and insert "This act is".

Page 9, line 2, after "to" insert "all big game".

Page 9, line 3, after "issued" insert "for 1976 and subsequent big game seasons and all other licenses and permits for licensing years commencing".

Page 9, line 3, delete "Section 13 is".

Page 9, delete line 4.

Renumber the sections accordingly.

Further amend the title as follows:

Page 1, line 2, delete "game and fish" and insert "natural resources".

Page 1, line 2, after "certain" insert "permit and".

Page 1, line 3, after the semicolon insert "authorizing the issuance of Minnesota sportsman licenses; appropriating money;"

Page 1, line 4, after "Sections" insert "85.05, Subdivision 2;"

Page 1, line 4, delete "5,"

Page 1, line 5, after "17" delete "and" and insert a comma.

Page 1, line 5, after "19" insert ", and by adding a subdivision".

Page 1, line 5, delete "repealing Minnesota".

Page 1, delete lines 6 and 7 and insert "and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5".

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

The report was adopted.

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

S. F. No. 1570, A bill for an act relating to insurance; providing that the same priorities of security for payment of basic economic loss benefits apply to school buses as to non-commercial motor vehicles under the Minnesota no fault insurance act; amending Minnesota Statutes 1974, Section 65B.47, Subdivision 1.

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

The report was adopted.

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

S. F. No. 1753, A bill for an act relating to financial institutions; requiring insurance for accounts in credit unions and savings associations; requiring a certificate of approval; amending Minnesota Statutes 1974, Section 51A.23 by adding subdivisions; and Chapter 52 by adding a section.

Reported the same back with the following amendments:

Page 2, line 14, delete "*subdivision*" and insert "*act*".

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

The report was adopted.

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

S. F. No. 1764, A bill for an act relating to safe deposit companies; exempting savings associations from licensing and bonding requirements; deleting a limitation on examination fees; amending Minnesota Statutes 1974, Sections 55.06, Subdivision 1; and 55.095.

Reported the same back with the following amendments:

Page 2, delete lines 19 and 20 and insert the following:

"Sec. 3. [CITATION.] Sections 3 to 18 shall be known and may be cited as the "Minnesota life and health insurance guaranty association act".

Sec. 4. [SCOPE, PURPOSE AND CONSTRUCTION.] Subdivision 1. [SCOPE.] The Minnesota life and health insurance guaranty association act applies to direct life insurance policies, health insurance policies, annuity contracts, and contracts supplemental to life and health insurance policies and annuity contracts issued by persons authorized at any time to transact insurance in this state. The Minnesota life and health insurance guaranty association act shall not apply to:

(a) Any policies or contracts or part thereof under which the risk is borne by the policyholder;

(b) Any policy or contract or part thereof assumed by an impaired insurer under a contract of reinsurance, other than reinsurance for which assumption certificates have been issued;

(c) Any policy or contract issued by an assessment benefit association operating under Minnesota Statutes, Chapter 63, or a fraternal beneficiary association operating under Minnesota Statutes, Chapter 64A;

(d) Any subscriber contract issued by a nonprofit health service plan corporation operating under chapter 62C.

Subd. 2. [PURPOSE.] The purpose of the Minnesota life and health insurance guaranty association act is to protect policyowners, death benefit certificate holders, insureds, beneficiaries, annuitants, payees, and assignees of life insurance policies, health insurance policies, annuity contracts, and supplemental contracts, subject to certain limitations against failure in the performance of contractual obligations due to the impairment of the insurer issuing such policies or contracts. To provide this protection, (a) an association of insurers is created to enable the guaranty of payment of benefits and of continuation of coverages, (b) mem-

bers of the association are subject to assessment to provide funds to carry out the purpose of the Minnesota life and health insurance guaranty association act, and (c) the association is authorized to assist the commissioner, in the prescribed manner, in the detection and prevention of insurer impairments.

Subd. 3. [CONSTRUCTION.] *The Minnesota life and health insurance guaranty association act shall be liberally construed to effect the purpose under subdivision 2, which shall constitute an aid and guide to interpretation.*

Sec. 5. [DEFINITIONS.] *Subdivision 1. For the purposes of the Minnesota life and health insurance guaranty association act, the following terms shall have the meanings given them in this section.*

Subd. 2. *"Account" means any of the three accounts created under section 6, subdivision 1.*

Subd. 3. *"Annuity contracts" means contracts subject to Minnesota Statutes, Chapter 61A or 64A wherein the policyowner agrees to make payments to the insurer at the beginning of the contract period and the insurer agrees to make payments thereafter to the insured for a specified period of time or until the insured's death.*

Subd. 4. *"Association" means the Minnesota life and health insurance guaranty association created under section 6. The association shall not be considered a state agency for purposes of chapters 16 and 43.*

Subd. 5. *"Contractual obligation" means any obligation under covered policies.*

Subd. 6. *"Covered policy" means any policy or contract within the scope of the Minnesota life and health insurance guaranty association act under section 4, subdivision 1.*

Subd. 7. *"Direct life insurance" means life insurance generally, except annuity contracts, under Minnesota Statutes, Chapter 61A or 64A, credit life insurance under chapter 62B, and death benefit certificates under Minnesota Statutes, Chapter 64A.*

Subd. 8. *"Health insurance" means accident and sickness insurance under Minnesota Statutes, Chapter 62A and credit accident and health insurance under Minnesota Statutes, Chapter 62B.*

Subd. 9. *"Impaired insurer" means (a) an insurer which, after the effective date of the Minnesota life and health insurance guaranty association act, becomes insolvent and is placed under an order of liquidation, rehabilitation, or conservation by*

a court of competent jurisdiction, or (b) an insurer determined by the commissioner, after the effective date, to have become unable or potentially unable to fulfill its contractual obligations.

Subd. 10. "Member insurer" means any person authorized to transact in this state any kind of insurance to which the Minnesota life and health insurance guaranty association act applies under section 4, subdivision 1.

Subd. 11. "Premiums" means direct gross insurance premiums and annuity considerations written on covered policies, less return premiums and considerations thereon and dividends paid or credited to policyholders on such direct business. Premiums do not include premiums and considerations on contracts between insurers and reinsurers. As used in section 9, premiums are those for the calendar year preceding the determination of impairment.

Subd. 12. "Person" means any individual, corporation, partnership, association or voluntary organization.

Subd. 13. "Resident" means any person who resides in this state at the time the impairment is determined and to whom contractual obligations are owed.

Sec. 6. [CREATION OF ASSOCIATION.] Subdivision 1. [NATURE OF ASSOCIATION.] There is created a nonprofit legal entity to be known as the Minnesota life and health insurance guaranty association. All member insurers shall be and remain members of the association as a condition of their authority to transact insurance in this state. The association shall perform its functions under the plan of operation established and approved under section 10, and shall exercise its powers through a board of directors established under section 7. For purposes of assessment, the association shall establish three accounts:

- (a) The health insurance account;
- (b) The life insurance account; and
- (c) The annuity account.

Subd. 2. [SUPERVISION BY COMMISSIONER OF INSURANCE.] The association shall be under the immediate supervision of the commissioner of insurance and shall be subject to the insurance laws of this state.

Sec. 7. [BOARD OF DIRECTORS.] Subdivision 1. [COMPOSITION OF BOARD.] The board of directors of the association shall consist of nine members serving terms as established in the plan of operation under section 10. Two-thirds of the members of the board shall be selected by the member insurers subject to the approval of the commissioner, with the remaining one-

third appointed by the commissioner from the public sector. Vacancies on the board shall be filled for the remaining period of the term in the manner described in the plan of operation. To select the initial board of directors, and initially organize the association, the commissioner shall give notice to all member insurers of the time and place of the organizational meeting. At the organizational meeting, each member insurer shall be entitled to one vote in person or by proxy. If the board of directors is not selected within 60 days after notice of the organizational meeting, the commissioner may appoint the initial members.

Subd. 2. [REPRESENTATIVE SELECTION.] In approving selections or in appointing members to the board, the commissioner shall consider, among other things, whether all member insurers are fairly represented.

Subd. 3. [COMPENSATION.] Members of the board may be reimbursed from the assets of the association for reasonable and necessary expenses incurred by them as members of the board, but shall not otherwise be compensated by the association for their services.

Sec. 8. [POWERS AND DUTIES OF THE ASSOCIATION.]
Subdivision 1. [IMPAIRED DOMESTIC INSURER.] If a domestic insurer is an impaired insurer, the association

(a) may, prior to an order of liquidation or rehabilitation, and subject to any conditions imposed by the association other than those which impair the contractual obligations of the impaired insurer and approved by the impaired insurer and the commissioner, guarantee or reinsure, or cause to be guaranteed, assumed, or reinsured, the covered policies of the impaired insurer and shall make or cause to be made prompt payment of the contractual obligations of the impaired insurer which are due and owing;

(b) shall, after entry of an order of liquidation or rehabilitation, subject to any conditions imposed by the association and approved by the commissioner, guarantee, assume, or reinsure, or cause to be guaranteed, assumed, or reinsured, the covered policies of the impaired insurer, and shall make or cause to be made prompt payment of the contractual obligations of the impaired insurer which are due and owing.

Subd. 2. [IMPAIRED FOREIGN OR ALIEN INSURER.] If a foreign or alien insurer is an impaired insurer under an order of liquidation, rehabilitation, or conservation, the association shall, subject to any conditions imposed by the association and approved by the commissioner, guarantee, assume, or reinsure or cause to be guaranteed, assumed, or reinsured, the covered policies of residents, and shall make or cause to be made prompt payment of the impaired insurer's contractual obligations which are due and owing to residents.

Subd. 3. [LIENS.] (a) In carrying out its duties under subdivisions 1, clause (b), and 2, the association may request that there be imposed policy liens, contract liens, moratoriums on payments, or other similar means and such liens, moratoriums, or similar means may be imposed if the commissioner

(1) finds that the amounts which can be assessed under the Minnesota life and health insurance guaranty association act are less than the amounts needed to assure full and prompt performance of the impaired insurer's contractual obligations, or that the economic or financial conditions as they affect member insurers are sufficiently adverse to render the imposition of policy or contract liens, moratoriums, or similar means to be in the public interest, and

(2) approves the specific policy liens, contract liens, moratoriums; or similar means to be used.

(b) Before being obligated under subdivisions 1, clause (b), and 2, the association may request that there be imposed temporary moratoriums or liens on payments of cash values and policy loans. The temporary moratoriums and liens may be imposed if approved by the commissioner.

Subd. 4. [FOREIGN JURISDICTION COVERAGE.] The association shall have only excess liability under this section for any covered policy of a foreign or alien insurer whose domiciliary jurisdiction or state of entry provides protection, by statute or regulation, for residents of this state which is substantially similar to that provided by the Minnesota life and health insurance guaranty association act for residents of other states.

Subd. 5. [ADVISORY FUNCTION.] The association may, upon the request of the commissioner, render assistance and advice to him concerning rehabilitation, payment of claims, continuations of coverage, or the performance of other contractual obligations of any impaired insurer.

Subd. 6. [STANDING.] The association shall have standing to appear before any court in this state with jurisdiction over an impaired insurer concerning which the association is or may become obligated under these provisions. The standing shall extend to all matters germane to the powers and duties of the association, including proposals for reinsuring or guaranteeing the covered policies of the impaired insurer and the determination of the covered policies and contractual obligations.

Subd. 7. [ASSIGNMENT; SUBROGATION.] (a) The association may require an assignment to it by any payee, policy or contract owner, beneficiary, insured, or annuitant to their rights under the covered policy to the extent of benefits received under the provisions of the Minnesota life and health insurance guaranty association act as a condition precedent to the receipt of any rights or benefits conferred by these provisions upon the

person. The association shall be subrogated to these rights against the assets of any impaired insurer.

(b) The subrogation rights of the association under this subdivision shall have the same priority against the assets of the impaired insurer as that of the person entitled to receive benefits.

Subd. 8. [EXTENT OF LIABILITY.] The contractual obligations of the impaired insurer for which the association becomes liable shall be only as great as the contractual obligations of the impaired insurer would have been in the absence of an impairment, unless the obligations are reduced as permitted by subdivision 3; the association shall have no liability with respect to any portion of a covered policy or policies to the extent that the death benefit coverage on any one life exceeds an aggregate of \$300,000.

Subd. 9. [POWERS OF ASSOCIATION.] The association may:

(a) Enter into contracts necessary or proper to carry out these provisions and their purposes.

(b) Sue or be sued, including taking legal actions necessary or proper for recovery of unpaid assessments under section 9.

(c) Borrow money to effect the purposes of the Minnesota life and health insurance guaranty association act. Any notes or other evidence of indebtedness of the association not in default shall be legal investments for domestic insurers and may be carried as admitted assets.

(d) Employ or retain persons necessary to handle the financial transactions of the association, and perform other necessary or proper functions.

(e) Negotiate and contract with any liquidator, rehabilitator, conservator, or ancillary receiver to carry out the powers and duties of the association.

(f) Take legal action as may be necessary to avoid payment of improper claims.

(g) Exercise, for the purposes of the Minnesota life and health insurance guaranty association act and to the extent approved by the commissioner, the powers of a domestic life or health insurer, but in no case may the association issue insurance policies or annuity contracts other than those issued to perform the contractual obligations of the impaired insurer.

Sec. 9. [ASSESSMENTS.] Subdivision 1. [ASSESSMENT BY BOARD.] For the purpose of providing the funds

necessary to carry out the powers and duties of the association, the board of directors shall assess the member insurers, separately for each account, at such times and for such amounts as the board finds necessary. The board shall collect the assessments after 30 days written notice to the member insurers before payment is due.

Subd. 2. [CLASSES OF ASSESSMENTS.] There shall be three classes of assessments, as follows:

(a) Class A assessments shall be made for the purpose of meeting administrative costs and other general expenses not related to a particular impaired insurer;

(b) Class B assessments shall be made to the extent necessary to carry out the powers and duties of the association under section 8 with regard to an impaired domestic insurer;

(c) Class C assessments shall be made to the extent necessary to carry out the powers and duties of the association under section 8 with regard to an impaired foreign or alien insurer.

Subd. 3. [FORMULA FOR DETERMINATION.] (a) The amount of any class A assessment for each account shall be determined by the board. The amount of any class B or C assessment shall be divided among the accounts in the proportion that the premiums received by the impaired insurer on the policies covered by each account bear to the premiums received by the insurer on all covered policies.

(b) Class A and class C assessments against member insurers for each account shall be in the proportion that the premiums received on business in this state by each assessed member insurer on policies covered by each account bear to premiums received on business in this state by all assessed member insurers.

(c) Class B assessments for each account shall be made separately for each state in which the impaired domestic insurer was authorized to transact insurance at any time, in the proportion that the premiums received on business in the state by the impaired insurer on policies covered by the account bear to premiums received in all states by the impaired insurer. The assessments against member insurers shall be in the proportion that the premiums received on business in each state by each assessed member insurer on policies covered by each account bears to premiums received on business in the state by all assessed member insurers.

(d) Assessments for funds to meet the requirements of the association with respect to an impaired insurer shall not be made until necessary to implement the Minnesota life and health insurance guaranty association act. Classification of assessments under subdivision 2, and computation of assessments under this subdivision shall be made with a reasonable degree of accuracy.

Subd. 4. [ABATEMENT OR DEFERMENT.] The association may abate or defer, in whole or in part, the assessment of a member insurer if, in the opinion of the board, payment of the assessment would endanger the ability of the member insurer to fulfill its contractual obligations. The total of all assessments upon a member insurer for each account shall not, in any one calendar year, exceed two percent of the insurer's premiums in this state on the policies covered by the account.

Subd. 5. [ADDITIONAL ASSESSMENT.] In the event that an assessment against a member insurer is abated, or deferred, in whole or in part, because of the limitations set forth in subdivision 4, the amount by which such assessment is abated or deferred may be assessed against other member insurers in a manner consistent with the basis for assessments set forth in this section. If the maximum assessment, together with the other assets of the association, does not provide in any one year an amount sufficient to carry out the responsibilities of the association, the necessary additional funds shall be assessed as soon thereafter as permitted by the Minnesota life and health insurance guaranty association act.

Subd. 6. [REFUND.] The board may, by an equitable method as established in the plan of operation under section 10, refund to member insurers, in proportion to their contributions to particular accounts, the amount by which the assets of the account exceed the amount the board finds necessary to carry out during the coming year the obligations of the association with regard to that account, including assets accruing from net realized gains and income from investments. A reasonable amount may be retained in any account to provide funds for the continuing expenses of the association and for future losses if refunds are impractical.

Subd. 7. [CERTIFICATE OF CONTRIBUTION.] The association shall issue to each insurer paying an assessment under the Minnesota life and health insurance guaranty association act a certificate of contribution, in a form prescribed by the commissioner, for the amount paid. All outstanding certificates shall be of equal dignity and priority. A certificate of contribution may be shown by the insurer in its financial statement as an admitted asset in the form and for the amount and period of time as the commissioner may approve.

Sec. 10. [PLAN OF OPERATION.] Subdivision 1. [ADOPTION AND AMENDMENT.] (a) The association shall submit to the commissioner a plan of operation and amendments thereto necessary or suitable to assure the fair, reasonable, and equitable and administration of the association. The plan of operation and amendments thereto shall be effective upon approval in writing by the commissioner.

(b) If the association fails to submit a suitable plan of operation within 180 days after the effective date of the Minnesota

life and health insurance guaranty association act or if at any time thereafter the association fails to submit suitable amendments to the plan, the commissioner shall, after notice and hearing, adopt and promulgate reasonable rules as necessary or advisable to effectuate the provisions of the Minnesota life and health insurance guaranty association act. The rules shall continue in force until modified by the commissioner or superseded by a plan submitted by the association and approved by the commissioner.

Subd. 2. [COMPLIANCE.] All member insurers shall comply with the plan of operation.

Subd. 3. [CONTENTS.] The plan of operation shall:

(a) Establish procedures for handling the assets of the association;

(b) Establish the amount and method of reimbursing members of the board of directors;

(c) Establish regular places and times for meetings of the board of directors;

(d) Establish procedures for maintaining records of all financial transactions of the association, its agents, and the board of directors;

(e) Establish the procedures for making selections for the board of directors and submitting them to the commissioner;

(f) Establish additional procedures for assessments under section 9;

(g) Establish procedures for employing or retaining persons necessary to handle the financial transactions and other necessary and proper functions of the association; and

(h) Contain additional provisions necessary or proper for the execution of the powers and duties of the association.

Subd. 4. [DELEGATION OF POWERS AND DUTIES.] The plan of operation may provide that any or all powers and duties of the association, except those under section 8, subdivision 9, clause (c), and section 9, are delegated to another organization which performs or will perform functions similar to those of this association in two or more states. The organization shall be reimbursed for any payments made on behalf of the association and paid for its performance of any association function. A delegation shall take effect only with the approval of both the board of directors and the commissioner, and may be made only to an organization which extends protection substan-

tially as favorable and effective as that provided by the Minnesota life and health insurance guaranty association act.

Sec. 11. [DUTIES AND POWERS OF THE COMMISSIONER.] (a) *The commissioner shall*

(1) *Notify the board of directors of the existence of an impaired insurer within three days after a determination of impairment is made or he receives notice of impairment.*

(2) *Upon request of the board of directors, provide the association with a statement of the premiums in the appropriate states for each member insurer.*

(3) *When an impairment is declared and the amount determined, serve a demand upon the impaired insurer to make good the impairment within a reasonable time. Notice to the impaired insurer shall constitute notice to its shareholders. The failure of the insurer to promptly comply with the demand shall not excuse the association from performance under the Minnesota life and health insurance guaranty association act.*

(b) *The commissioner may suspend or revoke, after notice and hearing, the certificate of authority to transact insurance in this state of any member insurer which fails to pay an assessment when due or to comply with the plan of operation. As an alternative, the commissioner may levy a forfeiture on any member insurer which fails to pay an assessment when due. Such forfeiture shall not exceed five percent of the unpaid assessment per month, but no forfeiture shall be less than \$100 per month.*

(c) *Any action of the board of directors or the association may be appealed to the commissioner by any member insurer within 30 days of the action being appealed. Any final action or order of the commissioner shall be subject to judicial review in a court of competent jurisdiction.*

(d) *The liquidator, rehabilitator, or conservator of any impaired insurer may notify all interested persons of the effect of the Minnesota life and health insurance guaranty association act.*

Sec. 12. [PREVENTION OF IMPAIRMENTS.] *To aid in the detection and prevention of insurer impairments,*

(a) *The board of directors may, upon majority vote, notify the commissioner of information indicating that a member insurer may be unable or potentially unable to fulfill its contractual obligations.*

(b) *The board of directors may, upon majority vote, request that the commissioner order an examination of any member in-*

surer which the board believes may be unable or potentially unable to fulfill its contractual obligations. The commissioner may conduct the examination. The examination may be conducted as a national association of insurance commissioners examination or by persons the commissioner designates. The cost of the examination shall be paid by the association and the examination report treated as are other examination reports. In no event shall the examination report be released to the board of directors of the association prior to its release to the public, but this shall not excuse the commissioner from his obligation to comply with clause (c). The commissioner shall notify the board of directors when the examination is completed. The request for an examination shall be kept on file by the commissioner, but shall not be open to public inspection prior to the release of the examination report to the public and shall be released at that time only if the examination discloses that the examined insurer is unable or potentially unable to meet its contractual obligations.

(c) The commissioner shall report to the board of directors when he has reasonable cause to believe that any member insurer examined at the request of the board of directors may be unable or potentially unable to fulfill its contractual obligations.

(d) The board of directors may, upon majority vote, make reports and recommendations to the commissioner upon any matter germane to the solvency, liquidation, rehabilitation or conservation of any member insurer. The reports and recommendations shall not be considered public documents.

(e) The board of directors may, upon majority vote, make recommendations to the commissioner for the detection and prevention of insurer impairments.

(f) The board of directors may, at the conclusion of any insurer impairment in which the association carried out its duties or exercised powers under the Minnesota life and health insurance guaranty association act, prepare a report on the history and causes of the impairment, based on the information available to the association, and submit the report to the commissioner.

Sec. 13. [DELEGATION BY COMMISSIONER.] The commissioner may delegate powers conferred on him by law for the purposes of the Minnesota life and health insurance guaranty association act.

Sec. 14. [MISCELLANEOUS PROVISIONS.] Subdivision 1. [CONSTRUCTION.] Nothing in the Minnesota life and health insurance guaranty association act shall be construed to reduce the liability for unpaid assessments of the insureds of an impaired insurer operating under a plan with assessment liability.

Subd. 2. [RECORDS.] Records shall be kept of all negotiations and meetings in which the association or its representa-

tives are involved to discuss the activities of the association in carrying out its powers and duties under section 8. Records of negotiations or meetings shall be made public only upon termination of a liquidation, rehabilitation, or conservation proceeding involving an impaired insurer, termination of the impairment of the insurer, or order of a court of competent jurisdiction. Nothing in this subdivision shall limit the duty of the association to render a report of its activities under section 15.

Subd. 3. [ASSOCIATION AS CREDITOR.] *For the purpose of carrying out its obligations under the Minnesota life and health insurance guaranty association act, the association shall be deemed to be a creditor of the impaired insurer to the extent of assets attributable to covered policies reduced by any amounts to which the association is entitled as subrogee pursuant to section 8, subdivision 7. All assets of the impaired insurer attributable to covered policies shall be used to continue all covered policies and pay all contractual obligations of the impaired insurer as required by the Minnesota life and health insurance guaranty association act. Assets attributable to covered policies, as used in this subdivision, is that proportion of the assets which the reserves that should have been established for the policies bear to the reserve that should have been established for all policies of insurance written by the impaired insurer.*

Subd. 4. [DISTRIBUTION TO STOCKHOLDERS.] *No distribution to stockholders of an impaired insurer shall be made until the total amount of assessments levied by the association with respect to such insurer have been fully recovered by the association.*

Subd. 5. [UNFAIR TRADE PRACTICE.] *It shall be a prohibited unfair trade practice for any person to make use of the protection afforded by the Minnesota life and health insurance guaranty association act in the sale of insurance.*

Sec. 15. [EXAMINATION OF THE ASSOCIATION; ANNUAL REPORT.] *The association shall be subject to examination and regulation by the commissioner. The board of directors shall submit to the commissioner, before May 1 each year, a financial report for the preceding calendar year in a form approved by the commissioner and a report of its activities during the preceding calendar year.*

Sec. 16. [TAX EXEMPTIONS.] **Subdivision 1. [STATE FEES AND TAXES.]** *The association shall be exempt from payment of all fees and taxes levied by this state or its subdivisions, except taxes levied on real property.*

Subd. 2. [FEDERAL AND FOREIGN STATE TAXES.] *The association may seek exemption from payment of all fees and taxes levied by the federal or any other state government or any subdivisions thereof.*

Sec. 17. [IMMUNITY.] *There shall be no liability on the part of and no cause of action shall arise against any member*

insurer or its agents or employees, the association or its agents or employees, members of the board of directors, or the commissioner or his representatives, for any action taken by them in the performance of their powers and duties under the Minnesota life and health insurance guaranty association act.

Sec. 18. [STAY OF PROCEEDINGS; REOPENING DEFAULT JUDGMENTS.] *All proceedings in which the impaired insurer is a party in a court in this state shall be stayed 60 days from the date that an order of liquidation, rehabilitation or conservation is final to permit legal action by the association on any matters germane to its powers or duties. The association may apply to have a judgment under a decision, order, verdict, or finding based on default set aside by the court that made the judgment and shall be permitted to defend against the suit on the merits.*

Sec. 19. Minnesota Statutes 1974, Section 60B.17, is amended by adding a subdivision to read:

Subd. 7. [COORDINATION OF ACTIVITIES WITH GUARANTY ASSOCIATIONS.] *The rehabilitator shall coordinate his activities with those of each guaranty association having an interest in the rehabilitation and submit a report detailing how coordination will be achieved to the court for its approval within 30 days following his appointment, or within the time the court, in its discretion, may establish.*

Sec. 20. Minnesota Statutes 1974, Section 60B.25, is amended to read:

60B.25 [POWERS OF LIQUIDATOR.] *The liquidator shall report to the court monthly, or at other intervals specified by the court, on the progress of the liquidation in whatever detail the court orders. The liquidator shall coordinate his activities with those of each guaranty association having an interest in the liquidation and submit a report detailing how coordination will be achieved to the court for its approval within 30 days following his appointment, or within such other time period as the court, in its discretion, may establish. Subject to the court's control, he may:*

(1) Appoint a special deputy to act for him under sections 60B.01 to 60B.61 and determine his compensation. The special deputy shall have all powers of the liquidator granted by this section. The special deputy shall serve at the pleasure of the liquidator.

(2) Appoint or engage employees and agents, actuaries, accountants, appraisers, consultants, and other personnel he deems necessary to assist in the liquidation without regard to chapter 15.

(3) Fix the compensation of persons under clause (2), subject to the control of the court.

(4) Defray all expenses of taking possession of, conserving, conducting, liquidating, disposing of, or otherwise dealing with the business and property of the insurer. If the property of the insurer does not contain sufficient cash or liquid assets to defray the costs incurred, the liquidator may advance the costs so incurred out of the appropriation made to the insurance division. Any amounts so paid shall be deemed expense of administration and shall be repaid for the credit of the insurance division out of the first available moneys of the insurer.

(5) Hold hearings, subpoena witnesses and compel their attendance, administer oaths, examine any person under oath and compel any person to subscribe to his testimony after it has been correctly reduced to writing, and in connection therewith require the production of any books, papers, records, or other documents which he deems relevant to the inquiry.

(6) Collect all debts and moneys due and claims belonging to the insurer, wherever located, and for this purpose institute timely action in other jurisdictions, in order to forestall garnishment and attachment proceedings against such debts; do such other acts as are necessary or expedient to collect, conserve, or protect its assets or property, including sell, compound, compromise, or assign for purposes of collection, upon such terms and conditions as he deems best, any bad or doubtful debts; and pursue any creditor's remedies available to enforce his claims.

(7) Conduct public and private sales of the property of the insurer in a manner prescribed by the court.

(8) Use assets of the estate to transfer coverage obligations to a solvent assuming insurer, if the transfer can be arranged without prejudice to applicable priorities under section 60B.44.

(9) Acquire, hypothecate, encumber, lease, improve, sell, transfer, abandon, or otherwise dispose of or deal with any property of the insurer at its market value or upon such terms and conditions as are fair and reasonable, except that no transaction involving property the market value of which exceeds \$10,000 shall be concluded without express permission of the court. He may also execute, acknowledge, and deliver any deeds, assignments, releases, and other instruments necessary or proper to effectuate any sale of property or other transaction in connection with the liquidation. In cases where real property sold by the liquidator is located other than in the county where the liquidation is pending, the liquidator shall cause to be filed with the register of deeds for the county in which the property is located a certified copy of the order appointing him.

(10) Borrow money on the security of the insurer's assets or without security and execute and deliver all documents necessary to that transaction for the purpose of facilitating the liquidation.

(11) Enter into such contracts as are necessary to carry out the order to liquidate, and affirm or disavow any contracts to which the insurer is a party.

(12) Continue to prosecute and institute in the name of the insurer or in his own name any suits and other legal proceedings, in this state or elsewhere, and abandon the prosecution of claims he deems unprofitable to pursue further. If the insurer is dissolved under section 60B.23, he may apply to any court in this state or elsewhere for leave to substitute himself for the insurer as plaintiff.

(13) Prosecute any action which may exist in behalf of the creditors, members, policyholders, or shareholders of the insurer against any officer of the insurer, or any other person.

(14) Remove any records and property of the insurer to the offices of the commissioner or to such other place as is convenient for the purposes of efficient and orderly execution of the liquidation.

(15) Deposit in one or more banks in this state such sums as are required for meeting current administration expenses and dividend distributions.

(16) Deposit with the state board of investment for investment pursuant to chapter 11, all sums not currently needed, unless the court orders otherwise.

(17) File any necessary documents for record in the office of any register of deeds or record office in this state or elsewhere where property of the insurer is located.

(18) Assert all defenses available to the insurer as against third persons, including statutes of limitations, statutes of frauds, and the defense of usury. A waiver of any defense by the insurer after a petition for liquidation has been filed shall not bind the liquidator.

(19) Exercise and enforce all the rights, remedies, and powers of any creditor, shareholder, policyholder, or member, including any power to avoid any transfer or lien that may be given by law and that is not included within sections 60B.30 and 60B.32.

(20) Intervene in any proceeding wherever instituted that might lead to the appointment of a receiver or trustee, and act as the receiver or trustee whenever the appointment is offered.

(21) Enter into agreements with any receiver or commissioner of any other state relating to the rehabilitation, liquidation

tion, conservation, or dissolution of an insurer doing business in both states.

(22) Exercise all powers now held or hereafter conferred upon receivers by the laws of this state not inconsistent with sections 60B.01 to 60B.61.

(23) The enumeration in this section of the powers and authority of the liquidator is not a limitation upon him, nor does it exclude his right to do such other acts not herein specifically enumerated or otherwise provided for as are necessary or expedient for the accomplishment of or in aid of the purpose of liquidation.

Sec. 21. Minnesota Statutes 1974, Section 60B.30, is amended by adding a subdivision to read:

Subd. 4. [FRAUDULENT TRANSFERS TO AFFILIATES.] Any distribution, other than stock dividends paid by the insurer on its capital stock, made by the insurer to an affiliate which controlled it during the five years preceding the filing of a successful petition for rehabilitation or liquidation under sections 60B.01 to 60B.61 shall be deemed fraudulent and may be avoided by the receiver; except that:

(a) No distribution shall be recoverable if the insurer shows that when paid, it was lawful, reasonable, and that the insurer did not know, and could not reasonably have known, that the distribution might adversely affect the ability of the insurer to fulfill its contractual obligations;

(b) Any person who was an affiliate that controlled the insurer at the time the distributions were paid shall be liable only up to the amount of distributions he received. Any person who was an affiliate that controlled the insurer at the time the distributions were declared shall be liable up to the amount of distributions he would have received if they had been paid immediately. If two persons are liable with respect to the same distribution, they shall be jointly and severally liable;

(c) The maximum amount recoverable under this subdivision shall be the amount needed in addition to all other available assets of the insurer to pay its contractual obligations;

(d) If any person liable under clause (b) is insolvent, all its affiliates that controlled it at the time the dividend was paid shall be jointly and severally liable for any resulting deficiency in the amount recovered from the insolvent affiliate.

Sec. 22. Minnesota Statutes 1974, Section 60B.46, Subdivision 1, is amended to read:

60B.46 [DISTRIBUTION OF ASSETS.] Subdivision 1. Payments to creditors. Under the direction of the court, the liquidator shall pay dividends in a manner that will assure the proper recognition of priorities and reasonable balance between the expeditious completion of the liquidation and the protection of unliquidated and undetermined claims, including third party claims. Distribution of assets in kind may be made at valuations set by agreement between the liquidator and the creditor and approved by the court. *The court may take into consideration the contributions of the respective parties, including guaranty associations, shareholders, and policyowners, and any other party with a bona fide interest, in making an equitable distribution of the ownership rights of the insurer. No distribution to stockholders of the insurer shall be permitted by the court unless the total amount of assessments levied by guaranty associations with respect to such insurer have been repaid.*

Sec. 23. 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;*

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

If any of the inquires 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 subdivisions 2 or 3 of this section.

Subd. 5. A financial institution shall, at the time of closing a checking account, notify the customer of the same by personally serving a notice on the customer or by sending a notice to the customer by certified mail, return receipt requested.

Sec. 24. 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. 25. 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. 26. Minnesota Statutes 1974, Section 609.535, Subdivision 3, is amended to read:

Subd. 3. [PROOF OF INTENT]. Any of the following is 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. 27. 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 exceeds \$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. 28. 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. 29. 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. 30. 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 against charges brought under this section, nor shall such payment or an offer of payment be admissible as evidence.

Sec. 31. 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.

Sec. 32. [EFFECTIVE DATE.] *This act is effective on the date of its final enactment."*

Further, strike the title 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, Sections 55.06, Subdivision 1; 55.095; 60B.17 by adding a subdivision; 60B.25; 60B.30 by adding a subdivision; 60B.46, Subdivision 1; 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.

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

S. F. No. 1780, A bill for an act relating to credit unions; allowing credit unions to permit draft withdrawals by their members; amending Minnesota Statutes 1974, Section 52.04.

Reported the same back with the following amendments:

Page 1, line 6, delete "1974" and insert ", 1975 Supplement".

Page 2, line 10, after "Administration" and before "," insert "*The restrictions imposed by this clause shall not apply to share accounts and deposit accounts of Minnesota central credit union in U.S. central credit union*".

Amend the title as follows:

Page 1, line 4, delete "1974" and after "," insert "1975 Supplement,".

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. 2339, A bill for an act relating to licensed occupations; establishing a policy for the regulation of occupations; transferring responsibility for the provision of staffing and administrative services; clarifying reporting responsibilities; prescribing a procedure for complaint review; granting licensing boards additional powers relating to injunctive relief, subpoenas and continuing education; prescribing duties of the board of health relating to human services occupations, creating advisory councils; merging the licensed practical nursing board into the board of nursing; transferring employees and moneys; appropriating money; amending Minnesota Statutes 1974, Sections 125.182, Subdivision 3; 125.183, by adding a subdivision; 125.184, as amended; 125.185, as amended; 125.187; 144.955; 144.959; 147.021, Subdivision 1; 147.06; 147.13; 147.18; 147.23; 148.05; 148.06, Subdivision 1; 148.07, as amended; 148.10; 148.211, Subdivision 2; 148.241, Subdivision 1; 148.291, Subdivision 3; 148.57; 148.59; 148.90, as amended; 148.91, Subdivisions 1 and 3; 148.97, Subdivision 6; 148.98; 150A.04, Subdivision 5; 150A.06, Subdivision 1; 150A.08, Subdivision 4; 150A.09, Subdivision 3; 151.06, Subdivision 4; 151.10; 151.13; 151.14; 151.19; 151.25; 151.27; 155.02, Subdivision 7a; 155.03, Subdivision 2; 155.06, Subdivision 3; 155.09, Subdivisions 1, 4 and 5; 155.11, Subdivision 2; 155.14; 155.16; 155.18, Subdivision 1; 155.20, Subdivision 2; 156.01, Subdivision 5; 156.02, Subdivision 2; 156.03; 156.07; 156.072, Subdivisions 2 and 3; 156.081, Subdivision 1; 156.14; 214.06; 270.47; 326.08, Subdivision 1; 326.11,

Subdivision 6; 326.15; 326.22, as amended; 326.23; 326.241, as amended; 326.242, Subdivisions 8 and 9; 326.33, Subdivisions 2 and 3; 326.331; 326.332, Subdivision 1; 326.334, Subdivisions 1 and 3; 326.54; 326.543; 326.544; 326.545; 326.546; 341.05, as amended; 341.06; 341.07; 341.08; 341.12; 341.13; 341.15; 386.63, Subdivisions 2 and 3; 386.64; 386.65, Subdivisions 1 and 2; 386.67; Chapter 214, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 125.183, Subdivision 3; 144.952, by adding a subdivision; 147.01; 147.02, Subdivision 1; 147.05; 148.03; 148.181; 148.191; 148.211, Subdivision 1; 148.261, Subdivision 1; 148.29, Subdivision 2; 148.291, Subdivision 1; 148.299; 148.52; 148.54; 148.60; 148.95; 150A.02, Subdivision 1; 150A.03, Subdivision 2; 151.03; 151.07; 153.02; 153.03; 153.04; 153.13; 154.22; 154.23; 155.05; 155.06, Subdivision 1; 155.08; 156.01, Subdivision 1; 214.04; 214.07; 270.41; 270.42; 326.03, Subdivision 1; 326.04; 326.05; 326.06; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1 and 5; 326.12; 326.13; 326.14; 326.17; 326.33, Subdivision 1; 326.541; 326.542; 341.01; 341.04; 341.10; 341.11; 386.63, Subdivision 1; 386.66; 386.68; repealing Minnesota Statutes 1974, Sections 144.956; 144.958; 144.965; 145.861; 145.862; 145.863; 145.864; 148.06, Subdivision 2; 148.281, Subdivision 2; 148.291, Subdivision 2; 148.55; 148.94; 148.97, Subdivision 2; 148.99, Subdivision 1; 150A.04, Subdivisions 1, 2, 3 and 4; 150A.07; 150A.08, Subdivision 2; 150A.09, Subdivision 2; 151.09; 153.10; 156.01, Subdivision 4; 326.08, Subdivision 3; 326.11, Subdivision 3; 326.16; 386.63, Subdivision 6; 386.65, Subdivision 2; Minnesota Statutes, 1975 Supplement, Sections 145.865, Subdivision 1; 145.866; 148.211, Subdivision 3; 148.231, Subdivision 3; 148.291, Subdivision 4; 148.297, Subdivision 2; 148.55; 326.11, Subdivisions 2 and 4; 386.695; 386.696; and 386.70, Subdivisions 3, 4, 5 and 6.

Reported the same back with the following amendments:

Page 3, line 1, delete the comma and insert "and".

Page 3, line 2, delete "and hearing officer".

Page 4, line 28, delete "Legal and".

Page 5, line 4, delete the new language.

Page 5, line 5, delete "consistency and competency,".

Page 5, line 8, after the period insert "Notwithstanding the foregoing, the attorney general shall not be precluded by this section from assigning other attorneys to service a board if necessary in order to insure competent and consistent legal representation."

Page 6, line 5, delete "An executive".

Page 6, delete lines 6 to 11 and insert "*The executive secretaries serving the remaining boards shall be hired by those boards, and shall be in the unclassified civil service. Boards not requiring a full time executive secretary may employ such services on a part time basis. To the extent practicable the sharing of part time executive secretaries by boards being serviced by the same department is encouraged.*".

Page 6, line 12, delete "secretary and other".

Page 6, line 13, after "for" insert "*executive secretaries of the boards and*".

Page 6, line 18, after the period insert "*If necessary, a board may hire part time, temporary employees to administer and grade examinations.*".

Page 6, line 21, delete "[FEES.]" and insert "[FEES; RENEWALS.] Subdivision 1. [ASSESSMENT OF FEES.]".

Page 7, after line 4, insert:

"Subd. 2. [LICENSE RENEWALS.] *Notwithstanding any law to the contrary, each health-related and non-health related licensing board shall promulgate rules providing for the renewal of licenses. The rules shall specify the period of time for which a license is valid, procedures and information required for renewal, and renewal fees to be set pursuant to subdivision 1.*"

Page 9, line 32, after "communication" insert "*on a form prepared by the attorney general*".

Page 10, line 19, delete "empowered".

Page 10, line 20, delete "shall" and insert "*is empowered to*".

Page 10, line 23, after "or" insert "*, if the board determines,*".

Page 11, line 3, after "if" insert "*after investigation*".

Page 11, line 10, after the period insert "*Before the designee of the attorney general or the executive secretary may direct the holding of a disciplinary hearing, he shall have considered the recommendations of the consulted board member.*".

Page 11, line 17, after the period, insert: "*Nothing in this section shall preclude the board from scheduling, on its own motion, a disciplinary hearing based upon the findings or report of the board's executive secretary, a board member or the designee of the attorney general assigned to the board. Nothing in this section*

shall preclude a member of the board or its executive secretary from initiating a complaint."

Page 11, line 19, after "it" insert "*relating to its lawful regulation activities*".

Page 12, line 17, after "to" insert "*regulate or*".

Page 13, line 1, after "*skills*" delete the remaining language.

Page 13, line 2, delete "*requirement of 50 clock hours per year*".

Page 13, line 5, after the period, delete the remaining language.

Page 13, delete all of line 6.

Page 14, line 5, delete "*undertake*" and insert "*wherever possible delegate*".

Page 14, line 6, after "*activities*" delete "*or it may delegate*".

Page 14, line 7, delete "*this function*".

Page 15, after line 30, insert the following sections:

"Sec. 9. Minnesota Statutes, 1975 Supplement, Section 125.03, Subdivision 1, is amended to read:

Subdivision 1. The term "teachers" for the purpose of (CERTIFICATION) *licensure*, means and includes (ANY AND ALL) persons employed in a public school as members of the instructional and supervisory staff such as superintendents, principals, supervisors, classroom teachers, and librarians.

Sec. 10. Minnesota Statutes 1974, Section 125.04, is amended to read:

125.04 [QUALIFIED TEACHER DEFINED.] A qualified teacher is one holding a valid (CERTIFICATE) *license*, as hereinafter provided, to perform the particular service for which he is employed in a public school.

Sec. 11. Minnesota Statutes 1974, Section 125.05, Subdivision 1, is amended to read:

125.05 [BOARD TO ISSUE LICENSES.] Subdivision 1. [QUALIFICATIONS.] The authority to (CERTIFY) *license* teachers as defined herein is vested in the (TEACHER STANDARDS AND CERTIFICATION COMMISSION) *board of teaching* but based solely on criteria and qualifications approved by

the state board of education. The authority to (CERTIFY) *license* superintendents and principals is vested in the state board of education. (CERTIFICATES) *Licenses* shall be issued to such persons as the (COMMISSION) *board* finds to be physically competent and morally fit to teach. Qualifications of teachers and other professional employees shall be determined by the (COMMISSION) *board* under the rules which it promulgates. (CERTIFICATES OF QUALIFICATIONS OF TEACHERS) *Licenses* shall be issued by the commissioner and the commissioner shall issue (CERTIFICATES) *licenses* to any qualified blind graduates of a school of education.

Sec. 12. Minnesota Statutes 1974, Section 125.05, Subdivision 2, is amended to read:

Subd. 2. [EXPIRATION AND RENEWAL.] Each (CERTIFICATE) *license* shall bear the date of issue. (CERTIFICATES) *Licenses* shall expire and be renewed in accordance with rules promulgated by the (COMMISSION) *board*. Renewal requirements for the renewal of a (CERTIFICATE) *license* shall include the production of satisfactory evidence of successful teaching experience for at least one school year during the period covered by the (CERTIFICATE) *license* in grades or subjects for which the (CERTIFICATE) *license* is valid or the completion of such additional preparation as the (COMMISSION) *board* shall prescribe.

Sec. 13. Minnesota Statutes 1974, Section 125.06, is amended to read:

125.06 [APPLICANTS TRAINED IN OTHER STATES.] When a (CERTIFICATE) *license* to teach is authorized to be issued to any holder of a diploma or a degree of a Minnesota state college, or of the University of Minnesota, or of a liberal arts college, or a technical training institution, such (CERTIFICATE) *license* may also, in the discretion of the (COMMISSION) *board of teaching* be issued to any holder of a diploma or a degree of a teacher training institution of equivalent rank and standing of any other state, granted by virtue of the completion of a course in teacher preparation essentially equivalent in content to that required by such Minnesota state college or the University of Minnesota or a liberal arts college in Minnesota or a technical training institution as preliminary to the granting of a diploma or a degree of the same rank and class.

Sec. 14. Minnesota Statutes 1974, Section 125.08, is amended to read:

125.08 [TEACHERS' LICENSES, FEES.] Each application for the issuance, renewal, or extension of a (CERTIFICATE) *license* to teach shall be accompanied by a processing fee in an amount set by the (COMMISSION) *board of teaching*

by rule. Except as otherwise provided in this section, such fee shall be paid to the commissioner, who shall deposit them with the state treasurer, as provided by law, and report each month to the commissioner of finance the amount of fees collected. The fee as set by the (COMMISSION) *board* shall be nonrefundable for applicants not qualifying for a (CERTIFICATE) *license*, provided however, that the fee shall be refunded by the state treasurer in those cases in which the applicant already holds a valid unexpired (CERTIFICATE) *license*.

Sec. 15. Minnesota Statutes 1974, Section 125.09, Subdivision 1, is amended to read:

125.09 [SUSPENSION OR REVOCATION OF LICENSES.] Subdivision 1. [GROUNDS FOR REVOCATION.] The (COMMISSION) *board of teaching* may, on the written complaint of the board employing a teacher, (OR OF THE SUPERINTENDENT OF SCHOOLS WHERE SUCH TEACHER IS EMPLOYED,) or of a teacher organization, (OR OF A TEACHER IN A DISTRICT WHERE NO TEACHER ORGANIZATION EXISTS,) or of (THE COMMISSIONER) *any other interested person*, which complaint shall specify the nature and character of the charges, suspend or revoke such teacher's (CERTIFICATE OR) *license* to teach for any of the following causes:

- (1) Immoral character or conduct;
- (2) Failure, without justifiable cause, to teach for the term of his contract;
- (3) Gross inefficiency or willful neglect of duty; or
- (4) Failure to meet (RECERTIFICATION) *relicensure* requirements; or
- (5) Fraud or misrepresentation in obtaining a (CERTIFICATE) *license*.

Sec. 16. Minnesota Statutes, 1975 Supplement, Section 125.11, is amended to read:

125.11 [RECORDING OF LICENSES; DISTRICT SUPERINTENDENT.] No person shall be accounted a qualified teacher until such person has filed for record with the district superintendent where such person intends to teach a (CERTIFICATE) *license*, or certified copy thereof, authorizing such person to teach school in such district school system.

Sec. 17. Minnesota Statutes 1974, Section 125.12, Subdivision 1, is amended to read:

125.12 [EMPLOYMENT; CONTRACTS, TERMINATION.] Subdivision 1. [TEACHER DEFINED.] A superintendent, principal, supervisor, and classroom teacher and any other professional employee required to hold a (CERTIFICATE) *license* from the state department shall be deemed to be a "teacher" within the meaning of this section.

Sec. 18. Minnesota Statutes 1974, Section 125.13, Subdivision 1, is amended to read:

125.13 [EXCHANGE TEACHERS.] Subdivision 1. A person holding a (CERTIFICATE) *license* and contract to teach in a Minnesota public school and assigned by the employing district to teach elsewhere is an exchange teacher.

Sec. 19. Minnesota Statutes 1974, Section 125.17, Subdivision 1, is amended to read:

125.17 [TEACHER TENURE ACT; CITIES OF THE FIRST CLASS; DEFINITIONS.] Subdivision 1. [WORDS, TERMS, AND PHRASES.] Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of the following subdivisions in this section shall be defined as follows:

(a) [TEACHERS.] The term "teacher" includes every person regularly employed, as a principal, or to give instruction in a classroom, or to superintend or supervise classroom instruction, or as placement teacher and visiting teacher. Persons regularly employed as counselors and school librarians shall be covered by these sections as teachers if (CERTIFICATED) *licensed* as teachers or as school librarians.

(b) [SCHOOL BOARD.] The term "school board" includes a majority in membership of any and all boards or official bodies having the care, management, or control over public schools.

(c) [DEMOTE.] The word "demote" means to reduce in rank or to transfer to a lower branch of the service or to a position carrying a lower salary or compensation.

Sec. 20. Minnesota Statutes 1974, Section 125.182, Subdivision 2, is amended to read:

Subd. 2. "Teacher" means a supervisor, classroom teacher, or other similar professional employee required to hold a (CERTIFICATE) *license* from the state department of education."

Page 16, line 2, strike "teacher standards and certification" and insert "*teaching*".

Page 16, line 7, after "*board*" insert "*of teaching*".

Page 16, line 23, strike "certification" and insert "*licensure*".

Page 16, line 28, after "fees;" insert "*the selection and duties of an executive secretary to serve the board;*"

Page 17, line 7, after "*board*" insert "*of teaching*".

Page 17, line 14, after "*board*" insert "*of teaching*".

Page 17, line 21, after "*board*" insert "*of teaching*".

Page 17, line 26, delete "*standards*".

Page 17, line 29, delete "*standards*".

Page 17, line 31, delete "*standards*".

Page 18, line 1, strike "certification" and insert "*licensure*".

Page 18, line 3, delete "*standards*".

Page 18, line 5, strike "certification" and insert "*licensure*".

Page 18, line 7, delete "*standards*" and after "*board*" insert "*of teaching*".

Page 18, line 11, delete "*standards*".

Page 18, line 12, strike "certificates" and insert "*licenses*".

Page 18, line 13, strike "certificates" and insert "*licenses*".

Page 18, line 14, delete "*standards*" and after "*board*" insert "*of teaching*".

Page 18, line 15, strike "certificates" and insert "*licenses*".

Page 18, line 16, strike "certificates" and insert "*licenses*".

Page 18, line 17, delete "*standards*" and after "*board*" insert "*of teaching*".

Page 18, line 18, strike "certificates" and insert "*licenses*".

Page 18, line 18, after "125.09" insert "*and section 5 of this act*".

Page 18, line 20, delete "*standards*" and after "*board*" insert "*of teaching*".

Page 18, line 23, delete "*standards*".

Page 18, line 27, delete "*standards*".

Page 18, line 31, delete "*standards*" and after "*board*" insert "*of teaching*".

Page 18, line 32, strike "*certificated*" and insert "*licensed*".

Page 19, line 2, strike "*certificate*" and insert "*license*".

Page 19, line 3, delete "*standards*".

Page 19, line 5, strike "*certificated*" and insert "*licensed*".

Page 19, line 8, delete "*standards*".

Page 19, line 11, delete "*standards*".

Page 19, line 12, delete "*standards*".

Page 19, line 16, delete "teacher standards and".

Page 19, line 17, delete "*certification*" and insert "*of teaching*".

Page 20, line 8, strike "teacher standards and certification" and insert "*teaching*".

Page 20, after line 13, insert:

"Sec. 27. *The revisor of statutes shall change the references to "teacher standards and certification commission" or "board of teacher standards and certification" or "commission" wherever they appear in chapters 121 to 129 and 214, to "board of teaching" or "board", as appropriate.*"

Page 22, lines 5 to 12, reinsert the stricken language.

Page 26, line 3, after the period, insert "*The board may by rule establish fees for the renewal of licenses and permits authorized by this chapter. The board may assess a charge, to be set by rule, for the delinquent payment of a fee.*"

Page 30, line 23, strike "*may*" and insert "*shall*".

Page 30, line 23, strike the comma.

Page 30, line 24, strike "discharge, and fix the compensation of".

Page 30, line 25, strike everything after "secretary".

Page 30, line 26, strike "prescribed by the board." and delete "*The executive secretary shall not*".

Page 30, line 27, delete "*be a member of the board.*" and strike "The secretary shall receive a".

Page 30, strike line 28.

Page 30, line 29, strike everything before the period.

Page 35, line 15, after "the" strike "first day".

Page 35, strike line 16.

Page 35, line 17, strike "as herein provided" and insert "*date of expiration of their licenses*".

Page 35, line 23, strike "an annual".

Page 35, line 23, after "renewal" insert "*of their*".

Page 35, line 23, strike "The".

Page 35, line 24, delete "*executive secretary*".

Page 35, line 24, strike "SHALL, 30 DAYS OR".

Page 35, strike lines 25 to 30.

Page 38, line 12, after "in" insert "*professional*".

Page 38, line 14, before "during" insert "*, and one of the five shall have had at least two years executive or teaching experience in practical nursing education*".

Page 39, line 4, strike ", a nurse to hold office for a term of five".

Page 39, strike line 5.

Page 39, line 6, strike "expiration of the former term".

Page 39, line 22, delete "DIRECTOR" and insert "SECRETARY".

Page 39, line 26, strike "may" and insert "*shall*".

Page 39, line 27, strike "as hereinafter provided who".

Page 39, line 28, delete "*shall*" and strike "not be a member of the board".

Page 40, line 2, strike "148.285" and insert "148.299".

Page 40, line 5, strike "148.285" and insert "148.299".

Page 40, line 8, strike "148.285" and insert "148.299".

Page 40, line 22, strike "148.285" and insert "148.299".

Page 40, after line 25, insert:

"The board shall appoint an advisory task force on nursing education consisting of 11 members for the purposes of advising the board on matters pertaining to career progression and the approval and operation of nursing programs, assisting with surveys of nursing programs, collecting nursing education data and providing liaison between the board and nursing education. Three members shall be either an administrator or supervisor in one of the following types of agencies at the time of appointment and throughout his term: hospital, nursing home or community nursing service. The remaining eight members shall be either an administrator or faculty member in one of the following types of educational programs at the time of appointment and throughout his term: nursing assistant program, practical nursing program preparing for licensure, professional nursing program preparing for licensure, or advanced nursing program for licensed practical or registered nurses. The task force shall expire and the compensation and removal of members shall be as provided in section 15.059."

Page 41, line 4, delete "FEE".

Page 43, line 12, strike "148.285" and insert "148.299".

Page 47, after line 20 insert:

"Sec. 54. Minnesota Statutes 1974, Section 148.32, is amended to read:

148.32 [LICENSES; DENIAL, REVOCATION, REFUSAL.] All licenses to practice midwifery heretofore or hereafter issued by the board of medical examiners must be (ANNUALLY) renewed and a fee (OF \$1 BE) paid for each renewal *as set by the board*. Licenses may be revoked, suspended, conditioned, limited, qualified or restricted, or renewals refused by the board for unprofessional or dishonorable conduct, or neglect to make proper returns to health officers of births, deaths, puerperal fever, and other contagious diseases.

A license to practice midwifery is suspended if (1) a guardian of the person of a licensee is appointed by order of a probate court pursuant to sections 525.54 to 525.612, for reasons other than the minority of the licensee; or (2) the licensee is committed by order of a probate court pursuant to sections 253A.01 to 253A.21 or 526.09 to 526.11. The license remains suspended until the licensee is restored to capacity by a court and, upon petition by the licensee, the suspension is terminated by the board after a hearing.”.

Page 51, line 9, strike “Before April 1”.

Page 51, line 10, strike “each year, each authorized” and insert “A licensed”.

Page 51, line 12, strike “in default of which the board”.

Page 51, line 14, strike “may revoke the license of any”.

Page 51, line 15, strike the existing language and delete the new language.

Page 51, lines 16 to 23, strike the old language and delete the new.

Page 51, line 24, strike everything before the period and insert “in order to renew his license as provided by board rule”.

Page 52, line 7, strike the existing language.

Page 52, line 8, strike “from time to time require.”.

Page 54, line 12, strike “of two years”.

Page 54, line 13, strike everything before the period and insert “as set by the board”.

Page 56, after line 20, insert:

“Sec. 66. Minnesota Statutes, 1975 Supplement, Section 148.67, is amended to read:

148.67 [EXAMINING COMMITTEE.] The board of medical examiners shall appoint an examining committee in carrying out the provisions of this law, regarding the qualifications and examination of physical therapists. The examining committee shall consist of five members, citizens and residents of the state of Minnesota, composed of three physical therapists, one licensed and registered doctor of medicine in the general practice of medicine, and one professor or associate or assistant professor from a course in physical therapy accredited by the state board of

medical examiners. *The committee shall expire, and the terms, compensation and removal of members shall be as provided in section 15.059.*"

Page 59, after line 20, insert a section to read:

"Sec. 72. Minnesota Statutes 1974, Section 150A.09, Subdivision 1, is amended to read:

150A.09 [ANNUAL REGISTRATION OF LICENSE.] Subdivision 1. [RENEWAL INFORMATION AND PROCEDURE.] On or before the (FIRST DAY OF JANUARY EACH YEAR) *license expiration date* every licensed dentist and dental hygienist shall transmit to the *executive* secretary of the board, (UPON A FORM PRESCRIBED BY THE BOARD, HIS SIGNATURE, OFFICE ADDRESS OR ADDRESSES, THE NUMBER OF HIS LICENSE CERTIFICATE, WHETHER SUCH LICENSEE HAS BEEN ENGAGED DURING THE PRECEDING YEAR IN THE ACTIVE PRACTICE OF DENTISTRY OR DENTAL HYGIENE, WHETHER WITHIN OR WITHOUT THE STATE, AND) such (OTHER) pertinent information as may be required by the board, together with the fee established by the board and (, IN DEFAULT OF PROVIDING SUCH INFORMATION OR PAYMENT OF SUCH FEE, THE BOARD MAY, UPON HEARING AND UPON 30 DAYS' NOTICE, SUSPEND THE LICENSE OF THE DENTIST OR DENTAL HYGIENIST DURING SUCH DEFAULT, BUT THE PROVIDING OF SUCH INFORMATION AS REQUESTED BY THE BOARD AND THE PAYMENT OF SUCH FEE ON OR BEFORE THE DATE OF HEARING, WITH AN ADDITIONAL SUM EQUAL TO THAT OF THE RENEWAL FEE, SHALL EXCUSE THE DEFAULT AND THE SUSPENSION, PROCEEDING SHALL THEREUPON TERMINATE. THE BOARD MAY COLLECT SUCH FEE BY CIVIL ACTION). At least 30 days before (JANUARY 1) *a license date expiration*, the board shall cause a written notice stating the amount and due date of the fee and the information to be provided by the licensee, to be sent to (EVERY) *the* licensed dentist and dental hygienist."

Page 60, after line 13, insert a section to read:

"Sec. 75. Minnesota Statutes, 1975 Supplement, Section 151.06, Subdivision 1, is amended to read:

151.06 [POWERS AND DUTIES.] Subdivision 1. The board of pharmacy shall have the power and it shall be its duty:

- (1) To regulate the practice of pharmacy;
- (2) To regulate the manufacture, wholesale, and retail sale of drugs or medicines within this state;

(3) To regulate the identity, labeling, purity, and quality of all drugs and medicines dispensed in this state, using the United States pharmacopoeia and the national formulary, or any revisions thereof, or standards adopted under the federal act as the standard;

(4) It may, by its duly authorized representative, enter and inspect any and all places where drugs or medicines are sold, vended, given away, compounded, dispensed, manufactured, wholesaled or held; it may secure samples or specimens of any drug or medicine after paying or offering to pay for such sample; it shall be entitled to inspect and make copies of any and all records of shipment, purchase, manufacture, quality control, and sale of drugs or medicines provided, however, that such inspection shall not extend to financial data, sales data, or pricing data;

(5) To examine and (REGISTER) *license* as pharmacists all applicants whom it shall deem qualified to be such;

(6) To deny, suspend, revoke, or refuse to renew any registration or license required under chapter 151, to any applicant or registrant or licensee upon any of the following grounds:

(a) Fraud or deception in connection with the securing of such license *or registration*;

(b) In the case of a pharmacist, conviction in any court of a felony;

(c) In the case of a pharmacist, conviction in any court of an offense involving moral turpitude;

(d) Habitual indulgence in the use of narcotics, stimulants, or depressant drugs; or habitual indulgence in intoxicating liquors in a manner which could cause conduct endangering public health;

(e) Unprofessional conduct or conduct endangering public health;

(f) Gross immorality;

(g) Employing, assisting, or enabling in any manner an unlicensed person to practice pharmacy;

(h) Conviction of theft of drugs, or the unauthorized use, possession, or sale thereof;

(i) Violation of any of the provisions of this chapter or any of the rules or regulations of the state board of pharmacy;

(j) In the case of a pharmacy license, operation of such pharmacy without a pharmacist present and on duty;

(k) In the case of a pharmacist, physical or mental disability which could cause incompetency in the practice of pharmacy;

(7) To employ necessary assistance and make rules for the conduct of its business;

(8) To perform such other duties and exercise such other powers as the provisions of the act may require;

(9) For the purposes aforesaid it shall be the duty of the board to make and publish uniform rules and regulations not inconsistent herewith for carrying out and enforcing the provisions of this chapter.”.

Page 60, line 25, strike “registration” and insert “*licensure*”.

Page 60, line 28, strike “registered” and insert “*licensed*”.

Page 60, line 30, strike “registration” and insert “*licensure*”.

Page 61, after line 19, insert sections to read:

“Sec. 79. Minnesota Statutes 1974, Section 151.101, is amended to read:

151.101 [INTERNSHIP.] The board may (REGISTER) *license* as an intern any natural person who has satisfied the board that he is of good moral character, not physically or mentally unfit, and who has successfully completed the educational requirements for intern (REGISTRATION) *licensure* prescribed by the board. The board shall prescribe standards and requirements for internship training but may not require more than one year of such training.

The board in its discretion may accept internship experience obtained in another state provided the internship requirements in such other state are in the opinion of the board equivalent to those herein provided.

Sec. 80. Minnesota Statutes 1974, Section 151.11, is amended to read:

151.11 [REGISTERED ASSISTANT PHARMACIST TO CONTINUE IN CERTAIN CASES.] It shall be lawful for all persons duly registered as assistant pharmacists prior to January 1, 1930, to (CONTINUE TO) act as (SUCH) a *licensed assistant pharmacist* and nothing herein shall prevent such persons from taking the examination for pharmacists upon proper application and payment of the examination fee.

Sec. 81. Minnesota Statutes 1974, Section 151.12, is amended to read:

151.12 [RECIPROCITY; LICENSURE FEE.] The board may in its discretion grant (REGISTRATION) *licensure* without examination to any pharmacist licensed by the board of pharmacy or a similar board of another state which accords similar recognition to licensees of this state; provided, the requirements for (REGISTRATION) *licensure* in such other state are in the opinion of the board equivalent to those herein provided. The fee for (REGISTRATION) *licensure* shall be in such amount as the board may determine (NOT EXCEEDING THE SUM OF \$100) *by rule*."

Page 61, line 23, strike "registered" and insert "*licensed*".

Page 61, line 24, strike "annually".

Page 61, line 26, after the period insert: "*The board may promulgate by rule a charge to be assessed for the delinquent payment of a fee.*".

Page 61, line 29, strike "every renewal" and insert "*license*".

Page 61, line 29, strike the comma and insert a period.

Page 61, strike all of line 30.

Page 62, line 19, strike "council" and insert "*task force*".

Page 62, line 22, strike "Members of the".

Page 62, strike all of lines 23 to 32, and insert "*The task force shall expire, and the compensation and removal of members shall be as provided in section 15.059.*".

Page 63, line 27, strike "registration" and insert "*licensure*".

Page 64, after line 27, insert sections to read:

"Sec. 87. Minnesota Statutes 1974, Section 151.37, Subdivision 5, is amended to read:

Subd. 5. Nothing in this chapter shall prohibit the sale to, or the possession of, a legend drug by (REGISTERED) *licensed* drug wholesalers, (REGISTERED) *licensed* manufacturers, registered pharmacies, any licensed hospital or bona fide hospitals wherein animals are treated or licensed pharmacists and licensed practitioners while acting within the course of their practice only.

Sec. 88. Minnesota Statutes 1974, Section 151.37, Subdivision 6, is amended to read:

Subd. 6. Nothing in this chapter shall prohibit the possession of a legend drug by an employee or agent of a (REGISTERED) *licensed* manufacturer, (REGISTERED) *licensed* drug wholesaler, or registered pharmacy, while acting in the course of his employment.

Sec. 89. Minnesota Statutes 1974, Section 151.40, is amended to read:

151.40 [POSSESSION AND SALE OF HYPODERMIC SYRINGES AND NEEDLES.] It shall be unlawful for any person to possess, have under his control, manufacture, sell, furnish, dispense, or otherwise dispose of hypodermic syringes or needles or any instrument or implement which can be adapted when acting in the course of their practice or employment: licensed practitioners, registered pharmacies and their employees or agents, (REGISTERED) *licensed* pharmacists, licensed doctors of veterinary medicine or their assistants, registered nurses, registered medical technologists, medical interns (REGISTERED) *licensed* drug wholesalers; their employees or agents, licensed hospitals, licensed nursing homes, bona fide hospitals where animals are treated, licensed morticians, syringe and needle manufacturers, their dealers and agents, persons engaged in animal husbandry, clinical laboratories, persons engaged in bona fide research or education or industrial use of hypodermic syringes and needles provided such persons cannot use hypodermic syringes and needles for the administration of drugs to human beings unless such drugs are prescribed, dispensed, and administered by a person lawfully authorized to do so, persons who administer drugs pursuant to an order or direction of a licensed doctor of medicine or of a licensed doctor of osteopathy duly licensed to practice medicine.”.

Page 64, line 31, strike “examiners and”.

Page 64, line 32, strike “registration”.

Page 65, line 25, strike “registration” and insert “*licensure*”.

Page 66, line 4, strike “registered” and insert “*licensed*”.

Page 66, line 5, strike “certificate” and insert “*license*”.

Page 66, line 9, strike “registration” and insert “*licensure*”.

Page 66, line 14, strike “certificate of registration” and insert “*license*”.

Page 66, line 19, strike “registered” and insert “*licensed*”.

Page 66, line 20, strike "on or before July 1 of each year".

Page 66, after line 22, insert sections to read:

"Sec. 94. Minnesota Statutes 1974, Section 153.07, is amended to read:

153.07 [CANCELATION OF REGISTRATION.] The board after hearing may by majority vote revoke any (CERTIFICATE ISSUED BY IT AND CANCEL THE REGISTRATION) *license* of any podiatrist who has been convicted of violation of the provisions of section 153.08. The board may after hearing by majority vote revoke the (CERTIFICATE AND CANCEL THE REGISTRATION) *license* of any person when the court records of any state or territory within the United States, or the federal court records, or the record of any court of jurisdiction in any foreign country, show that such person has been found guilty of a criminal offense. The board may after hearing by majority vote revoke (THE CERTIFICATE AND CANCEL THE REGISTRATION) *license* of any person whose (REGISTRATION) *license* was granted upon mistake of material fact. The board may subsequently, but not earlier than one year thereafter, by unanimous vote, (REISSUE ANY CERTIFICATE AND REGISTER) *license* anew any podiatrist whose (CERTIFICATE) *license* was revoked (AND WHOSE REGISTRATION WAS CANCELED) by the board.

Sec. 95. Minnesota Statutes 1974, Section 153.08, is amended to read:

153.08 [UNPROFESSIONAL CONDUCT.] The board may after hearing refuse to issue a (CERTIFICATE) *license* to any person, or may revoke the (CERTIFICATE AND CANCEL THE REGISTRATION) *license* of any person (REGISTERED) *licensed* under the provisions of this chapter, who after investigation shall be found by a majority vote of the board guilty of grossly unprofessional and dishonest conduct. The words "unprofessional and dishonest conduct" shall be held to mean, within the provisions of this chapter:

- (1) The willing betrayal of a professional secret;
- (2) Having professional connection with, or lending the use of one's name to, an (UNREGISTERED) *unlicensed* podiatrist, or having professional connection with anyone who has been convicted in court of any criminal offense;
- (3) Being guilty of offenses involving moral turpitude, habitual intemperance, or being habitually addicted to the use of morphine, opium, cocaine or other drugs having a similar effect, or for using, selling, or giving away any substance or compound

containing alcohol or drugs for other than legal and legitimate purposes;

(4) Practice of podiatry with any type of business establishment other than an approved hospital or medical clinic or accredited college or university, or private office or association with another podiatrist or medical practitioner; providing that any podiatrist may practice with any existing business establishment where podiatry is presently being practiced;

(5) Violation of any of the provisions of this chapter.

Sec. 95. Minnesota Statutes 1974, Section 153.09, is amended to read:

153.09 [SUSPENSION OF LICENSURE.] The board may revoke or suspend for an indefinite period, but not less than six months, the (CERTIFICATE OF REGISTRATION) *license* of any person found guilty under the provisions of section 153.08.

Sec. 96. Minnesota Statutes, 1975 Supplement, Section 153.15, is amended to read:

153.15 [OFFENSES; PENALTIES.] Any person who shall unlawfully obtain (REGISTRATION) *license* under this chapter, whether by false or untrue statements contained in his application to the board or by presenting to the board a fraudulent diploma, certificate, or license, or one fraudulently obtained, shall be deemed guilty of a misdemeanor; (AND, UPON CONVICTION THEREOF, PUNISHED BY A FINE OF NOT LESS THAN \$25 NOR MORE THAN \$100 OR BY IMPRISONMENT FOR NOT LESS THAN 30 NOR MORE THAN 90 DAYS;) and any person not being lawfully authorized to practice podiatry in this state and (REGISTERED) *licensed* as aforesaid, who shall advertise as a podiatrist in any form, or hold himself out to the public as a podiatrist, or who shall attempt to mislead any person or the public into assuming that he or she is licensed, or who, not being duly licensed to practice medicine, osteopathy, or chiropractic in this state, shall offer to diagnose or treat the ailments of the human foot, or who shall diagnose or treat the ailments of the human foot by medicinal, mechanical, or surgical means, shall be guilty of a misdemeanor; (AND, UPON CONVICTION THEREOF, FOR EACH OFFENSE, PUNISHED BY A FINE OF NOT LESS THAN \$25 NOR MORE THAN \$100 OR BY IMPRISONMENT FOR NOT LESS THAN 30 NOR MORE THAN 90 DAYS;) provided, that the simple sale of shoes, appliances or similar devices including arch supports and the adjustment thereof, or the sale of heel pads, cushions or other devices shall not be considered the practice of podiatry; however the adjusting of, or the addition of corrective wedging of said shoes, appliances or similar devices for correction of feet ailments except as provided above shall be by prescription of a

licensed practitioner under the terms of this chapter. Provided, however, that no appliance prescribed by a podiatrist for the prevention, correction or relief of foot ailments or troubles shall be in any manner altered, adjusted or readjusted by any person other than licensed practitioner of podiatry.

It shall be unlawful for any person, firm, or corporation to publish directly or indirectly or circulate any fraudulent, false, or misleading statements as to the skill or method of practice of any person or operator in the practice of podiatry, or in any way to advertise podiatry as to be practiced without pain, or to advertise in any manner with a view to deceiving the public, or to claim superiority over other podiatrists, or to publish reports of cases or certificates of same in any advertising media, or to advertise as using any anaesthetic, drug, formula, material, medicine, method, or system, or to advertise free podiatry services or examinations, or to advertise any amount as a price or fee for the service of any person engaged in the practice of podiatry. Any licensed (AND REGISTERED) podiatrist may announce by way of a professional card containing only the name, title, degree, office location, office hours, telephone number, and residence address and telephone number, if desired, and if he limits his practice to a specialty he may announce it, but such card shall not be greater in size than eight column inches, and such information may be inserted in public print when not more than two columns in width and four inches in depth; outdoor or similar signs shall not exceed 12 by 18 inches and the text limited to the above qualifications. It shall not be considered unprofessional or unlawful to conduct an educational campaign to give information as to the practice of podiatry, providing such campaign is first approved by the board. Any person violating any of the provisions of this section as it relates to advertising shall be guilty of a misdemeanor.”.

Page 66, after line 31, insert a section to read:

“Sec. 98. Minnesota Statutes 1974, Section 154.04, is amended to read:

154.04 [PERSONS EXEMPT FROM COMPLIANCE.] The following persons are exempt from the provisions of this chapter while in the proper discharge of their professional duties:

(1) Persons authorized by the law of this state to practice medicine, surgery, osteopathy, and chiropractic;

(2) Commissioned medical or surgical officers of the United States army, navy, or marine hospital service;

(3) Registered nurses, *licensed practical nurses* and nursing aids performing services under the direction and supervision of a registered nurse, provided, however, that no additional compensation shall be paid for such service and patients who are so attended shall not be charged for barbering;

(4) Persons practicing beauty culture, *provided, however, that persons practicing beauty culture shall not hold themselves out as barbers or, except in the case of manicurists, practice their occupation in a barber shop.*"

Page 71, line 20, strike "Such".

Page 71, strike lines 21 to 23.

Page 72, line 32, strike "Renewal".

Page 72, line 32, after "license" insert "*renewal periods and*".

Page 74, after line 7, insert a section to read:

"Sec. 112. Minnesota Statutes 1974, Section 155.15, is amended to read:

155.15 [LICENSES; DISPLAY, RENEWAL.] Every holder of a license granted by the board, as provided in this chapter shall display it in a conspicuous place in his place of business. All licenses shall expire (DECEMBER 31 OF THE YEAR IN WHICH ISSUED) *on the date each year as set forth, unless renewed as herein provided.* The holder of a license issued by the board shall (ANNUALLY, ON OR BEFORE DECEMBER 31,) renew his license and pay the renewal fee *as prescribed by the board.* If such license is not renewed on or before (DECEMBER 31 OF THE YEAR IN WHICH IT IS ISSUED) *the designated date,* such licensee shall pay a penalty (OF \$1, IN ADDITION TO THE RENEWAL FEE OF AN OPERATOR'S LICENSE AND \$2,) in addition to the renewal fee of a (MANAGER-OPERATOR'S OR MANICURIST'S) license.

In the event that such renewal shall be applied for more than (ONE YEAR) *3 months* subsequent to the expiration date of the last license, then such applicant shall be required to take an examination in the same manner as if no license had ever been issued."

Page 76, after line 2, insert a section to read:

"Sec. 115. Minnesota Statutes 1974, Section 155.19, is amended to read:

155.19 [SERVICES EXCEPTED; EMERGENCY.] Nothing in this chapter shall prohibit services in cases of emergency where compensation or other reward is not received, nor in domestic service, nor services by persons authorized and licensed under the laws of this state to practice medicine, surgery, dentistry, podiatry, osteopathy, chiropractic, or barbering. This section shall not be construed to authorize any of the persons so exempted to wave the hair, or to color, tint, or bleach the hair, in any manner. *This section shall not be construed to permit a barber to practice barbering in a beauty shop.*"

Page 78, line 16, strike the headnote and insert "[LICENSE RENEWAL.]".

Page 78, line 22, strike "register with the board before March 1 each".

Page 78, lines 23 to 31, strike the existing language and delete the new language.

Page 78, line 32, strike "which the license fee is due." and insert "*periodically renew his license in a manner set by the board. Renewal*".

Page 79, line 1, after the period insert: "*The board may assess a charge for delinquent payment of a renewal fee.*".

Page 79, lines 2 to 10, strike the existing language and delete the new language.

Page 79, line 15, strike "for annual".

Page 79, line 16, strike "registration".

Page 79, line 23, strike "for annual".

Page 79, line 24, strike "registration".

Page 83, after line 20, insert sections to read:

"Sec. 129. Minnesota Statutes, 1975 Supplement, Section 270.48, is amended to read:

270.48 [LICENSURE OF QUALIFIED PERSONS.] The board shall (CERTIFY) *license* persons as possessing the necessary qualifications of an assessing official. Different levels of (CERTIFICATION) *licensure* may be established as to classes of property which assessors may be certified to assess at the discretion of the board. Every person, except a local or county assessor, regularly employed by the assessor to assist in making decisions regarding valuing and classifying property for assessment purposes shall be required to become (CERTIFIED) *licensed* within three years of his date of employment or June 1, 1975, whichever is later. (CERTIFICATION) *Licensure* shall be required for local and county assessors as otherwise provided in sections 270.41 to 270.53.

Sec. 130. Minnesota Statutes 1974, Section 270.50, is amended to read:

270.50 [EMPLOYMENT OF LICENSED ASSESSORS.] Commencing June 15, 1975, no assessor shall be employed who

has not been (CERTIFIED) *licensed* as qualified by the board, provided the time to comply may be extended after application to the board upon a showing that (CERTIFIED) *licensed* assessors are not available for employment. The board may (CERTIFY THAT) *license* a county or local assessor who has not received the training, but possesses the necessary qualifications for performing the functions of his office by the passage of an approved examination or may waive the examination if such person has demonstrated competence in performing the functions of his office for a period of time the board deems reasonable. The county or local assessing district shall assume the cost of training of its assessors in courses approved by the board for the purpose of obtaining the assessor's (CERTIFICATE) *license* to the extent of course fees, mileage, meals and lodging, and recognized travel expenses not paid by the state. If the governing body of any township or city fails to employ an assessor as required by sections 270.41 to 270.53, the assessment shall be made by the county assessor.

A town shall pay its assessor \$20 for each day the assessor is attending approved courses or taking the examination. In addition, the town shall pay its assessor \$10 for each approved course successfully completed and \$20 upon his (CERTIFICATION) *licensure*. The maximum payable to an assessor for successful completion of courses and (CERTIFICATION) *licensure* shall not exceed \$50.

In the case of townships organized after the effective date of this act except towns located in counties enumerated in section 391.01 or which have elected a county assessor system in accordance with section 273.055, the board shall allow the town adequate time to employ a (CERTIFIED) *licensed* assessor.

Sec. 132. Minnesota Statutes 1974, Section 270.51, is amended to read:

270.51 [PREVIOUSLY ACCREDITED ASSESSORS.] All assessors previously accredited by the commissioner of revenue shall be considered as qualified under sections 270.41 to 270.53 and shall be so (CERTIFIED) *licensed*."

Page 84, line 14, strike "as defined".

Page 84, line 15, strike "for purposes of Laws 1973, Chapter 638".

Page 85, line 25, strike "certificates of registration" and insert "*licenses*".

Page 85, line 26, strike "bylaws and".

Page 87, line 22, strike "registered" and insert "*licensed*".

Pages 89 and 90, delete all of subdivision 4.

Page 90, line 3, strike "5" and insert "3".

Renumber subdivisions in sequence.

Page 90, line 4, strike "certificate".

Page 90, line 5, strike "before June 30 of the year of expiration" and insert "*license*".

Pages 90 and 91, delete all of subdivision 7.

Page 92, line 18, strike everything after "board."

Page 93, line 5, strike "registrant" and insert "*licensee*".

Page 95, line 32, delete "REGISTERED AND".

Page 97, line 24, strike "certificates" and insert "*licenses*".

Page 98, line 3, strike "certificate" and insert "*license*".

Page 98, line 30, strike "on May 1 of".

Page 98, line 31, strike "each year" and strike "within 30 days for one year".

Page 99, line 2, strike "on or before June 30 of the year".

Page 99, line 3, strike "in which issued, such" and insert "*before its expiration, the*".

Page 99, strike lines 5 and 6.

Page 99, line 8, strike "certificate" and insert "*license*".

Page 99, line 25, delete "AND CERTIFICATES".

Page 101, after line 27, insert sections to read:

"Sec. 155. Minnesota Statutes, 1975 Supplement, Section 326.18, is amended to read:

326.18. [BOARD, DUTIES, OFFICERS, EXAMINATIONS.] A majority of the board shall constitute a quorum. The board shall elect one of its number as chairman, another as vice chairman, and another as secretary and treasurer, who shall hold their respective offices for a term of one year and until their successors are elected. The affirmative vote of four members of the board shall be considered as the action of the board. The board

shall enforce the standard of general education; the standard of special education in the science and art of accounting; the standard of moral character and general public experience, as prescribed in sections 326.17 to 326.23, in all examinations conducted thereunder. The board shall make rules and regulations for the conduct of applicants' examinations and the character and scope of such examinations, the method and time of filing applications for examinations and their form and contents, and all other rules and regulations proper to carry into effect the purposes of sections 326.17 to 326.23. All such examinations shall be conducted by the board of accountancy. The time and place of holding examinations shall be advertised for not less than three consecutive days in one daily newspaper published in each of the counties where the examinations are to be held, and not less than 20 days prior to the date of each examination. The examinations shall take place as often as may be convenient in the opinion of the board. The board may make further rules and regulations, including but not limited to rules of professional conduct, pertaining to corporations practicing public accounting which it deems consistent with or required by the public welfare.

The board shall keep records of its proceedings, an accurate list of all applications made, (CERTIFICATES) *licenses* issued, (CERTIFICATES REGISTERED,) and (CERTIFICATES) *licenses* revoked, and shall keep proper financial records in which there shall be entered a complete statement of the cash receipts and disbursements. *The board shall issue to each person who meets the initial requirements of a certified public accountant a certificate to that effect, and shall maintain a record of that issuance.*

It shall adopt and provide itself with a seal with a band inscribed "Certified Public Accountant, State of Minnesota," with the coat of arms of Minnesota in the center, which seal shall be affixed to each certificate issued or registered under sections 326.17 to 326.23. All records of the board shall be open to the inspection of the public at the office of its secretary.

Sec. 156. Minnesota Statutes 1974, Section 326.19, is amended to read:

326.19 [LICENSURE; QUALIFICATION OF ACCOUNTANT.] Subdivision 1. [LICENSES, TO WHOM GRANTED.] No (CERTIFICATE) *license* for a certified public accountant shall be granted, except as provided herein or in subdivisions 2 and 3, to any person other than one who is over the age of 18 years and of good moral character and who shall have completed at least three years of public accounting experience (1) as a staff employee of a certified public accountant or public accountant or (2) as an auditor in the office of legislative auditor or state auditor, an auditor in the division of cooperative accounting, state department of agriculture, or as an auditor or examiner with any other agency of government, which experience, in the opinion of the board is equally comprehensive and

diversified or (3) as a self-employed public accountant or as a partner in a firm of public accountants or (4) in any combination of the foregoing capacities, and who shall have successfully passed an examination in such subjects as the board may prescribe in its rules. No person qualifying under this section shall be permitted to take such examination unless he shall have completed the above experience requirements. This subdivision shall expire July 1, 1976.

Subd. 2. [LICENSES; GRANTING; EXAMINATION.] The (CERTIFICATE) *license*, certified public accountant, shall be granted to any person:

(a) Who has attained the age of 18 years; and

(b) Who is of good moral character; and

(c) Who holds:

(i) a master's degree with a major in accounting from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or who has in the opinion of the board at least an equivalent education, providing at least one year of experience of the type specified in subdivision 4, has been completed; or

(ii) a baccalaureate degree, with a major in accounting, from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least two years experience of the type specified in subdivision 4, has been completed; or

(iii) a baccalaureate degree from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least three years experience of the type specified in subdivision 4, has been completed; or

(iv) evidence of having completed two or more years of study with passing grade average or above from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or an area vocational-technical school, a Minnesota licensed private

vocational school which fulfills the requirements of sections 141.21 to 141.36, or who has in the opinion of the board at least an equivalent education, providing at least five years experience of the type specified in subdivision 4, has been completed; or

(v) a diploma as a graduate of an accredited high school or who has in the opinion of the board at least an equivalent education, providing at least six years experience of the type specified in subdivision 4, has been completed; and

(d) Who has completed successfully an examination in such subjects and at such times, as the board may prescribe in its rules. The examination shall be administered by the board only to a candidate who holds:

(i) a baccalaureate degree with a major in accounting or higher degree, as described in clause (c) (i) or clause (c) (ii) or to persons having at least an equivalent education, or to candidates for such degree providing such candidate is currently registered in his final semester or quarter preceding graduation, or

(ii) a baccalaureate degree, as described in clause (c) (iii), provided at least one year experience of the type specified in subdivision 4, has been completed, or

(iii) evidence of having completed two or more years of study with passing grade average or above from a college, university, area vocational-technical school or a Minnesota licensed private vocational school which fulfills the requirements of sections 141.21 to 141.36, as described in clause (c) (iv), provided at least three years experience of the type specified in subdivision 4, has been completed, or

(iv) a diploma as a graduate of an accredited high school, as described in clause (c) (v), provided at least five years experience of the type specified in subdivision 4, has been completed.

Subd. 3. [LICENSE WITHOUT EXAMINATION.] The state board of accountancy may, in its discretion, waive the examination of and may issue a (CERTIFICATE) *license* for certified public accountant to any person possessing the qualifications mentioned in this section, who:

(a) Is the holder of a C.P.A. *license* or certificate, issued under the laws of another state, provided the requirements for the degree or certificate in the state which has granted it to the applicant are, in the opinion of the state board of accountancy, equivalent to those herein provided; or

(b) Shall be the holder of a degree or certificate of certified public accountant or chartered accountant, or the equivalent

thereof, issued in any foreign country, provided that the requirements for such degree or certificate are equivalent to those herein provided for the (DEGREE OR CERTIFICATE) *license* of certified public accountant in this state.

(c) Shall in another jurisdiction have completed successfully an examination which, in the opinion of the board, is comparable to that prescribed by the board in its rules and provided that such person has satisfied the other requirements of subdivision 2.

Subd. 4. [QUALIFYING EXPERIENCE FOR EXAMINATION AND GRANTING OF LICENSE.] Qualifying experience for subdivisions 2 and 3 shall include public accounting experience (1) as a staff employee of a certified public accountant or public accountant, a firm of certified public accountants or public accountants, or a corporation formed for the practice of public accounting; or (2) as an auditor in the office of the legislative auditor or state auditor, or as an auditor or examiner with any other agency of government, which experience, in the opinion of the board is equally comprehensive and diversified; or (3) as a self-employed public accountant or as a partner in a firm of public accountants; or (4) in any combination of the foregoing capacities.

Sec. 157. Minnesota Statutes 1974, Section 326.20, is amended to read:

326.20 [RENEWAL.] Subdivision 1. [LICENSE RENEWAL OF CERTIFIED PUBLIC ACCOUNTANTS.] Every holder of a certified public accountant certificate issued by the board, if he is engaged, or intends to be engaged, in public practice within this state at any time during a calendar year shall (OBTAIN A REGISTRATION CARD FOR SUCH YEAR) *renew his license as prescribed by the board.*

The board shall, in December of each year, upon application made by any holder of an unrevoked Minnesota certificate *and license* as a certified public accountant (ISSUE A REGISTRATION CARD) *renew the license* which shall be good (UNTIL DECEMBER 31 OF THE NEXT SUCCEEDING YEAR,) *for a period prescribed by the board* unless the said certificate or *license* shall sooner be revoked. Interim (REGISTRATION CARDS) *licenses* shall be issued to individuals who have satisfied the provisions of sections 326.17 to 326.23 within the year.

Subd. 2. [LICENSURE OF PARTNERSHIPS.] Every partnership in which one or more certified public accountants of this state is a partner, if it is engaged, or intends to be engaged, in public practice within this state at any time during a calendar year shall register with the state board of accountancy for such year. Upon application made upon the affidavit of a general partner of such partnership who is a certified public accountant of this state in good standing, the board shall, in De-

member of each year, issue a (REGISTRATION CARD) *license* which shall be good (UNTIL DECEMBER 31 OF THE NEXT SUCCEEDING YEAR) *for a period prescribed by the board*, unless the said (REGISTRATION) *license* shall sooner be revoked. Interim (REGISTRATION CARDS) *licenses* shall be issued to partnerships who have satisfied the provisions of this subdivision. The application shall confer upon the board the consent of the partnership, and of the general partner making the application, to the board's jurisdiction over the acts of the partnership and its partners or agents within the state.

Subd. 3. [UNREGISTERED PRACTICE.] It shall be unlawful for any certified public accountant or any partnership containing one or more certified public accountants to engage in public practice within this state unless such certified public accountant or partnership is duly (REGISTERED) *licensed* as provided by this section. A partnership shall be deemed in public practice within this state if it performs professional accounting services for a fee. A certified public accountant shall be deemed in public practice within this state if he performs professional accounting services for a fee within this state.

Sec. 158. Minnesota Statutes 1974, Section 326.21, is amended to read:

326.21 [HOLDER OF LICENSE, HOW STYLED.] Any person who has received from the state board of accountancy a certificate (OF HIS QUALIFICATIONS) *and license* to practice as a certified public accountant shall be known and styled a certified public accountant; and no other person who has not received (SUCH) *a certificate and license* shall assume such title of certified accountant, or the abbreviation C.P.A., or any other words, letters, or abbreviations tending to indicate that the person so using the same is a certified public accountant. No partnership shall style itself as a firm of certified public accountants unless (1) all partners resident in this state are certified public accountants of this state and (2) all managers in charge of offices maintained in this state are certified public accountants of this state and (3) all partners, wherever situated, are certified public accountants of one of the states or territories or of the District of Columbia and (4) the partnership is duly (REGISTERED) *licensed* under section 326.20. No corporation, other than one duly (REGISTERED) *licensed* under the laws of this state shall style itself as certified public accountants, or use the abbreviation C.P.A. in connection with its corporate name.”.

Page 101, line 31, delete “EXAMINATION AND”.

Page 101, line 32, delete “CERTIFICATE” and insert “LICENSE AND RENEWAL”.

Page 102, line 9, strike “an annual registration card” and insert “*a license*”.

Page 102, line 10, after "annual" insert "*renewal*".

Page 102, line 25, strike "registration" and insert "*license*".

Page 103, line 6, strike "registrations" and insert "*licenses*".

Page 103, line 10, strike "certificate or registration" and insert "*license*".

Pages 104 and 105, delete all of Subdivision 3.

Page 105, line 10, strike "one year from the date of".

Page 105, line 11, strike "issuance" and insert "*in a manner as provided by the board*".

Page 110, after line 26, insert a section to read:

"Sec. 170. Minnesota Statutes 1974, Section 326.333, is amended to read:

326.333 [INFORMATION AND MATERIAL ACCOMPANYING APPLICATION.] Each such application shall be accompanied by:

(1) A surety bond executed by a company authorized to do business in the state of Minnesota wherein the applicant shall be principal, with sureties to be approved by the commissioner of public safety, to the state of Minnesota, in the penal sum of \$5,000, upon the condition that applicant and each of applicant's employees shall faithfully observe all the laws of Minnesota and of the United States, including sections 326.331 to 326.339, and shall pay all damages suffered by any person by reason of the violation of any such law by applicant or by the commission of any wilful and malicious wrong by any such applicant in the course of the conduct of such business. Action upon such bond may be brought by any person so aggrieved not later than within two years of the act complained of;

(2) For each person signing the application the verified certificates of at least five citizens not related to the signer who have known the signer for more than five years, certifying that the signer is of good moral character;

(3) Two photographs and a full set of fingerprints for each person signing the application;

(4) A duly acknowledged certificate evidencing the fact that at least one of the persons signing the application for private detective has been regularly employed as a detective by a licensed detective agency or has been a member of the United

States government investigative service, a sheriff or member of a city police department of a rank or grade of sergeant or higher, or equivalent occupation, for a period of not less than three years;

(5) An acknowledged certificate evidencing the fact that at least one of the persons signing the application for protective agent has been regularly employed as a detective or has been a member of the United States government investigative service, a sheriff or member of a city police department of a rank or grade higher than that of patrolman, or equivalent part time occupation or special training, for a period of not less than three years; or has completed a course prescribed by the state police officers training board."

Page 111, line 9, after "office" insert "*for at least 20 days*".

Page 111 and 112, delete all of section 133.

Page 116, line 4, strike "an annual" and insert "*a*".

Page 116, line 15, strike "such annual license" and insert "*the*".

Page 116, line 21, strike "an annual" and insert "*a license*".

Page 117, lines 19 to 24, strike the old language and delete the new language.

Page 119, after line 7, insert sections to read:

"Sec. 182. Minnesota Statutes 1974, Section 386.61, Subdivision 2, is amended to read:

Subd. 2. "(REGISTERED) *Licensed* abstractor" means any official, person, firm or corporation obtaining (CERTIFICATES OF REGISTRATION) *licenses* pursuant to the terms of sections 386.61 to 386.76; and includes (1) present duly qualified and acting registers of deeds not now prohibited by law from making abstracts; (2) any person, firm or corporation engaged in the business of making abstracts of title and issuing certificates showing ownership of, or interest in, or liens upon any lands in the state of Minnesota, whether registered or not.

Sec. 184. Minnesota Statutes, 1975 Supplement, Section 386.62, is amended to read:

386.62 [LICENSE REQUIRED.] No official, person, firm, association or corporation shall advertise or otherwise represent, directly or indirectly, that any abstract of title to any lands in the state of Minnesota, whether registered or not, is made, compiled or issued by a registered, licensed, bonded or of-

ficial abstracter without first obtaining a (CERTIFICATE OF REGISTRATION) *license* pursuant to the provision of sections 386.61 to 386.76.”.

Page 120, line 14, strike “; and it may retain”.

Page 120, line 15, strike “administrative or legal counsel, if deemed necessary”.

Page 120, line 31, delete “CERTIFICATE OF”.

Page 120, line 32, delete “REGISTRATION” and insert “LICENSE”.

Page 121, line 1, strike “certificate of registration” and insert “*license*”.

Page 121, line 20, strike “certificate of registration” and insert “*license*”.

Page 121, line 24, strike “certificate of registration” and insert “*license*”.

Page 122, line 26, delete “REGISTERED” and insert “LICENSED”.

Page 122, line 26, strike “registered” and insert “*licensed*”.

Page 122, line 29, strike “registered” and insert “*licensed*”.

Page 123, line 4, strike “registered” and insert “*licensed*”.

Page 123, after line 15, insert sections to read:

“Sec. 192. Minnesota Statutes 1974, Section 386.69, is amended to read:

386.69 [LICENSES; CONTENTS, TERM.] (THE CERTIFICATES) *Licenses* issued by said board under the provisions hereof shall recite that such bond or insurance policy has been duly filed and approved, and (SUCH CERTIFICATES) *the license* shall authorize the official, person, firm or corporation named in it to engage in and carry on the business of an abstracter of real estate titles in the county in which said official, person, firm or corporation is authorized to make abstracts. The (CERTIFICATE) *license* shall be issued for (THE TERM OF ONE YEAR, AND EXPIRES ON JULY 1 OF EACH YEAR, AND SHALL BE RENEWABLE ANNUALLY, AS OF SUCH DATE, IN EACH SUCCEEDING YEAR) *a period as determined by the board, and shall thereafter be renewed upon conditions prescribed by the board.*

Sec. 193. Minnesota Statutes, 1975 Supplement, Section 386.-70, Subdivision 1, is amended to read:

386.70 [DENIAL, SUSPENSION AND REVOCATION OF LICENSES; INVALIDATING BONDS.] Subdivision 1. The board may by order deny, suspend or revoke any (CERTIFICATE) *license*, may censure an abstractor holding a (CERTIFICATE) *license* or may hold and declare a bond or insurance policy insufficient and invalid if it finds (1) that the order is in the public interest, and (2) that the applicant or abstractor holding the (CERTIFICATE) *license* or, if the holder of the certificate is a firm or corporation, any officer, director, partner, employee or agent thereof:

(a) Has filed an application for a license which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(b) Has engaged in a fraudulent, deceptive or dishonest practice;

(c) Is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the real estate business;

(d) Has failed to reasonably supervise his employees or agents so as to cause injury or harm to the public;

(e) Has been convicted of a felony;

(f) Has been habitually careless or inattentive to business;

(g) Has failed to employ competent abstracters; or

(h) Has violated or failed to comply with any provision of sections 386.61 to 386.76 or any rule or order hereunder.

Sec. 194. Minnesota Statutes, 1975 Supplement, Section 386.-71, is amended to read:

386.71 [LICENSED ABSTRACTERS, ACCESS TO PUBLIC RECORDS.] Except as provided in Laws 1974, Chapter 435, Section 3.11 (c), (REGISTERED) *licensed abstracters shall have access* during ordinary office hours to the public records in the office of the register of deeds in the county in which such abstractor is authorized to function, to make such memoranda, microfilm, photostats, photographs, or notations from the records thereof as may be necessary for the purpose of making or compiling abstracts, continuations thereof, or issuing certificates showing ownership of, or interest in, or liens upon any

lands in the state, whether registered or not, and the compiling, posting, copying and keeping up their abstract books, indices, or other records necessary to carry on or perform the duties and functions of a (REGISTERED) *licensed* abstracter, provided that such access during ordinary office hours shall in no manner hinder or interfere with the public officer in the performance of his official duties.

Sec. 195. Minnesota Statutes 1974, Section 386.72, is amended to read:

386.72 [ABSTRACTER'S CERTIFICATE AS PRIMA FACIE EVIDENCE] Any abstract of title, continuation thereof or certificate showing ownership of, or interest in, or liens upon any lands in the state of Minnesota, whether registered or not, certified to be true and correct by any (REGISTERED) *licensed* abstracter under the signature and seal of such abstracter, shall be received by the courts of this state as prima facie evidence of the existence or nonexistence of records, the content and filing indicated on such abstract, continuation thereof or certificate hereinbefore described.

Sec. 196. Minnesota Statutes 1974, Section 386.73, is amended to read:

386.73 [REGISTERS OF DEEDS, MAY EMPLOY LICENSED ABSTRACTERS.] Nothing herein shall prohibit any register of deeds who does not hold a certificate of authority pursuant to the provisions hereof from employing a (REGISTERED) *licensed* abstracter and issuing abstracts pursuant to sections 386.61 to 386.76.

Sec. 197. Minnesota Statutes 1974, Section 214.01, Subdivision 1, is amended to read:

214.01 [DEFINITIONS.] Subdivision 1. The words defined in this section for purposes of (SECTIONS 214.01 AND 214.04 TO 214.06) *this chapter* have the meanings given them unless the context clearly requires otherwise.

Sec. 198. Minnesota Statutes, 1975 Supplement, Section 214.01, Subdivision 2, is amended to read:

Subd. 2. "Health related licensing board" means the board of examiners of nursing home administration established pursuant to section 144.952, the board of medical examiners created pursuant to section 147.01, the board of nursing created pursuant to section 148.181, the board of chiropractic examiners established pursuant to section 148.02, (THE BOARD OF LICENSED PRACTICAL NURSING CREATED PURSUANT TO SECTION 148.29,) the board of optometry established pursuant to section

148.52, the board of (EXAMINERS OF PSYCHOLOGISTS) *psychology* established pursuant to section 148.90, the board of dentistry established pursuant to section 150A.02, the board of pharmacy established pursuant to section 151.02, the board of podiatry (EXAMINERS AND REGISTRATION) established pursuant to section 153.02, and the (VETERINARY EXAMINING) board of *veterinary medicine*, established pursuant to section 156.01.

Sec. 199. Minnesota Statutes, 1975 Supplement, Section 214.09, Subdivision 3, is amended to read:

Subd. 3. [COMPENSATION.] Members of the boards shall be compensated at the rate of \$35 per day spent on board activities, *when authorized by the board*, plus expenses in the same manner and amount as received by state employees. Members who are full-time state employees or employees of the political subdivisions of the state shall not receive the \$35 per day (, BUT THEY SHALL SUFFER NO LOSS IN COMPENSATION OR BENEFITS FROM THE STATE OR A POLITICAL SUBDIVISION AS A RESULT OF THEIR SERVICE ON THE BOARD) *if the major part of their activities occur during normal working hours for which they are also compensated by the state or political subdivision. A board member who is an employee of the state or political subdivision shall suffer no loss in compensation or benefits as a result of their service on the board. Members who are state employees or employees of the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source.*"

Page 124, line 5, after the period insert "*The commissioner of finance shall transfer to the appropriate department or board funds appropriated in respect to powers, duties, personnel or services which are transferred by this act.*".

Page 124, delete lines 21 to 32.

Page 125, delete lines 1 to 15, and insert:

"Sec. 202. [REVISOR'S INSTRUCTIONS.] *In the next and subsequent editions of Minnesota Statutes the revisor of statutes shall substitute the terms "licensed teacher", "licensure" or similar appropriate terminology respecting licensure of teachers, for the terms "certified teacher", "certification" in respect to teachers, and similar terminology relating to teacher certification.*"

Renumber the sections.

Page 125, line 17, after "Sections" insert "*125.09, Subdivisions 2 and 3,*".

Page 125, line 17, after "144.958;" insert "144.96;"

Page 125, line 18, after "2;" insert "148.08, Subdivision 1;"

Page 125, line 18, delete "148.231,"

Page 125, line 19, delete "Subdivision 3; 148.281, Subdivision 2;"

Page 125, line 20, after "148.55;" insert "148.58;"

Page 125, line 23, after "153.10;" insert "153.11; 154.065, Subdivision 6;"

Page 125, line 27, after "3;" insert "148.231, Subdivision 3; 148.261, Subdivision 2;"

Page 125, line 28, after "148.55;" insert "326.10, Subdivision 4;"

Page 125, line 28, after "4;" insert "326.242, Subdivision 8; 326.334, Subdivision 3;"

Page 125, line 31, before "This" insert "Section 5, subdivisions 1 and 2, of this act shall be effective July 1, 1977. The remainder of".

Page 125, line 16, after "[REPEALER]" underscore rest of line.

Page 125, lines 17-30 underscore.

Page 125, line 32, delete "in statute or rule".

Page 126, line 1, after "fees" insert ", license renewal".

Page 126, line 2, delete "are" and insert "were enforced or promulgated pursuant to sections of Minnesota Statutes which are amended or".

Page 126, line 6, after "effect" insert ", to the extent not inconsistent with this act,".

Page 126, line 8, after the period, insert "Notwithstanding the preceding sections, a licensing board may continue to use until July 1, 1977, procedures for the review and investigation of complaints and the holding of disciplinary hearings which were in effect on June 30, 1976, to the extent the procedures are consistent with chapter 15. A certificate or registration granted to a person by a licensing board shall remain in force until its scheduled expiration unless revoked or suspended. After the expiration the person, if he qualifies, shall be issued a license pursuant to this act."

Further amend the title:

Page 1, line 9, delete "and" and insert a comma.

Page 1, line 9, after "education" insert "and other matters".

Page 1, line 13, after "nursing;" insert "making miscellaneous changes in practice acts for various licensed occupations; adopting the standard terms "licensure" and "license" for occupational licensing boards;"

Page 1, line 15, after "Sections" insert "125.04; 125.05, Subdivisions 1 and 2; 125.06; 125.08; 125.09, Subdivision 1; 125.12, Subdivision 1; 125.13, Subdivision 1; 125.17, Subdivision 1;"

Page 1, line 16, delete "Subdivision" and insert "Subdivisions 2 and".

Page 1, line 22, after "3;" insert "148.32;"

Page 1, line 26, delete the second "Subdivision" and insert "Subdivisions 1 and".

Page 1, line 27, after "151.10;" insert "151.101; 151.11; 151.12;"

Page 1, line 28, after "151.27;" insert "151.37, Subdivisions 5 and 6; 151.40; 153.07; 153.08; 153.09; 154.04;"

Page 1, line 31, after "155.14;" insert "155.15;"

Page 1, line 31, after "Subdivision 1;" insert "155.19;"

Page 1, line 35, after "156.14;" insert "214.01, Subdivision 1;" and after "214.06;" insert "214.09, Subdivision 3;"

Page 1, line 35, after "270.47;" insert "270.50; 270.51;"

Page 1, line 36, after "326.15;" insert "326.19; 326.20; 326.21;"

Page 1, line 39, after "Subdivision 1;" insert "326.333;"

Page 1, line 39, after "326.334," delete "Subdivisions" and insert "Subdivision".

Page 1, line 40, delete "and 3".

Page 2, line 1, after "341.15;" insert "386.61, Subdivision 2;"

Page 2, line 2, after "386.67;" insert "386.69; 386.72; 386.73;"

Page 2, line 2, delete "Subdivisions" and insert "Subdivision" and delete "and 2".

Page 2, line 4, after "Sections" insert "125.03, Subdivision 1; 125.11;"

Page 2, line 9, after "148.60;" insert "148.67;"

Page 2, line 11, after "151.03;" insert "151.06, Subdivision 1;"

Page 2, line 12, after "153.13;" insert "153.15;"

Page 2, line 13, after the second "Subdivision 1;" insert "214.01, Subdivision 2;"

Page 2, line 14, after "214.07;" insert "214.09, Subdivision 3;"

Page 2, line 14, after "270.42;" insert "270.48;"

Page 2, line 18, after "326.17;" insert "326.18;"

Page 2, line 19, after "341.11;" insert "386.62;"

Page 2, line 20, after "386.68;" insert "386.70, Subdivision 1; 386.71;"

Page 2, line 21, after "Sections" insert "125.09, Subdivisions 2 and 3;"

Page 2, line 21, after "144.958;" insert "144.96;"

Page 2, line 23, delete "148.281, Subdivision 2" and insert "148.08, Subdivision 1"

Page 2, line 24, after "148.55;" insert "148.58;"

Page 2, line 27, after "153.10;" insert "153.11; 154.065, Subdivision 6;"

Page 2, line 33, after "3;" insert "148.261, Subdivision 2;"

Page 2, line 34, after "148.55;" insert "326.10, Subdivision 4;"

Page 2, line 35, after "4;" insert "326.242, Subdivision 8; 326.334, Subdivision 3;"

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

The report was adopted.

Fugina from the Committee on Higher Education to which was referred:

S. F. No. 360, A bill for an act relating to education; directing the higher education coordinating commission to sponsor a quarterly meeting for representatives of certain boards and agencies dealing with higher education; amending Minnesota Statutes 1974, Chapter 136A, by adding a section.

Reported the same back with the following amendments:

Page 1, line 11, delete "QUARTERLY" and insert "ANNUAL".

Page 1, line 12, delete "*commission*" and insert "*board*".

Page 1, line 13, delete "*a quarterly*" and insert "*an annual*".

Page 1, line 13, after "*meeting of*" insert "*member*".

Page 1, line 14, delete "*commission*" and insert "*board*".

Page 1, line 16, delete "*college*" and insert "*university*".

Page 1, line 22, delete "*commission*" and insert "*board*".

Page 1, line 23, delete "*college*" and insert "*university*".

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

Page 2, line 4, delete "*quarterly*" and insert "*an annual*".

Page 2, line 5, delete "*commission*" and insert "*board*".

Page 2, line 9, delete "*commission*" and insert "*board*".

Further amend the title:

Page 1, line 3, delete "*commission*" and insert "*board*".

Page 1, line 3, delete "*a*".

Page 1, line 4, delete "*quarterly*" and insert "*an annual*".

Page 1, line 4, after "*for*" insert "*member*".

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:

The following appointments as reported in the Journal for February 25, 1976:

ETHICAL PRACTICES BOARD

Mr. Roger Noreen

Mr. Harold Chase

Reported the same back with the recommendation that the appointments be confirmed.

Vento moved that the report of the Committee on General Legislation and Veterans Affairs relating to the appointments of Mr. Roger Noreen and Mr. Harold Chase to the Ethical Practices Board be adopted. The motion prevailed and the report was adopted.

CONFIRMATION

Vento moved that the House, having advised, do now consent to and confirm the appointments of Mr. Roger Noreen, 1684 James Road, Mendota Heights, Dakota County, effective February 18, 1976, for a term expiring April 29, 1976, and Mr. Harold Chase, 124 Bedford Street S.E., Minneapolis, Hennepin County, effective February 18, 1976, for a term expiring April 29, 1978. The motion prevailed and the appointments were confirmed.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2676, 2677, 2678 and 2339 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1570, 1753, 1764, 1780 and 360 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Esau, Jopp and Wigley introduced:

H. F. No. 2679, A bill for an act relating to elections; prohibiting fund raising during certain times; amending Minnesota Statutes, 1975 Supplement, Chapter 210A, by adding a section.

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

Kvam, Pleasant, Kaley, Forsythe and DeGroat introduced:

H. F. No. 2680, A bill for an act relating to economic development; providing assistance to certain employers of the handicapped or senior citizens; providing an appropriation.

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

Adams, S., introduced:

H. F. No. 2681, A bill for an act relating to counties; repealing the authority of a county board to require that the office of the county attorney shall be a full time position; repealing Minnesota Statutes 1974, Section 388.21.

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

Pehler and McCarron introduced:

H. F. No. 2682: A bill for an act relating to public employment labor relations; legislative review of certain wage agreements; amending Minnesota Statutes 1974, Section 179.74, Subdivision 5.

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

Norton, for the Committee on Appropriations, introduced:

H. F. No. 2683, A bill for an act relating to claims against the state; appropriating moneys for the payment thereof.

The bill was read for the first time and laid over one day.

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, Menning 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.

CONSENT CALENDAR

S. F. No. 2284, A bill for an act relating to the counties of Nobles and Rock; authorizing the acquisition of real estate for the operation of television translator systems.

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

The bill was passed and its title agreed to.

S. F. No. 1636, A bill for an act relating to insurance; clarifying license requirements for persons who enter into, acquire or hold insurance premium finance agreements; amending Minnesota Statutes 1974, Section 59A.03, Subdivision 1.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

Abeln	Adams, S.	Anderson, G.	Arlandson	Begich
Adams, L.	Albrecht	Anderson, I.	Beauchamp	Berg

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

The bill was passed and its title agreed to.

S. F. No. 2051 was reported to the House.

There being no objection, S. F. No. 2051 was continued on the Consent Calendar for one day.

S. F. No. 2030, A bill for an act relating to elections; providing for the affidavits of candidacy of candidates for judicial office; amending Laws 1975, Chapter 5, Section 12, Subdivision 1.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S.F. No. 1996, A bill for an act relating to counties; authorizing county boards to furnish board and certain other services to prisoners in county jails; amending Minnesota Statutes, 1975 Supplement, Section 387.20, Subdivision 6.

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 130, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

SPECIAL ORDERS

S. F. No. 2173 was reported to the House.

Kahn moved to amend S. F. No. 2173 as follows:

Page 1, line 8, strike "8" and insert "7".

Page 2, strike lines 31 and 32.

Page 3, strike lines 1 to 6.

Page 3, line 16, strike "their" and insert "its".

Page 3, line 19, strike "to".

Page 6, line 2, after "may" insert a colon.

Page 6, after line 10, insert "Sec. 8. [EFFECTIVE DATE.] This act shall be effective the day following final enactment."

The motion prevailed and the amendment was adopted.

S. F. No. 2173, A bill for an act relating to Minnesota culture; preserving and presenting Minnesota folklife; creating center for study of Minnesota folklife; creating position of state folklorist in the historical society; prescribing powers and duties of the state folklorist.

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 116, and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeln Eken Kvam Wieser

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

H. F. No. 2002 was reported to the House.

Osthoff moved that H. F. No. 2002 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 2154 was reported to the House.

Sieben, H., moved that H. F. No. 2154 be continued on Special Orders for one day. The motion prevailed.

H. F. No. 2186 was reported to the House.

Biersdorf moved to amend H. F. No. 2186, as follows:

Page 2, line 11, after "Section" strike "30" and insert "31".

The motion prevailed and the amendment was adopted.

H. F. No. 2186, A bill for an act relating to public safety; highway patrol; authorizing the commissioner of public safety to maintain certain aircraft; excepting certain personnel in the department of public safety from the requirement of reimbursing the state for the cost of using state-owned vehicles; amending Minnesota Statutes, 1975 Supplement, Section 16.753.

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 123, and nays 7, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Anderson, G.	Haugerud	Knickerbocker	Norton	Voss
Clawson	Kelly, R.			

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

H. F. No. 1938 was reported to the House.

Enebo moved that H. F. No. 1938 be re-referred to the Committee on Judiciary. The motion prevailed.

S. F. No. 1624 was reported to the House.

Kroening moved to amend S. F. No. 1624, as follows:

Page 1, after line 26, insert a new section to read:

"Sec. 2. Minnesota Statutes 1974, Section 462.431, is amended to read:

462.431 [INTEREST IN PROJECT FORBIDDEN.] No commissioner or employee of an authority shall acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any project, provided an authority shall not be prohibited from employing any of its public housing tenants, from providing housing in any of its housing projects to any of its employees who may qualify for such public housing, nor from selling to any employee a residence financed under Section 235 of the National Housing Act, Section 507 of the Housing and Urban Redevelopment Act of 1965, or similar programs for housing for low or moderate income families and further provided an employee or commissioner is not prohibited from purchasing a principal residence in any project if the authority or any instrumentality thereof is not the owner of the residence. "Principal residence" means the place where the employee or commissioner lives for more than six months of the year and includes a single family structure and a residential unit in a condominium or cooperative housing project. No commissioner or employee of an authority

after his employment has ceased, shall knowingly act as agent or attorney for anyone other than the authority in connection with any judicial or other determination, contract, claim, controversy, charge, accusation, arrest, or to the particular matter involving a specific party or parties in which the authority is a party or has a direct and substantial interest and in which he participated personally and substantially as an officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice investigation, or otherwise, while so employed. No person having been so employed, within one year after his employment has ceased, shall appear personally before any court or governmental department or agency as agent or attorney for anyone other than the authority in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the authority is a party or directly and substantially interested, and which was under his official responsibility as an officer or employee of the authority at any time within a period of one year prior to the termination of such responsibility. This section shall not apply to the deposit of any funds of an authority in any bank in which a member of any authority shall have an interest if such funds are deposited and protected in accordance with Minnesota Statutes 1949, Chapter 118. If any commissioner or employee of an authority previously owned or controlled an interest, direct or indirect, in any property included or planned to be included in any project, or presently has such interest, he immediately shall disclose such interest in writing to the authority, and such disclosure shall be entered upon the minutes of the authority. Whoever violates any provision of this section shall be punished by a fine of not less than \$50 nor more than \$1,000, or by imprisonment for not more than three months, or both."

Renumber the remaining sections.

Amend the title in line 6 after "authority;" by inserting "permitting officers and employees of a municipal housing and redevelopment authority to purchase a principal residence in a housing and redevelopment district;"

Further amend the title in line 9 after "6;" by inserting "462.431;".

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 82, and nays 39, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, G.	Beauchamp	Berg	Brinkman
Adams, L.	Anderson, I.	Begich	Birnstihl	Byrne

Carlson, L.	Haugerud	Lindstrom	Petrafeso	Smogard
Carlson, R.	Hokanson	Mangan	Prahl	Stanton
Casserly	Jacobs	Mann	Reding	Suss
Clark	Jaros	McCarron	Rice	Swanson
Corbid	Jensen	McCollar	St. Onge	Tomlinson
Dieterich	Johnson, C.	McEachern	Samuelson	Vento
Doty	Johnson, D.	Menning	Sarna	Voss
Eckstein	Jude	Metzen	Schulz	Wenstrom
Eken	Kahn	Moe	Schumacher	Wenzel
Enebo	Kelly, R.	Mung	Sherwood	White
Faricy	Kelly, W.	Nelson	Sieben, H.	Wieser
Fudro	Knoll	Osthoff	Sieben, M.	Speaker Sabo
Fugina	Kroening	Parish	Simoneau	
George	Langseth	Patton	Skoglund	
Hanson	Lemke	Pehler	Smith	

Those who voted in the negative were:

Albrecht	Evans	Kempe, A.	McCauley	Schreiber
Biersdorf	Ewald	Kempe, R.	Nelsen	Searle
Braun	Fjoslien	Ketola	Niehaus	Setzepfandt
Carlson, A.	Forsythe	Knickerbocker	Novak	Sieloff
Clawson	Friedrich	Kostohryz	Peterson	Ulland
Dean	Heinitz	Kvam	Philbrook	Wigley
Erickson	Jopp	Laidig	Pleasant	Zubay
Esau	Kaley	Luther	Savelkoul	

The motion prevailed and the amendment was adopted.

S. F. No. 1624, A bill for an act relating to housing and redevelopment; permitting coinciding terms of office for city council members of a municipality who are appointed commissioners of a municipal housing and redevelopment authority; redefining powers of local housing and redevelopment authorities in carrying out legislation; amending Minnesota Statutes 1974, Sections 462.425, Subdivision 6; and 462.475, Subdivision 1; repealing Minnesota Statutes 1974, Section 462.501, 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 and the roll being called, there were yeas 125, and nays 2, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Albrecht Pleasant

The bill was passed, as amended, 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

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

S. F. No. 551, A bill for an act relating to correctional facilities; providing for the establishment of minimum standards for facility management and physical condition; providing the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1974, Sections 241.021, Subdivision 1; and 641.26.

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 241.021, Subdivision 1, is amended to read:

241.021 [LICENSING AND SUPERVISION OF INSTITUTIONS AND FACILITIES.] Subdivision 1. [SUPERVISION OVER CORRECTIONAL FACILITIES FOR DETENTION

AND CONFINEMENT.] (1) The commissioner of corrections shall (INVESTIGATE THE WHOLE SYSTEM OF CORRECTIONAL INSTITUTIONS IN THE STATE, ESPECIALLY PRISONS AND JAILS, AND EXAMINE THEIR CONDITION AND MANAGEMENT) *inspect all correctional facilities throughout the state, whether public or private, established and operated for the detention and confinement of persons detained or confined therein according to law except to the extent that they are inspected or licensed by other state regulating agencies. He shall promulgate, by January 1, 1977, pursuant to chapter 15, rules establishing minimum standards for these facilities with respect to their management, operation, physical condition, and the security, safety, health, treatment and discipline of persons detained or confined therein. Notwithstanding the provisions of sections 15.0412 and 15.0413, these rules shall not take effect until April 15, 1977. To assist in the development of standards for jails and lockups the commissioner shall pursuant to section 15.059, subdivision 6, appoint a citizens advisory task force of nine persons, which shall include representatives of the criminal justice system, including the Minnesota sheriff's association, the association of Minnesota counties, and county boards. The commissioner shall have access to the buildings, grounds, books, records, staff and to persons detained or confined in these facilities. He may require the officers in charge of (ANY SUCH INSTITUTION) these facilities to furnish (SUCH) all information and statistics (AS) he (MAY DEEM) deems necessary, upon (BLANKS) forms furnished by him.*

(2) *Any state agency which regulates, inspects, or licenses certain aspects of correctional facilities shall, insofar as is possible, ensure that the minimum standards it requires are substantially the same as those required by other state agencies which regulate, inspect, or license the same aspects of similar types of correctional facilities, although at different correctional facilities.*

(3) *Nothing in this section shall be construed to limit the commissioner of corrections' authority to promulgate rules establishing standards of eligibility for counties to receive funds under sections 401.01 to 401.16, or to require counties to comply with operating standards the commissioner establishes as a condition precedent for counties to receive that funding.*

(4) *When the commissioner finds that any facility described in clause (1) of this subdivision, except foster care facilities for delinquent children and youth as provided in subdivision 2, does not conform to the minimum standards established by law or by the commissioner, he shall promptly notify the chief executive officer and the governing board of the facility of the deficiencies and order that they be remedied within a reasonable period of time. The commissioner may by written order restrict the use of any facility which does not substantially conform to minimum standards to prohibit the detention of any person therein for more than 72 hours at one time. When the commissioner is satis-*

fied that satisfactory progress towards substantial compliance with minimum standard is being made, he may, at the request of the appropriate officials of the affected facility supported by a written schedule for compliance, grant an extension of time for a period not to exceed one year. (HE SHALL EXAMINE ALL PLANS FOR NEW JAILS AND LOCKUPS, OR FOR REPAIRS AT AN ESTIMATED COST IN EXCESS OF THE LIMITS SET BY SECTIONS 641.21, 642.01, AND 642.02, BEFORE THE SAME ARE ADOPTED BY THE COUNTY OR OTHER MUNICIPAL BOARD, AND HAVE AN ADVISORY SUPERVISION OVER ALL SUCH INSTITUTIONS. UPON THE REQUEST OF THE GOVERNOR, HE SHALL SPECIALLY INVESTIGATE ANY PENAL OR REFORMATORY INSTITUTION AND REPORT ITS CONDITION; AND FOR THIS PURPOSE HE IS HEREBY AUTHORIZED TO SEND FOR PERSONS AND PAPERS, ADMINISTER OATHS, AND TAKE TESTIMONY WHICH HE SHALL CAUSE TO BE TRANSCRIBED AND INCLUDED IN HIS REPORT.)

Sec. 2. Minnesota Statutes 1974, Section 241.021, Subdivision 3, is amended to read:

Subd. 3. [REVOCATION OF LICENSE.] When after due notice and hearing the commissioner of corrections (SHALL DETERMINE) *determines* that any facility described in subdivision 2 does not substantially conform to reasonable standards therein provided or is not making satisfactory progress toward compliance therewith, he may, with the consent of the judge of the district court, issue his order revoking the license of (SUCH) *that* facility. After revocation of its license, (SUCH) *that* facility shall not be used for the care and training of delinquent children (AND YOUTH), or for their detention (FOR MORE THAN 48 HOURS AT ONE TIME) until (SUCH) *its* license is renewed.

Sec. 3. Minnesota Statutes 1974, Section 641.21, is amended to read:

641.21 [JAILS, ADVICE AS TO CONSTRUCTION.] When any county board determines to erect a new jail, or to repair an existing one at an expense of more than (\$2,000) *\$5,000*, it shall pass a resolution to that effect, and transmit a copy thereof to the commissioner of corrections, who, within 30 days thereafter, shall transmit to (SUCH) *that* county board (SUCH) *the* advice and suggestions in reference to the construction thereof as he deems proper.

Sec. 4. Minnesota Statutes 1974, Section 641.26, is amended to read:

641.26 [CONDEMNATION OF JAILS.] When the jail of any county is insecure or otherwise unfit for use, the judge of the district court therein, on the recommendation of the grand

jury or of his own motion, may issue his written order condemning it; or, when the commissioner of corrections shall adjudge any county jail insecure or otherwise unfit for use, he may, with consent of the judge of the district court, issue his written order condemning it. After condemnation (SUCH) *that* jail shall not be used for the detention of any prisoner (FOR MORE THAN 24 HOURS AT ONE TIME, EXCEPT PENDING PRELIMINARY EXAMINATION, OR WHILE COURT IS IN SESSION,) until the order of condemnation is rescinded.

Sec. 5. Minnesota Statutes 1974, Section 642.01, is amended to read:

642.01 [LOCKUPS, ESTABLISHMENT.] The governing body of any city may purchase, build, or lease, maintain and regulate, one or more lockups for the detention of persons charged with offenses against its ordinances and bylaws, or for the confinement of persons sentenced to imprisonment for violation of (SUCH) *these* ordinances and bylaws (; AND,) . Under regulations prescribed by (SUCH) *the* governing body, (IT) *the lock-up* may be used for temporary detention of any prisoner under arrest. No (SUCH) purchase or lease, and no plans for building (ANY SUCH) *a* lockup(;), or no (SUCH) plans for repairing (ANY SUCH) *a* lockup at an expense of more than (\$1,000) \$5,000 shall be finally adopted until the same (SHALL HAVE) *has* been approved by the commissioner of corrections (, AND). No contract for (SUCH) erection or repair shall be valid unless the suggestions and advice of the commissioner (SHALL) have been filed with the clerk of (SUCH) *the* municipality before its execution.

Sec. 6. Minnesota Statutes 1974, Section 642.02, Subdivision 1, is amended to read:

642.02 [CONSTRUCTION, REPAIR; PRESENCE OF JAILER.] Subdivision 1. [APPROVAL, STANDARDS REQUIRED.] The commissioner of corrections shall not approve any plan for the construction of a lockup, or repairs to an existing lockup at an estimated cost of more than (\$1,000) \$5,000, unless (SUCH) *the* plan meets the standards established by (RULE AND REGULATION) *the commissioner's rules*.

Sec. 7. *This act is effective on July 1, 1976."*

Further, amend the title as follows:

Page 1, line 7, delete "Subdivision 1" and insert "Subdivisions 1 and 3".

Page 1, line 8, delete "and 641.26" and insert "641.21; 641.26; 642.01; and 642.02; Subdivision 1".

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:

S. F. No. 1238, A bill for an act relating to Lincoln county; authorizing Lincoln county to perform or contract for the performance of weather modification activities.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 16, the terms defined in this section have the meanings given them.

Subd. 2. "Weather modification" means any activity performed in connection with placing or attempting to place any substance in the atmosphere or clouds within the atmosphere, including fog, with the intention of and for the purpose of producing artificial changes in the composition, motions and resulting behavior of the atmosphere or clouds within the atmosphere, including fog.

Subd. 3. "Person" means any person, firm, association, organization, partnership, company, corporation, private or public, county, city, trust or other public agency.

Subd. 4. "Operation" means the performance of weather modification activities entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding one year.

Subd. 5. "Commissioner" means the commissioner of agriculture.

Sec. 2. [SOVEREIGN RIGHT CLAIMED BY STATE.] It is declared that the state of Minnesota claims its sovereign right to use for the best interest of its residents the moisture contained in the clouds and atmosphere within its sovereign state boundaries.

Sec. 3. [COMMISSIONER; POWERS AND DUTIES.] Subdivision 1. [POWERS.] The commissioner of agriculture may:

(a) pursuant to Minnesota Statutes, Chapter 15, adopt rules necessary to implement the license and permit program established pursuant to sections 1 to 16;

(b) enter into contracts or memoranda of agreement and do all things necessary to cooperate with the United States government, and to qualify for, accept and disburse any private grant intended for the administration of sections 1 to 16;

(c) cooperate with other states to jointly carry out research and planning in weather modification;

(d) advise persons, groups, and local units of government on weather modification and distribute informational material relating to weather modification and review and comment on all county programs of weather modification; and

(e) carry on research related to weather modification including evaluation of the effects of weather modification activities within the state by staff members, or by contract. Evaluation of weather modification programs shall, if practical and within limits of available funding, include components of economic and environmental analysis which delineate the economic and environmental implications of the programs.

Subd. 2. [DUTIES.] The commissioner of agriculture shall:

(a) utilize to the extent possible the facilities and technical resources of public and private institutions in the state;

(b) by rule adopted pursuant to Minnesota Statutes, Chapter 15, require persons engaged in weather modification to submit reports of their activities and operations and any other information deemed necessary;

(c) on or before January 15 of each year, submit a report to the legislature and governor describing the weather modification operations within the state during the preceding year and the social, economic and environmental impact of the operations. The report shall also include recommendations for legislative action and any other information useful to the legislature.

Sec. 4. [COUNTY PROGRAMS OF WEATHER MODIFICATION.] Counties may, only after approval of the commissioner and subject to the requirements of sections 1 to 16, conduct programs of weather modification and levy taxes therefor, not in excess of limitations provided by law. Counties may participate in and conduct programs with the state or jointly with other states. No program may be conducted within the county without prior approval by the county board.

Sec. 5. [LICENSES.] Subdivision 1. No person shall engage in weather modification without a license issued by the commissioner. Applications for weather modification licenses shall be on forms prescribed and furnished by the commissioner. The

commissioner shall issue licenses only to applicants who demonstrate good character, adequate education and sufficient competence in the field of meteorology and cloud physics to engage in weather modification and who pay a fee of \$100. If the applicant is an organization, the competence must be demonstrated by the individuals who are to supervise and conduct the weather modification. The license shall be valid for one year. The commissioner may waive the license fee in situations he deems appropriate.

Subd. 2. The commissioner may renew a license annually if the applicant has the qualifications necessary for issuance of an original license and pays a fee of \$100.

Subd. 3. The moneys collected as fees shall be deposited with the state treasurer in the general fund.

Sec. 6. [SUSPENSION; REVOCATION; REFUSAL TO RENEW LICENSE.] The commissioner may, subject to the provisions of chapter 15, suspend, revoke or refuse to renew a license for any one or any combination of the following causes:

- (1) Incompetency;
- (2) Dishonest practice;
- (3) False or fraudulent representation in obtaining a license or permit under sections 1 to 16 or rules promulgated thereunder;
- (4) Failure to comply with any of the provisions of sections 1 to 16 or of rules promulgated thereunder; or
- (5) Aiding other persons who fail to comply with any of the provisions of sections 1 to 16 or rules promulgated thereunder.

Sec. 7. [INVESTIGATION.] The commissioner may investigate any operation or research and development activities of any person applying for a license and of any person holding or claiming to hold a license or permit.

Sec. 8. [PERMITS.] Subdivision 1. No person shall conduct an operation without a permit issued by the commissioner. Applications for permits shall be on forms prescribed and furnished by the commissioner. Permits shall be issued only to applicants who hold a valid weather modification license, pay a fee of \$100 and furnish proof of financial responsibility pursuant to subdivision 2. Prior to conducting an operation, the permittee shall publish notice of the operation as the commissioner shall require and shall give written notice to the county boards of the counties over which the operation is to be conducted and counties

contiguous thereto. The permit shall be valid for one year or until the operation terminates, whichever first occurs.

Subd. 2. The applicant shall demonstrate to the satisfaction of the commissioner that he has the ability to respond to damages for liability which might reasonably result from the operation for which the permit is sought.

Subd. 3. The fees collected for permits shall be deposited with the state treasurer in the general fund.

Subd. 4. To the extent the commissioner deems necessary, emergency weather modification operations for the purpose of controlling fire, frost, sleet, hail, fog, or wind shall be exempt from the permit requirements.

Subd. 5. The commissioner may renew a permit annually if the applicant has the qualifications necessary for issuance of an original permit and pays a fee of \$100.

Sec. 9. [SUSPENSION; REVOCATION AND REFUSAL TO RENEW PERMIT.] Subdivision 1. The commissioner may, subject to chapter 15, suspend or revoke a permit if it appears that the permittee no longer has the qualifications necessary for the issuance of an original permit or has violated any provision of sections 1 to 16 or of any rules promulgated thereunder.

Subd. 2. The commissioner may, subject to chapter 15, refuse to renew a permit if it appears from the operational records and reports of the permittee that an original permit would not be issuable for the operation, or if the permittee has violated any provision of sections 1 to 16 or of any rules promulgated thereunder.

Sec. 10. [MODIFICATION OF PERMIT.] Subdivision 1. The commissioner may revise the conditions and limits of a permit if:

(a) The permittee is given notice and a hearing, pursuant to chapter 15, on whether there is a need for the revision and the commissioner finds that a modification of the conditions and limits of a permit is necessary to protect the public health, safety or welfare, or the environment.

(b) If it appears to the commissioner that an emergency situation exists or is impending which could endanger the public safety, health or welfare, or the environment, the commissioner may, without prior notice or a hearing, immediately modify the conditions and limits of a permit, or order temporary suspension of the permit. The order shall include notice of a hearing to be held pursuant to chapter 15 within ten days thereafter on the

question of permanently modifying the conditions and limits, continuing the suspension of the permit, removing the changes or lifting the suspension.

Subd. 2. Failure to comply with an order temporarily suspending an operation or modifying the conditions and limits of a permit shall be grounds for immediate revocation of the permit and of the license of the person controlling the operation.

Subd. 3. The permittee shall notify the commissioner of any emergency which can reasonably be foreseen, or of any existing emergency situations which might be caused or affected by the operation. Failure by the permittee to so notify the commissioner may be grounds, at the discretion of the commissioner, for revocation of the permit and of the license of the person controlling the operation.

Sec. 11. [PENALTY FOR VIOLATIONS.] Any person violating any of the provisions of sections 1 to 16 or of any rule promulgated thereunder is guilty of a misdemeanor, and each day such violation continues constitutes a separate offense.

Sec. 12. [JUDICIAL REVIEW.] All final administrative decisions of the board are subject to judicial review pursuant to the provisions of Minnesota Statutes, Chapter 15. The proceedings for judicial review shall be commenced in the district court of the county in which the party applying for review resides. If such party is not a resident of Minnesota, the venue shall be in the district court of Ramsey county.

Sec. 13. [IMMUNITY.] Nothing in sections 1 to 16 shall be construed to impose on the state, or its officers and employees any responsibility or liability for any injury caused by activities undertaken under sections 1 to 16 by persons granted licenses or permits under sections 1 to 16 or exempt from the permit requirement.

Sec. 14. [LIABILITY.] Subdivision 1. An operation or research and development activity conducted under the license and permit requirements of sections 1 to 16 or exempt from them is not an ultrahazardous or an abnormally dangerous activity.

Subd. 2. Dissemination of weather modification agents into the atmosphere or clouds within the atmosphere, including fog, by a licensee or a person exempt from the license and permit requirements of sections 1 to 16, acting within the scope of the permit or exemption, shall not in itself give rise to a cause of action.

Subd. 3. Except as expressly provided in sections 1 to 16, nothing in sections 1 to 16 shall prevent any person adversely affected by a weather modification operation or research and development activity from recovering damages resulting from

intentional harmful actions or negligent conduct by a person conducting the weather modification operation or research and development activity.

Subd. 4. Failure to obtain a license and permit, when required by sections 1 to 16, before conducting an operation or operational activities when one knows the operation or activities constitute a violation of the conditions or limits of permits, shall constitute negligence per se and shall give rise to liability for all harm caused thereby.

Subd. 5. Other than in legal actions charging failure to obtain a license and permit, the fact that a person holds a license or was issued a permit under sections 1 to 16, or that a person has complied with the rules made by the commissioner pursuant to sections 1 to 16, is not admissible as a defense in any legal action which may be brought under this section against such person.

Sec. 15. [INJUNCTION.] The commissioner may, in addition to the other remedies provided in sections 1 to 16, apply to a district court having venue and jurisdiction, for an injunction to restrain repetitious violations of the provisions of sections 1 to 16 and of any rule promulgated thereunder.

Sec. 16. [WEATHER MODIFICATION ADVISORY COUNCIL.] To advise him in the discharge of his responsibilities under sections 1 to 15, the commissioner shall appoint a weather modification advisory council to consist of 11 members. The council shall be subject to the provisions of Minnesota Statutes 1974, Section 15.059.

Sec. 17. [APPROPRIATION.] The sum of \$49,000 is appropriated to the commissioner from the general fund for the following purposes:

- (a) To cover administrative costs;
- (b) To cover the cost of hiring personnel or consultants to promulgate the rules relating to weather modification prescribed by sections 1 to 16; and
- (c) To begin developing an evaluation system for determining downwind effects of weather modification activities.

Notwithstanding Minnesota Statutes, Section 16A.28, or other law, this appropriation shall not lapse but remain available for expenditure until the purposes for which the appropriation was made have been accomplished or abandoned."

Further, delete the title in its entirety and insert:

"A bill for an act relating to weather modification; prescribing powers and duties for the commissioner of agriculture; providing for weather modification research; requiring the obtaining of licenses and permits prior to engaging in weather modification; prescribing penalties; creating a weather modification advisory council; appropriating money."

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

The report was adopted.

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

S. F. No. 819, A bill for an act relating to taxation; providing for public financing in political campaigns; increasing the tax credit for political contributions; amending Minnesota Statutes 1974, Section 290.06, Subdivision 11.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 290.06, Subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] (EFFECTIVE FOR TAXABLE YEARS COMMENCING AFTER DECEMBER 31, 1973,) in lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take credit against the tax due under chapter 290 of 50 percent but not more than \$12.50 of his contributions to a political party, *as defined in section 10A.27, subdivision 4*, and a candidate. A married couple, filing jointly, may take a similar credit of not more than \$25. (HOWEVER, THE TAXPAYER MAY TAKE A CREDIT FOR CONTRIBUTIONS OF NO MORE THAN \$5 IN THE CASE OF AN INDIVIDUAL RETURN OR \$10 IN THE CASE OF A JOINT RETURN FOR CONTRIBUTIONS TO A POLITICAL PARTY.) For purposes of this subdivision, "candidate" means a candidate as defined in section 10A.01, subdivision 5. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by Laws 1974, Chapter 470.

This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue shall prescribe.

Sec. 2. Minnesota Statutes 1974, Section 10A.12, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding subdivision 1, any association may, if not prohibited by law, transfer to its political fund money from

that part of its treasury financed by dues or membership fees. *Upon written request to the treasurer of the political fund, any member of an association shall thereafter be refunded that portion of his membership dues or fees intended for political purposes, within 30 days of transfer thereof to the fund, but not more frequently than semi-annually.* Pursuant to section 10A.20, the source of the dues or membership fees must be disclosed if an aggregate amount in excess of \$50 of any member's dues, membership fees and voluntary contributions are transferred to the political fund within one year.

Sec. 3. Minnesota Statutes 1974, Chapter 10A, is amended by adding a section to read:

[10A.261] Nothing in this chapter shall be construed as abridging the right of an association to communicate with its membership.

Sec. 4. Minnesota Statutes 1974, Section 10A.27, is amended to read:

10A.27 [ADDITIONAL LIMITATIONS.] Subdivision 1. No political committee, political fund, or individual, except a political party or the principal campaign committee of a candidate shall make expenditures on behalf or in opposition to the opponent of a candidate, or transfer funds to the principal campaign committee of a candidate, *in any year* in an amount in excess of (TEN PERCENT OF THE AMOUNT THAT MAY BE SPENT BY OR ON BEHALF OF THAT CANDIDATE AS SET FORTH IN SECTION 10A.25) *\$200 in the case of candidates for governor and lieutenant governor running jointly, attorney general, secretary of state, state auditor, or state treasurer, and \$100 in the case of a candidate for the senate or house of representatives.*

Subd. 2. No political party shall make expenditures on behalf of a candidate or transfer funds to the principal campaign committee of a candidate in an amount in excess of (50) *five* percent of the amount that may be spent by or on behalf of (THAT) *a candidate for statewide office or ten percent of the amount that may be spent by or on behalf of a candidate for legislative office* as set forth in section 10A.25.

Subd. 3. Expenditures by a political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published or posted, on any broadcast, or in any telephone conversation, if that conversation mentions three or more candidates, shall not be subject to the limitations of section 10A.25, subdivision 2, *or this section.*

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional

districts, counties, legislative districts, municipalities, wards, and precincts, (AND ANY LEGISLATIVE BODY) collectively.

Subd. 5. Nothing in this chapter shall limit expenditures by a political committee, political fund, or individual which are made without the authorization or consent, express or implied, of a candidate or his agent, provided the political committee, political fund, or individual complies with the provisions of section 10A.17.

Sec. 5. Minnesota Statutes 1974, Section 10A.31, is amended to read:

10A.31 [DESIGNATION OF INCOME TAX PAYMENTS.]
Subdivision 1. Effective with the taxable years beginning after December 31, (1973) 1975, every individual whose income tax liability after personal credit for the taxable year is (\$1) \$2 or more may designate that (\$1) \$2 shall be paid into the state elections campaign fund. In the case of a joint return of husband and wife having an income tax liability of (\$2) \$4 or more, each spouse may designate that (\$1) \$2 shall be paid.

Subd. 2. The taxpayer may designate that the (\$1) \$2 be paid into the account of a political party or into the general account.

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate (\$1) \$2 of his taxes (((\$2) \$4 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the (\$1) \$2 (or (\$2) \$4 if filing a joint return) to (ONE OF THE FOLLOWING): (i) one of the major political parties; (ii) (THE NAME OF) any minor political party provided that (IF) a petition is filed to qualify as a minor political party (IT BE FILED) by June 1 of that taxable year; (AND) or (iii) (DISTRIBUTION TO) all qualifying candidates as provided by this section.

Subd. 4. All moneys designated by individual taxpayers for the state elections campaign fund shall be credited to the appropriate account in the general fund of the state and shall be annually appropriated for distribution as set forth in subdivisions 5, 6 and 7.

Subd. 5. ((A)) In each fiscal year (, 10 PERCENT OF) the moneys in each account shall be set aside for candidates for statewide office (.) as follows:

((B) OF THE AMOUNT SET ASIDE IN CLAUSE) (a) (, 40) 21 percent shall be distributed to the candidates for governor and lieutenant governor jointly; (24) 3.6 percent shall be

distributed to the candidate for attorney general; and (12) 1.8 percent each shall be distributed to the candidates for secretary of state, state treasurer and state auditor. If there is no nominee of that party for one of the offices, the share set aside for that office shall be distributed to the other statewide candidates of that party in the same proportions as the original amount.

((C)) (b) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, of the state elections fund to the appropriate candidates who are to appear on the ballot for the general election as prescribed in (CLAUSES) *clause* (a) (AND (B)).

((D)) (c) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in *clause* ((B)) (a), in an equal amount to each candidate who received at least five percent of the vote cast in the general election for the office for which he was a candidate.

Subd. 6. (a) In each of the fiscal years during the period in which the state senate serves a four year term which commences after April 13, 1974, (20) $23 \frac{1}{3}$ percent of the moneys in each account shall be set aside for candidates for state senate. In each of the fiscal years during the period in which the state senate serves a two year term, (AND IN 1975 AND 1976, 30) 35 percent of the moneys in each account shall be set aside for candidates for state senate.

(b) The amount set aside in *clause* (a) shall be distributed in equal shares to each of the candidates for state senate of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account to the appropriate candidates who are to appear on the ballot for the general election as prescribed in *clauses* (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Subd. 7. (a) In each of the fiscal years during the period in which the state senate serves a four year term which commences after April 13, 1974, (40) $46 \frac{2}{3}$ percent of the moneys

in each account shall be set aside for candidates for state representatives. In each of the fiscal years during the period in which the state senate serves a two year term, (AND IN 1975 AND 1976, 30) 35 percent of the moneys in each account shall be set aside for candidates for state representatives.

(b) The amount set aside in clause (a) shall be distributed in equal shares to each of the candidates for state representative of that party.

(c) Within two weeks of the certification by the state canvassing board of the results of the primary election, the state treasurer shall distribute available funds in each account, other than the general account, to the appropriate candidates who are to appear on the ballot for the general election as prescribed in clauses (a) and (b).

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in an equal amount to each candidate who received at least ten percent of the votes cast in the general election for the office for which he was a candidate.

Sec. 6. *If any provision of this act is declared unconstitutional, the entire act is void.*

Sec. 7. *This act is effective January 1, 1977 and shall apply to 1976 income tax returns filed in 1977."*

Further, amend the title as follows:

Line 2, delete "providing for public".

Delete lines 3 to 6 and insert "providing for an increased income tax checkoff, redistribution of moneys in the elections campaign fund, and limitations on political contributions; amending Minnesota Statutes 1974, Sections 10A.12, Subdivision 5; 10A.27, and by adding a subdivision; and 10A.31; and Chapter 10A, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 290.06, Subdivision 11.

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

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 551 and 819 were read for the second time.

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. 1997, A bill for an act relating to the operation of state government; providing for aids to education, tax levies and the distribution of tax revenues; changing the funding of special education, adult vocational education and secondary vocational education to a current funding basis; granting certain powers and duties to school districts, the commissioner of education, and the state board of education; establishing a uniform financial accounting and reporting system for Minnesota school districts; requiring the provision of special education on a shared time basis to nonpublic school pupils; appropriating money; amending Minnesota Statutes 1974, Sections 120.17, by adding a subdivision; 120.73, Subdivision 1; 120.74, Subdivision 1; 121.21, by adding a subdivision; 122.45, Subdivisions 2 and 3a; 124.212, by adding a subdivision; 124.32, as amended; Chapter 124, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 122.23, Subdivision 15; 122.45, Subdivision 1; 124.04; 124.17, Subdivisions 1 and 2; 124.212, Subdivision 8a; 124.271, Subdivision 2; 124.43, Subdivision 1; 124.561, Subdivision 3, and by adding a subdivision; 124.562, Subdivision 2; 124.563, Subdivision 3, and by adding a subdivision; 124.564; 124.565, Subdivision 2; 124.611, Subdivisions 1 and 2; 275.125, Subdivisions 2a, 4, 5, 8, 9, and 14; repealing Minnesota Statutes 1974, Sections 122.54 and 275.39.

PATRICK E. FLAHAVEN, Secretary of the Senate

Graba moved that the House refuse to concur in the Senate amendments to H. F. No. 1997, 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. 1382, A bill for an act relating to transportation; authorizing the commissioner of administration to acquire vehicles for the car pooling of state employees; removing, restricting or clarifying certain laws which discourage use of shared ride commuter vans to transport employees to and from work; providing certain incentives; appropriating money; amending Minnesota Statutes 1974, Chapter 221, by adding a section; and Sections 16.85, Subdivision 1; and 65B.47, Subdivisions 1 and 2; and Minnesota Statutes, 1975 Supplement, Sections 65B.43, Subdivision 12; 221.011, Subdivision 22; repealing Minnesota Statutes 1974, Section 16.755.

PATRICK E. FLAHAVEN, Secretary of the Senate

Fugina moved that the House refuse to concur in the Senate amendments to H. F. No. 1382, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

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. 2326, A bill for an act relating to highway traffic regulations; driving restrictions on certain juveniles; repealing Minnesota Statutes 1974, Section 169.131.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Fudro moved that the House concur in the Senate amendments to H. F. No. 2326 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2326, A bill for an act relating to highway traffic regulations; driving restrictions on certain juveniles; repealing Minnesota Statutes 1974, Section 169.131.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2463, A bill for an act relating to highway traffic regulations; defining terms; authorizing flashing lights on certain vehicles; authorizing certain vehicles to be equipped with a flashing amber lamp and to display the lighted lamp under certain conditions; amending Minnesota Statutes 1974, Sections 169.01, by adding a subdivision; and 169.64, Subdivision 3, and by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kvam moved that the House concur in the Senate amendments to H. F. No. 2463 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2463, A bill for an an act relating to highway traffic regulations; defining terms; authorizing flashing lights on certain vehicles; authorizing certain vehicles to be equipped with

a flashing amber lamp and to display the lighted lamp under certain conditions; amending Minnesota Statutes 1974, Sections 169.01, by adding a subdivision; and 169.64, Subdivision 3, and by adding a subdivision.

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

S. F. Nos. 1675, 1935, 2210 and 2226.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1675, A bill for an act relating to public indebtedness; revising and clarifying provisions as to manner of sale and execution of obligations; designation of paying agents; cremation of obligations; payment of grant anticipation certificates;

use of investment income from proceeds; administration of debt service funds; refunding; method of payment and interest rate on special assessments and obligations payable from special assessments; amending Minnesota Statutes 1974, Sections 48.15, by adding a subdivision; 124.05, Subdivisions 3 and 4; 138.17, Subdivision 1; 429.061, Subdivision 2; 429.091, Subdivisions 1, 3, and 4; 471.56, Subdivisions 1 and 3; 475.51, Subdivision 6, and adding a subdivision; 475.52, Subdivision 1; 475.55; 475.553, Subdivisions 1, 2, 3, and 5; 475.60, Subdivisions 2 and 3; 475.61, Subdivision 5; 475.65; 475.66; and 475.67, Subdivisions 7 and 12; and repealing Minnesota Statutes 1974, Section 475.553, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Section 471.561.

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

S. F. No. 1935, A bill for an act relating to education; environmental curriculum; providing for the inclusion of food production studies as part of environmental education; amending Minnesota Statutes 1974, Section 126.111.

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

S. F. No. 2210, A bill for an act relating to Red River watershed; authorizing watershed districts which are members of the lower Red River watershed management board to levy a tax; authorizing the management board to institute certain projects; allowing the board to enter certain intergovernmental agreements.

The bill was read for the first time.

Kelly, W., moved that S. F. No. 2210 and H. F. No. 2356, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2226, A bill for an act relating to counties; authorizing inclusion of cities in sewer and water districts; allowing certain special assessments; providing a flexible accounting system for multi-county projects; amending Minnesota Statutes 1974, Sections 116A.01, Subdivisions 1 and 2, and by adding a subdivision; 116A.16; 116A.17, Subdivision 2; and 116A.24, Subdivision 3; and Minnesota Statutes, 1975 Supplement, Sections 116A.01, Subdivisions 1a and 4; and 116A.20, Subdivisions 2 and 6.

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

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1997:

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

The Speaker announced the appointment of the following members of the House to the Conference Committee on S. F. No. 499:

Prahl, Anderson, G., and Stanton.

SPECIAL ORDERS, Continued

S. F. No. 2161 was reported to the House.

Begich moved to amend S. F. No. 2161, as follows:

Page 2, after line 17, insert a new section to read as follows:

"Sec. 3. This act will also allow communities to authorize on sale liquor to licensed establishments for one day only, Sunday, July 4, 1976."

Renumber the remaining section.

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

S. F. No. 2161, A bill for an act relating to intoxicating liquor; authorizing temporary short term on-sale licenses for certain charitable festivals.

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 95, and nays 29, as follows:

Those who voted in the affirmative were:

Abeln	Biersdorf	Clawson	Fudro	Jude
Adams, L.	Birnstihl	Dahl	George	Kahn
Adams, S.	Braun	Dean	Hanson	Kaley
Anderson, I.	Brinkman	Dieterich	Haugerud	Kelly, R.
Arlandson	Byrne	Eckstein	Hokanson	Kelly, W.
Beauchamp	Carlson, A.	Eken	Jacobs	Ketola
Begich	Carlson, L.	Enebo	Jaros	Knickerbocker
Berg	Casserly	Faricy	Johnson, C.	Knoll
Berglin	Clark	Friedrich	Johnson, D.	Kostohryz

Lemke	Moe	Petraleso	Sieben, H.	Ulland
Lindstrom	Munger	Philbrook	Sieben, M.	Vanasek
Luther	Neisen	Rice	Sieloff	Vento
Mangan	Nelson	St. Onge	Simoneau	Voss
Mann	Niehaus	Samuelson	Skoglund	Wenzel
McCarron	Norton	Sarna	Smith	White
McCauley	Novak	Savelkoul	Smogard	Wieser
McCollar	Osthoff	Schreiber	Spanish	Williamson
McEachern	Patton	Schumacher	Stanton	Zubay
Metzen	Pehler	Setzepfandt	Suss	Speaker Sabo

Those who voted in the negative were:

Albrecht	Ewald	Kroening	Parish	Searle
Carlson, R.	Fjoslien	Kvam	Peterson	Sherwood
Doty	Fugina	Laidig	Pleasant	Swanson
Erickson	Heinitz	Langseth	Prahl	Wenstrom
Esau	Jopp	Menning	Reding	Wigley
Evans	Kempe, R.	Nelsen	Schulz	

The bill was passed and its title agreed to.

S. F. No. 10, A bill for an act relating to certain commercial transactions; amending provisions of the uniform commercial code governing secured transactions and related provisions; amending Minnesota Statutes 1974, Chapter 336, by adding sections; and Sections 336.1-105; 336.1-201; 336.2-107; 336.5-116; 336.9-102; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-203; 336.9-204; 336.9-205; 336.9-301; 336.9-302; 336.9-304; 336.9-305; 336.9-306; 336.9-307; 336.9-308; 336.9-312; 336.9-313; 336.9-318; 336.9-401; 336.9-402; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 336.9-501; 336.9-502; 336.9-504; and 336.9-505; repealing Minnesota Statutes 1974, Section 336.9-408.

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 128, and nays 1, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

Parish

The bill was passed and its title agreed to.

S. F. No. 2373 was reported to the House.

McEachern moved to amend S. F. No. 2373 as follows:

Page 6, beginning on line 14, strike all of Section 4.

Page 10, beginning on line 12, strike all of Section 6.

Page 11, beginning on line 6, strike all of Section 7.

Page 12, beginning on line 11, strike all of Section 8.

Page 14, beginning on line 29, strike all of Section 11.

Page 23, beginning on line 4, strike all of Section 20.

Renumber the remaining sections accordingly.

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 81, and nays 44, as follows:

Those who voted in the affirmative were:

Albrecht	Beauchamp	Biersdorf	Braun	Carlson, L.
Anderson, I.	Begich	Birnstihl	Brinkman	Carlson, R.

Clawson	Hanson	Lemke	Philbrook	Smogard
Corbid	Heinitz	Mangan	Pleasant	Spanish
Dahl	Hokanson	Mann	Prahl	Suss
DeGroat	Jacobs	McCollar	Reding	Swanson
Eckstein	Johnson, D.	McEachern	St. Onge	Vanasek
Enebo	Jopp	Menning	Samuelson	Wenstrom
Erickson	Jude	Metzen	Sarna	Wenzel
Esau	Kelly, W.	Neisen	Schreiber	White
Evans	Kempe, A.	Nelsen	Schulz	Wieser
Ewald	Knickerbocker	Niehaus	Searle	Wigley
Faricy	Knoll	Novak	Setzepfandt	Williamson
Fjoslien	Kroening	Osthoff	Sherwood	
Forsythe	Kvam	Parish	Sieben, H.	
Friedrich	Laidig	Patton	Sieben, M.	
Fudro	Langseth	Peterson	Smith	

Those who voted in the negative were:

Abeln	Casserly	Haugerud	Luther	Sieioff
Adams, L.	Clark	Jaros	McCarron	Simoneau
Adams, S.	Dean	Johnson, C.	McCauley	Skoglund
Anderson, G.	Dieterich	Kahn	Munger	Ulland
Arlandson	Doty	Kaley	Nelson	Vento
Berg	Eken	Kelly, R.	Pehler	Voss
Berglin	Fugina	Kempe, R.	Petrafeso	Zubay
Byrne	George	Kostohryz	Rice	Speaker Sabo
Carlson, A.	Graba	Lindstrom	Schumacher	

The motion prevailed and the amendment was adopted.

Haugerud offered an amendment to S. F. No. 2373.

POINT OF ORDER

Lindstrom raised a point of order pursuant to Rule 3.9 that the Haugerud amendment was out of order. The Speaker ruled the point of order well taken and the amendment out of order.

S. F. No. 2373, A bill for an act relating to estates; clarifies aspects of the law concerning administration of estates; harmonizes relevant registered land law with probate code; modifies document verification requirements; changes notice requirement; eliminates de novo appeals from probate court; authorizes the probate court to waive inheritance tax liens in supervised administrations; eliminates notice to attorney general for certain charitable devises; amending Minnesota Statutes 1974, Sections 524.1-310; 524.3-505; 524.3-908; 524.3-1003; 524.3-1007; 524.3-1201; 525.72; amending Minnesota Statutes, 1975 Supplement, Sections 501.79, Subdivision 2; 508.68; 524.1-401; 524.3-301; 524.3-306; 524.3-310; 524.3-403; 524.3-603; 524.3-801; 524.3-803; 524.3-806; 524.3-910; 524.3-1204; 524.4-204; and 525.31.

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 124, and nays 1, as follows:

Those who voted in the affirmative were:

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

Suss
Swanson
Tomlinson

Ulland
Vanasek
Vento

Wenstrom
Wenzel
White

Wieser
Wigley
Williamson

Zubay
Speaker Sabo

Those who voted in the negative were:

Voss

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

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 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 4, as follows:

Those who voted in the affirmative were:

Abeln
Adams, L.
Adams, S.
Albrecht
Anderson, G.
Anderson, I.
Arlandson
Beauchamp
Begich
Berg
Berglin
Biersdorf
Birnstihl
Braun
Brinkman
Byrne
Carlson, A.
Carlson, L.
Carlson, R.
Casserly
Clark
Clawson
Corbid
Dahl
Dean

DeGroat
Doty
Eckstein
Eken
Enebo
Erickson
Esau
Evans
Ewald
Fjoslien
Forsythe
Friedrich
Fudro
Fugina
George
Graba
Hanson
Haugerud
Heinitz
Hokanson
Jacobs
Jaros
Johnson, C.
Johnson, D.
Jopp

Jude
Kahn
Kaley
Kelly, R.
Kelly, W.
Kempe, A.
Kempe, R.
Ketola
Knickerbocker
Knoll
Kostohryz
Kroening
Kvam
Laidig
Langseth
Lemke
Lindstrom
Luther
Mangan
Mann
McCarron
McCauley
McCollar
McEachern
Menning

Metzen
Moe
Munger
Neisen
Nelsen
Nelson
Niehaus
Norton
Novak
Parish
Peterson
Petraseso
Philbrook
Pleasant
Prahll
Reding
Rice
St. Onge
Samuelson
Sarna
Savelkoul
Schreiber
Schulz
Schumacher
Searle

Setzepfandt
Sherwood
Sieben, H.
Sieben, M.
Sieloff
Simoneau
Skoglund
Smith
Smogard
Spanish
Suss
Swanson
Tomlinson
Ulland
Vanasek
Vento
Voss
Wenstrom
Wenzel
White
Wieser
Wigley
Williamson
Zubay
Speaker Sabo

Those who voted in the negative were:

Dieterich

Faricy

Osthoff

Patton

The bill was passed and its title agreed to.

S. F. No. 1047 was reported to the House.

Arlandson moved to amend S. F. No. 1047, the unofficial engrossment, as follows:

Page 10, strike lines 3 and 4.

Page 14, line 20, delete "*The five members shall be*".

Page 21, line 17, strike "executive officer of the department" and insert "*commissioner*".

Page 24, line 13, strike "at the".

Page 24, line 14, strike "state capitol".

Page 28, line 25, strike "and constituted under Laws of Minnesota".

Page 28, line 26, strike "1925, Chapter 426, is hereby continued".

Page 28, line 31, strike "Laws 1973, Chapter 638" and insert "*Section 214.02*".

Page 39, lines 24 through 32; and page 40, lines 1 through 4, delete Sec. 68, and renumber the following sections.

Page 46, line 22, after "*Subdivision 2,*" insert "*352.03, Subdivision 3,*".

Page 46, line 24, delete "1975" and insert "1976".

Further, amend the title as follows:

Page 2, line 12, after "*Subdivision 2,*" insert "*352.03, Subdivision 3,*".

The motion prevailed and the amendment was adopted.

Savelkoul moved to amend S. F. No. 1047, the unofficial engrossment, as follows:

Page 6, line 22, reinstate the stricken "Any Appointment".

Page 6, lines 23 and 24 reinstate the stricken language.

Page 6, line 25, reinstate the stricken "replaced".

Page 6, line 26, reinstate the stricken "and shall retain the same stated".

Page 6, line 28, reinstate the stricken language.

Page 6, lines 28 and 29, delete "*, and filling of vacancies*".

The motion prevailed and the amendment was adopted.

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

S. F. No. 1047, A bill for an act relating to the organization and operation of state government; providing for membership terms, compensation, removal of members, and filling of membership vacancies of certain state boards, commissions, committees, councils, authorities, the housing finance agency and the tax court; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 3.922, Subdivision 2; 3.924; 3.927; 10A.-02, Subdivision 2; 15.50, Subdivision 1, and by adding a subdivision; 15A.081, Subdivision 1; 16.71, Subdivision 1, and by adding a subdivision; 16.823, Subdivisions 2 and 3; 35.02; 40.03, Subdivisions 1 and 3, and by adding a subdivision; 43.03, Subdivision 1, and by adding a subdivision; 85A.01, Subdivisions 1 and 4, and by adding a subdivision; 105.71, Subdivisions 1 and 3, and by adding a subdivision; 116.02, Subdivisions 1, 2 and 4; 116C.-03, Subdivision 2, and by adding a subdivision; 116E.02, Subdivisions 1 and 4, and by adding a subdivision; 121.02, Subdivision 1, and by adding a subdivision; 136.12; 136.61, Subdivision 1, and by adding a subdivision; 136A.02, Subdivision 1, and by adding a subdivision; 136A.26; 139.01; 139.02; 144.01; 144.04; 175.006, Subdivision 1, and by adding a subdivision; 179.72, Subdivisions 1 and 2, and by adding a subdivision; 182.664, Subdivision 1, and by adding a subdivision; 216A.03, Subdivision 1, and by adding a subdivision; 238.04, Subdivision 2, and by adding a subdivision; 241.045, Subdivision 3, and by adding a subdivision; 250.05, Subdivisions 2 and 3, and by adding a subdivision; 256.975, Subdivision 1, and by adding a subdivision; 271.01, Subdivision 2, and by adding a subdivision; 275.551; 299B.05, Subdivision 3, and by adding a subdivision; 352.03, Subdivisions 1, 2 and 3, and by adding a subdivision; 363.04, Subdivision 4, and by adding a subdivision; 414.01, Subdivisions 3 and 6a, and by adding a subdivision; 462A.04, Subdivision 1, and by adding a subdivision; 490.15; 626.842; Chapter 15, by adding a section; repealing Minnesota Statutes 1974, Sections 3.922, Subdivision 3; 10A.02, Subdivision 6; 16.823, Subdivision 5; 43.03, Subdivision 3; 121.02, Subdivision 2; 136.16; 136.61, Subdivisions 2 and 4; 136A.02, Subdivision 4; 175.006, Subdivision 3; 216A.03, Subdivision 2; 238.04, Subdivisions 4 and 5; 241.045, Subdivision 5; 271.01, Subdivision 3; 299B.05, Subdivision 2; 363.04, Subdivision 6; 462A.04, Subdivisions 2, 3 and 5.

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 128, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 1411 was reported to the House.

Carlson, L., moved that S. F. No. 1411 be re-referred to the Committee on Financial Institutions and Insurance.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 24, and nays 82, as follows:

Those who voted in the affirmative were:

Adams, L.	Doty	Kempe, A.	Parish	Simoneau
Berglin	Eckstein	Luther	Prahl	Wenstrom
Byrne	Faricy	McCollar	Reding	White
Carlson, L.	George	Menning	Schumacher	Williamson
Carlson, R.	Hanson	Nelsen	Sieben, M.	

Those who voted in the negative were:

Abeln	Anderson, I.	Berg	Brinkman	Eken
Adams, S.	Arlandson	Biersdorf	Carlson, A.	Enebo
Albrecht	Beauchamp	Birnstihl	Clark	Erickson
Anderson, G.	Begich	Braun	DeGroat	Esau

Evans	Kahn	Lindstrom	Philbrook	Spanish
Ewald	Kaley	Mann	Pleasant	Suss
Fjoslien	Kelly, R.	McCarron	St. Onge	Ulland
Friedrich	Kelly, W.	McEachern	Sarna	Vento
Fudro	Kempe, R.	Metzen	Savelkoul	Voss
Graba	Ketola	Munger	Schreiber	Wenzel
Heinitz	Knickerbocker	Neisen	Schulz	Wieser
Hokanson	Kostohryz	Niehaus	Searle	Wigley
Jacobs	Kroening	Norton	Setzepfandt	Zubay
Jaros	Kvam	Novak	Sieben, H.	Speaker Sabo
Johnson, C.	Laidig	Pehler	Sieloff	
Jopp	Langseth	Peterson	Smith	
Jude	Lemke	Petraieso	Smogard	

The motion did not prevail.

S. F. No. 1411, A bill for an act relating to education; agreements when school district has insufficient funds to pay orders; increasing the maximum permissible interest rate to eight percent per year; amending Minnesota Statutes 1974, Section 124.06.

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 96, and nays 29, as follows:

Those who voted in the affirmative were:

Abeln	Enebo	Kelly, W.	Nelsen	Skoglund
Adams, L.	Erickson	Kempe, A.	Niehaus	Smith
Adams, S.	Esau	Kempe, R.	Norton	Spanish
Albrecht	Evans	Ketola	Osthoff	Stanton
Anderson, I.	Ewald	Knickerbocker	Pehler	Suss
Arlandson	Fjoslien	Knoll	Peterson	Swanson
Beauchamp	Friedrich	Kostohryz	Petraieso	Tomlinson
Begich	Fudro	Kroening	Philbrook	Ulland
Biersdorf	Graba	Kvam	Pleasant	Vento
Birnstihl	Haugerud	Laidig	Prahl	Voss
Braun	Heinitz	Langseth	Rice	Wenzel
Brinkman	Hokanson	Lemke	St. Onge	Wieser
Carlson, A.	Jacobs	Lindstrom	Sarna	Wigley
Casserly	Johnson, C.	Mann	Savelkoul	Williamson
Clark	Johnson, D.	McCarron	Schreiber	Zubay
Corbid	Jopp	McCauley	Schulz	Speaker Sabo
Dahl	Jude	McEachern	Searle	
Dean	Kahn	Metzen	Setzepfandt	
DeGroat	Kaley	Munger	Sieben, H.	
Dieterich	Kelly, R.	Neisen	Sieloff	

Those who voted in the negative were:

Anderson, G.	Doty	Hanson	Novak	Sieben, M.
Berg	Eckstein	Jaros	Parish	Simoneau
Berglin	Eken	Luther	Patton	Smogard
Byrne	Faricy	McCollar	Reding	Wenstrom
Carlson, L.	Fugina	Menning	Schumacher	White
Carlson, R.	George	Moe	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 840 was reported to the House.

McCarron moved to amend S. F. No. 840, the unofficial engrossment, as follows:

Page 1, line 15, delete "*elect one of two procedures. He may*".

Page 1, line 23, delete "*In the alternative, the aggrieved person may follow*".

Page 1, delete line 24.

Page 1, line 25, delete "*private action*".

Page 8, line 10, after "*practice*" insert "*, upon withdrawal of the complaint from the department of human rights,*".

Page 8, delete lines 11 to 18.

Page 8, line 19, delete "*(b)*" and insert "*(a)*".

Page 8, line 25, delete "*(c)*" and insert "*(b)*".

Page 8, line 31, delete "*(d)*" and insert "*(c)*".

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 76, and nays 44, as follows:

Those who voted in the affirmative were:

Adams, S.	Eken	Jude	Novak	Sieloff
Albrecht	Enebo	Kaley	Osthoff	Simoneau
Anderson, G.	Erickson	Knickerbocker	Peterson	Smogard
Anderson, I.	Esau	Kostohryz	Petrafeso	Spanish
Begich	Ewald	Kroening	Pleasant	Swanson
Biersdorf	Fjoslien	Kvam	Reding	Vento
Birnstihl	Forsythe	Lemke	St. Onge	Voss
Braun	Friedrich	Mann	Samuelson	Wenstrom
Byrne	Fudro	McCarron	Sarna	Wenzel
Clark	Graba	McCauley	Savelkoul	Wieser
Clawson	Haugerud	McCollar	Schreiber	Wigley
Corbid	Heinitz	McEachern	Schulz	Zubay
Dean	Hokanson	Menning	Schumacher	
DeGroat	Jacobs	Metzen	Searle	
Doty	Johnson, C.	Nelsen	Setzepfandt	
Eckstein	Jopp	Niehaus	Sherwood	

Those who voted in the negative were:

Abeln	Berg	Carlson, R.	George	Kahn
Adams, L.	Berglin	Casserly	Hanson	Kelly, R.
Arlandson	Carlson, A.	Dieterich	Jaros	Kempe, A.
Beauchamp	Carlson, L.	Faricy	Johnson, D.	Kempe, R.

Ketola	Moe	Philbrook	Skoglund	Ulland
Knoll	Nelson	Prahl	Smith	White
Laidig	Norton	Rice	Stanton	Williamson
Lindstrom	Patton	Sieben, H.	Suss	Speaker Sabo
Luther	Pehler	Sieben, M.	Tomlinson	

The motion prevailed and the amendment was adopted.

S. F. No. 840, A bill for an act relating to the department of human rights; creating a private right of action to enforce the provisions of the human rights act in certain cases; amending Minnesota Statutes 1974, Section 363.06, Subdivision 1; and Chapter 363, 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 122, and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

S. F. No. 1825, A bill for an act relating to crimes; prohibiting altering or removing a manufacturer's identification mark on personal property; providing penalties; amending Minnesota

Statutes, 1975 Supplement, Section 609.52, Subdivision 2; repealing Minnesota Statutes 1974, Section 609.655.

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

The bill was passed and its title agreed to.

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

Lindstrom moved to amend S. F. No. 749, the unofficial engrossment, as follows:

Page 1, line 14, strike "*comprehensive*" and insert "*preliminary*".

Page 1, line 15, insert a period after the word "*applicant*" and strike the balance of line 15.

Page 1, strike all of lines 16, 17 and 18 and "*with the city or county*" on line 19 and insert in lieu thereof the following: "*The application shall be in the form prescribed by the Bureau of Criminal Apprehension and with such additional information as the governing body of the city or county having jurisdiction over the license may require. If the governing body of the city or county having jurisdiction, or the Bureau on its own initiative*

shall determine that a comprehensive background and investigation of the applicant is necessary, it may conduct the investigation itself or contract with the bureau for the investigation."

Page 1, line 22, strike "*Results of any*".

Page 1, line 23, strike "*investigation shall be filed with the bureau, and*".

The motion prevailed and the amendment was adopted.

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, 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 120, and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Biersdorf	McCauley	Sieloff	Simoneau	Vanasek
Birnstihl				

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

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

H. F. No. 1735 was reported to the House.

Berglin moved to amend H. F. No. 1735, as follows:

Page 1, line 6, delete "Laws 1975, Chapter 13, Section 42" and insert "Minnesota Statutes, 1975 Supplement, Section 473.249".

Page 1, line 8, delete "Sec. 42."

Page 1, line 10, delete "1" and insert "473.121".

Page 1, line 11, delete "1 to 42" and insert "473.121 to 473.249, and for the purpose of carrying out other responsibilities of the council as provided by law".

Page 1, line 12, strike "seven-thirtieths" and insert "three-tenths".

Page 1, line 14, delete "Minnesota Statutes,".

Page 1, delete lines 16 to 19 and insert a section to read:

"Sec. 2. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.164] [PAYMENT OF METROPOLITAN COUNCIL COSTS.] *Subdivision 1. Each metropolitan commission shall annually reimburse the council for costs incurred by the council in the discharge of its responsibilities relating to the commission. The costs may be charged against any revenue sources of the commission as determined by the commission.*

Subd. 2. On or before May 1 of each year, the council shall transmit to each metropolitan commission an estimate of the costs which the council will incur in the discharge of its responsibilities related to the commission in the next budget year including, without limitation, costs in connection with the preparation, review, implementation and defense of plans, programs and budgets of the commission. Each commission shall include the estimates in its budget for the next budget year and may transmit its comments concerning the estimated amount to the council during the budget review process. Prior to December 15 of each year, the amount budgeted by each commission for the next budget year may be changed following approval by the council. During each budget year, the commission shall transfer budgeted funds to the council in advance when requested by the council.

Subd. 3. At the conclusion of each budget year, the council, in cooperation with each metropolitan commission, shall

adopt a final statement of costs incurred by the council for each commission. Where costs incurred in the budget year have exceeded the amount budgeted, each commission shall transfer to the council the additional monies needed to pay the amount of the costs in excess of the amount budgeted, and shall include the sum in its next budget. Any excess of budgeted costs over actual costs may be retained by the council and applied to the payment of budgeted costs in the next year."

Further, amend the title as follows:

Line 3, delete "under certain circumstances".

Line 3, after the semicolon insert "providing for the reimbursement of costs of the council relating to metropolitan commissions;"

Delete line 4 and insert "Minnesota Statutes 1974, Chapter 473, by adding a section; Minnesota Statutes, 1975 Supplement, Section 473.249, Subdivision 1."

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 68, and nays 54, as follows:

Those who voted in the affirmative were:

Beauchamp	Eckstein	Langseth	Pehler	Skoglund
Begich	Eken	Lemke	Petrafeso	Smith
Berg	Fudro	Lindstrom	Prahl	Spanish
Berglin	Fugina	Mangan	Reding	Stanton
Brinkman	Graba	Mann	Rice	Swanson
Byrne	Hokanson	McCollar	St. Onge	Tomlinson
Carlson, A.	Jacobs	McEachern	Sarna	Ulland
Carlson, L.	Jaros	Moe	Schreiber	Vento
Carlson, R.	Johnson, D.	Munger	Schulz	Volk
Casserly	Kahn	Neisen	Schumacher	Voss
Clark	Kelly, R.	Nelson	Setzepfandt	Williamson
Corbid	Kelly, W.	Norton	Sieben, H.	Speaker Sabo
Dahl	Knoll	Parish	Sieben, M.	
Dieterich	Kostohryz	Patton	Simoneau	

Those who voted in the negative were:

Abela	Doty	Jude	Metzen	Sieloff
Adams, L.	Erickson	Kaley	Niehaus	Smogard
Adams, S.	Esau	Kempe, A.	Novak	Suss
Albrecht	Evans	Kempe, R.	Osthoff	Vanasek
Anderson, G.	Ewald	Ketola	Peterson	Wenstrom
Anderson, I.	Fjoslien	Knickerbocker	Philbrook	Wenzel
Arlandson	Forsythe	Kvam	Pleasant	White
Biersdorf	Friedrich	Laidig	Samuelson	Wieser
Braun	Hanson	Luther	Savelkoul	Wigley
Clawson	Heinitz	McCauley	Searle	Zubay
DeGroat	Jopp	Menning	Sherwood	

The motion prevailed and the amendment was adopted.

H. F. No. 1735, A bill for an act relating to the metropolitan council; providing for a levy; providing for the reimbursement of costs of the council relating to metropolitan commissions; amending Minnesota Statutes 1974, Chapter 473, by adding a section; Minnesota Statutes, 1975 Supplement, Section 473.249, 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 and the roll being called, there were yeas 71, and nays 54, as follows:

Those who voted in the affirmative were:

Beauchamp	Fudro	Mangan	Reding	Smogard
Berg	Fugina	McCarron	Rice	Spanish
Berglin	Graba	McCollar	St. Onge	Stanton
Brinkman	Hanson	McEachern	Sarna	Swanson
Byrne	Hokanson	Moe	Schreiber	Tomlinson
Carlson, A.	Jacobs	Munger	Schulz	Ulland
Carlson, R.	Jaros	Neisen	Schumacher	Vento
Cassery	Johnson, D.	Nelsen	Setzepfandt	Volk
Clark	Kahn	Nelson	Sherwood	Voss
Corbid	Kelly, R.	Norton	Sieben, H.	Williamson
Dahl	Kelly, W.	Parish	Sieben, M.	Speaker Sabo
Dieterich	Knoll	Patton	Sieloff	
Eken	Kostohryz	Pehler	Simoneau	
Enebo	Langseth	Petrafeso	Skoglund	
Faricy	Lindstrom	Prahl	Smith	

Those who voted in the negative were:

Abeln	Clawson	Heinitz	Lemke	Savelkoul
Adams, L.	DeGroat	Jopp	Luther	Searle
Adams, S.	Doty	Jude	Mann	Suss
Albrecht	Eckstein	Kaley	Menning	Vanasek
Anderson, G.	Erickson	Kempe, A.	Metzen	Wenstrom
Anderson, I.	Esau	Kempe, R.	Niehaus	Wenzel
Arlandson	Evans	Ketola	Novak	White
Begich	Ewald	Knickerbocker	Osthoff	Wieser
Biersdorf	Fjoslien	Kroening	Peterson	Wigley
Braun	Forsythe	Kvam	Philbrook	Zubay
Carlson, L.	Friedrich	Laidig	Pleasant	

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

S. F. No. 1499 was reported to the House.

Vento moved to amend S. F. No. 1499 as follows:

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Section 10A.01, Subdivision 2, is amended to read:

Subd. 2. "Administrative action" means an action (OF A NON-MINISTERIAL NATURE) by any official, board, commission or agency of the executive branch *to make rules*. "Administrative action" *does not include the application or administration of those rules, except in cases of rate setting, power plant siting and others specified by the commission.*

Sec. 2. Minnesota Statutes 1974, Section 10A.01, Subdivision 5, is amended to read:

Subd. 5. "Candidate" means an individual who seeks nomination for election or election to any statewide office or legislative office, other than a federal office for which candidates are required to report under federal laws. The term candidate shall also include *an individual who seeks nomination for election or election to supreme court and district court (JUDGES) judgeships of the state.* An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for nomination for election or election to an office, has received contributions or made expenditures in excess of \$100, or has given his consent, implicit or explicit, for any other person to receive contributions or make expenditures in excess of \$100 with a view to bringing about his nomination for election or election to an office.

Sec. 3. Minnesota Statutes 1974, Section 10A.01, Subdivision 11, is amended to read:

Subd. 11. "Lobbyist" means any:

(a) Individual who is engaged for pay or other consideration or is authorized by another person to spend money for the purpose of attempting to influence legislative or administrative action by communicating with public officials;

(b) Officially designated (REPRESENTATIVES) *representative* of any person or association which has as a major purpose the influencing of legislative or administrative action who attempt to influence an action by communicating with public officials; or

(c) Individual *acting on his own behalf* who spends more than \$250, not including traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating with public officials:

"Lobbyist" does not include *any*:

(a) (A) Public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) (PARTIES AND THEIR REPRESENTATIVES) *Party or his representative* appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is (ACTING IN A NON-MINISTERIAL CAPACITY) *taking administrative action*;

(c) (INDIVIDUALS) *Individual* in the course of selling goods or services to be paid for by public funds; (OR)

(d) News media or their employees or agents (, BUT ONLY WHILE) acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert (WITNESSES) *witness* whose testimony is requested *either* by the body before which (THEY ARE) *he* is appearing or one of the parties to a proceeding, but only (WHILE ACTING IN THE ORDINARY COURSE) *to the extent* of preparing or delivering testimony;

(f) *Stockholder of a family farm corporation as defined in section 500.24, subdivision 1, who does not spend over \$250, excluding travel expenses, in any year in communicating with public officials; or*

(g) *Officer or employee of any corporation, cooperative, partnership, or other business who is not engaged as or officially designated as its lobbyist and who spends not over five hours in any month or not over \$250 excluding travel time and expense in any year in communicating with public officials.*

Sec. 4. Minnesota Statutes 1974, Section 10A.01, is amended by adding a subdivision to read:

Subd. 19. "Office holder" means an individual who holds any statewide or legislative office, except a federal office for which candidates are required to report under federal laws, state supreme court justice or district court judge.

Sec. 5. Minnesota Statutes 1974, Section 10A.02, Subdivision 1, is amended to read:

10A.02 [STATE ETHICS COMMISSION.] Subdivision 1. There is hereby created a state ethics commission composed of six members. The members shall be appointed by the governor with the advice and consent of three-fifths of both the senate and the house of representatives acting separately. Failure by

either house to confirm the appointment of a commission member within 45 legislative days after his appointment shall be deemed to be a refusal to advise and consent and his appointment shall terminate immediately after 45 legislative days or non-confirmation, whichever is earlier. One member shall be a former state legislator from a *major* political party different from that of the governor; one member shall be a former state legislator from the same political party as the governor; two members shall be persons who have not been public officials, held office in a political party other than precinct delegate, or been elected to public office for which party designation is required by statute in the three years prior to the time of their appointment; and the other two members shall not support the same political party. No more than three of the members of the commission shall support the same political party.

Sec. 6. Minnesota Statutes 1974, Section 10A.02, Subdivision 8, is amended to read:

Subd. 8. The commission shall: (a) Report at the close of each fiscal year to the legislature, the governor and the public concerning the action it has taken, the names, salaries, and duties of all individuals in its employ and the money it has disbursed. The commission shall include and identify in its report any other reports it has made during the fiscal year. It may indicate apparent abuses and offer legislative recommendations;

(b) Prescribe forms for statements and reports required to be filed under sections 10A.01 to 10A.34 and make the forms available to persons required to file them;

(c) Make available to the persons required to file the reports and statements a manual setting forth the recommended uniform methods of bookkeeping and reporting;

(d) Develop a filing, coding and cross-indexing system consistent with the purposes of sections 10A.01 to 10A.34;

(e) Make the reports and statements filed with it available for public inspection and copying by the end of the second day following the day on which they were received. Any person may copy a report or statement by hand or by duplicating machine and the commission shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any person for any commercial purpose;

(f) *Notwithstanding the provisions of section 138.163, preserve reports and statements for a period of (SIX) five years from the date of receipt;*

(g) Compile and maintain a current list and summary of all statements or parts of statements pertaining to each candidate; and

(h) Prepare and publish reports as it may deem appropriate.

Sec. 7. Minnesota Statutes 1974, Section 10A.02, Subdivision 11, is amended to read:

Subd. 11. Any hearing or action of the commission concerning any complaint or investigation shall be confidential and all information obtained by the commission shall be privileged until the commission makes a finding that the commission believes there is or is not probable cause to conclude that a violation of Laws 1974, Chapter 470 (OR OTHER CAMPAIGN LAWS) has occurred. Any person, including any member or employee of the commission, violating the confidentiality provisions of this subdivision shall be guilty of a gross misdemeanor. *The commission shall make a finding within 30 days of receipt of a written complaint unless a majority of the commission agrees to extend the time limit.* After determination of its findings the commission shall report any finding of probable cause to the appropriate law enforcement authorities.

Sec. 8. Minnesota Statutes 1974, Section 10A.04, Subdivision 4, is amended to read:

Subd. 4. The report shall include (ALL) *such information (REQUIRED ON) as the commission may require from the registration form and the following information for the reporting period:*

(a) The lobbyist's total disbursements on lobbying and a breakdown of those disbursements into categories specified by the commission, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses;

(b) *The amount and nature of each honorarium, gift (OR), loan, item or benefit, excluding contributions to a candidate, equal in value to \$20 or more, given or paid to any public official by the lobbyist or any employer or any employee of the lobbyist. The list shall include the name and address of each public official to whom the honorarium, gift, loan, item or benefit was given or paid and the date it was given or paid; and*

(c) Each original source of funds in excess of \$500 in any year used for the purpose of lobbying. The list shall include the

name, address and employer, or, if self employed, the occupation and principal place of business, of each payer of funds in excess of \$500.

Sec. 9. Minnesota Statutes 1974, Section 10A.04, is amended by adding a subdivision to read:

Subd. 4a. If in any reporting period the lobbyist's reportable disbursements total not over \$100 and no honorarium, gift, loan, item or benefit equal in value to \$20 or more was given or paid to any public official, a statement to that effect in lieu of the report may be filed for that period. The unreported disbursements shall be included in the report for the following period, unless the total for that period, including the carryover, is not over \$100. The October 15 report shall include all previously unreported disbursements, even though the total for the year is not over \$100.

Sec. 10. Minnesota Statutes 1974, Section 10A.09, Subdivision 5, is amended to read:

Subd. 5. A statement of economic interest required by this section shall be on a form prescribed by the commission. The individual filing shall provide the following information:

(a) His name, address, occupation and principal place of business;

(b) The name of each business with which he is associated and the nature of that association; and

(c) A listing of all real property within the state, excluding homestead property, in which he has a fee simple interest, a contract for deed or an option to buy, whether direct or indirect, and which interest is valued in excess of \$2,500. The filing shall indicate *the street address and the municipality (, IF ANY) or the section, township, range and approximate acreage, whichever applies*, and the county wherein the property is located.

Sec. 11. Minnesota Statutes 1974, Section 10A.14, Subdivision 2, is amended to read:

Subd. 2. The statement of organization shall include:

(a) The name and address of the political committee or political fund;

(b) The names and addresses of the supporting associations of a political fund;

((C) THE GEOGRAPHIC AREA IN WHICH IT WILL OPERATE AND THE PURPOSE OF THE POLITICAL COMMITTEE OR POLITICAL FUND;)

((D) THE NAME, ADDRESS AND POSITION OF THE CUSTODIAN OF BOOKS AND ACCOUNTS;)

((E)) (c) The name and address of the chairman, the treasurer, and any (OTHER PRINCIPAL OFFICERS INCLUDING) deputy treasurers (, IF ANY);

((F) THE NAME, ADDRESS, OFFICE SOUGHT, AND PARTY AFFILIATION, IF ANY, OF EACH CANDIDATE WHOM THE COMMITTEE OR POLITICAL FUND IS SUPPORTING, OR, IF THE COMMITTEE OR POLITICAL FUND IS SUPPORTING THE ENTIRE TICKET OF ANY PARTY, THE NAME OF THE PARTY;)

((G) A STATEMENT AS TO WHETHER THE COMMITTEE OR POLITICAL FUND IS A CONTINUING ONE;)

((H)) (d) A listing of all depositories or safety deposit boxes used; and

((I)) (e) A statement as to whether the committee is a principal campaign committee.

Sec. 12. Minnesota Statutes 1974, Section 10A.19, Subdivision 1, is amended to read:

10A.19 [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. Every candidate shall designate and cause to be formed a single principal campaign committee *which shall be responsible for reporting contributions and authorized expenditures on behalf of the candidate.*

Sec. 13. Minnesota Statutes 1974, Section 10A.20, Subdivision 1, is amended to read:

10A.20 [CAMPAIGN REPORTS.] Subdivision 1. (EVERY) *The treasurer of (A) every political committee (OR) and political fund shall begin to file the reports required by this section in (ANY) the first year it receives contributions or makes expenditures in excess of \$100 and shall continue to file until the committee or fund is terminated.*

Sec. 14. Minnesota Statutes 1974, Section 10A.20, Subdivision 2, is amended to read:

Subd. 2. The reports shall be filed with the commission (BY THE FOLLOWING DATES:)

((A) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES NOT STAND FOR ELECTION:)

((1) JANUARY 7; AND)

((2) JULY 7;)

((B) IN YEARS IN WHICH ANY CANDIDATE BEING SUPPORTED DOES STAND FOR ELECTION:)

((1) JANUARY 7;)

((2) JULY 7;)

((3) FIVE) *on or before January 7 of each year, and in each year in which the name of the candidate being supported is on the ballot, ten days before* (ANY) the primary (ELECTION IN WHICH THE CANDIDATE STANDS FOR ELECTION;)

((4) FIVE DAYS BEFORE ANY) *or special primary and general or special election* (IN WHICH THE CANDIDATE STANDS FOR ELECTION; AND)

((5) 30 DAYS AFTER THE LAST ELECTION IN WHICH A CANDIDATE STANDS FOR ELECTION;)

((C) IN SPECIAL OR SPECIAL PRIMARY ELECTIONS IN WHICH A CANDIDATE STANDS FOR ELECTION:)

((1) 30 DAYS BEFORE THE ELECTION; AND)

((2) FIVE DAYS BEFORE THE ELECTION).

If a scheduled filing date falls on a Saturday, Sunday or legal holiday, the filing date shall be the next regular business day.

Sec. 15. Minnesota Statutes 1974, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name(,) *and address* (AND EMPLOYER, OR, IF SELF-EMPLOYED, OCCUPATION) of each person, political committee or political fund who has made one or more contributions to or for the political committee or political fund including the purchase of tickets for dinners, luncheons, rallies, and similar fund raising events within the year in an aggregate amount or value in excess of \$50 for legislative candidates and in excess of \$100 for statewide candidates, together with the amount and date of the contributions, and the aggregate amount of contributions within the year (OF) *from each contributor so disclosed.* The lists of contributors shall be in alphabetical order;

(c) The total sum of individual contributions made to or for the political committee or political fund during the reporting period and not reported under clause (b);

((D) THE NAME AND ADDRESS OF EACH POLITICAL COMMITTEE, POLITICAL FUND OR CANDIDATE FROM WHICH THE REPORTING COMMITTEE OR FUND RECEIVED, OR TO WHICH THAT COMMITTEE MADE, ANY TRANSFER OF FUNDS, TOGETHER WITH THE AMOUNTS AND DATES OF ALL TRANSFERS. THE LISTS SHALL BE IN ALPHABETICAL ORDER;)

((E)) (d) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the (FULL NAMES) *name* and (MAILING) address, (OCCUPATIONS) *occupation* and the principal (PLACES) *place* of business, if any, of the lender or (ENDORSEES, IF ANY,) *any endorser* and the date and amount of the (LOANS) *loan*;

((F)) (e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to ((E)) (d);

((G)) (f) The total sum of all receipts by or for the political committee or political fund during the reporting period;

((H)) (g) The name(,) *and* address (, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY,) of each person to whom expenditures have been made by the political committee or political fund or on its behalf within the year in an aggregate amount in excess of \$100, the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made;

((I)) (h) The sum of individual expenditures (WHICH IS) not otherwise reported under clause ((H)) (g);

((J) THE NAME, ADDRESS, OCCUPATION AND THE PRINCIPAL PLACE OF BUSINESS, IF ANY, OF EACH PERSON TO WHOM AN EXPENDITURE FOR PERSONAL SERVICES, SALARIES, AND REIMBURSABLE EXPENSES IN EXCESS OF \$100 HAS BEEN MADE, AND WHICH IS NOT OTHERWISE REPORTED, INCLUDING THE AMOUNT, DATE AND PURPOSE OF THE EXPENDITURE;)

((K) THE SUM OF INDIVIDUAL EXPENDITURES FOR PERSONAL SERVICES, SALARIES AND REIMBURSABLE EXPENSE WHICH IS NOT OTHERWISE REPORTED UNDER (J);)

((L)) (i) The total expenditures made by the political committee or political fund during the reporting period;

((M)) (j) The amount and nature of (DEBTS AND OBLIGATIONS) *any debt or obligation* owed by or to the political committee or political fund, and (A CONTINUOUS REPORTING OF THEIR DEBTS AND OBLIGATIONS AFTER THE ELECTION UNTIL THE DEBTS AND OBLIGATIONS ARE EXTINGUISHED;)

((N) THE AMOUNT AND NATURE OF) *any written contract, promise or agreement (, IN WRITING, WHETHER OR NOT LEGALLY ENFORCEABLE,)* to make a contribution or expenditure; *and*

((O)) (k) *For principal campaign committees only:* The name of each person, committee or political fund, which has been authorized by the treasurer to make expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

Sec. 16. Minnesota Statutes 1974, Section 10A.20, is amended by adding a subdivision to read:

Subd. 12. The commission shall notify any person who fails to file a statement required by this section. A person who knowingly fails to file the statement within seven days after receiving notice from the commission is guilty of a misdemeanor.

Sec. 17. Minnesota Statutes 1974, Section 10A.21, Subdivision 1, is amended to read:

10A.21 [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall (ALSO) be *duplicated and filed by the commission* with the county auditor of each county in which the legislative district lies *within 72 hours of the date the report or statement is required to be filed or, if the report or statement is delinquent, within 72 hours of the time the report is actually filed.*

Sec. 18. Minnesota Statutes 1974, Section 10A.23, is amended to read:

10A.23 [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the commission within ten days following the date of the event prompting the change or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any person who wilfully fails to report a material change or correction is guilty of a gross misdemeanor.

Sec. 19. Minnesota Statutes 1974, Section 10A.25, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding subdivision 2, clause (a), a candidate for the endorsement for the office of lieutenant governor at the convention of a political party may spend \$30,000 or five percent of the amount in subdivision 2, clause (a) (, PRIOR TO THE TIME OF) *to seek* endorsement. This (MONEY) *amount* shall be in addition to the (MONEY) *amount* which may be expended pursuant to subdivision 2, clause (a).

Sec. 20. Minnesota Statutes 1974, Section 10A.25, Subdivision 6, is amended to read:

Subd. 6. In a year in which (A CANDIDATE DOES NOT STAND FOR ELECTION) *an election does not occur for an office held or sought*, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or officeholder or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or officeholder or his agents which shall result in the aggregate expenditure on behalf of the candidate or officeholder in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

Sec. 21. Minnesota Statutes 1974, Chapter 10A, is amended by adding a section to read:

[10A.261] *Nothing in chapter 10A shall be construed as abridging the right of an association to communicate with its members.*

Sec. 22. Minnesota Statutes 1974, Section 10A.27, Subdivision 3, is amended to read:

Subd. 3. Expenditures by (A) *the state or local committee of any* political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published (OR), posted, (ON ANY) or broadcast, or (IN) any *sample ballot* or telephone conversation (, IF THAT CONVERSATION MENTIONS) *listing three or more (CANDIDATES) persons whose names are to appear on the ballot*, shall not be allocated to any candidate or subject to the limitations of section 10A.25, subdivision 2.

Sec. 23. Minnesota Statutes 1974, Section 10A.27, is amended by adding a subdivision to read:

Subd. 5. Nothing in chapter 10A shall be construed as limiting expenditures by a political committee, political fund, or individual which are made without the written authorization of the candidate, provided that the political committee, political fund, or individual is in compliance with the provisions of section 10A.17, subdivision 5.

Sec. 24. Minnesota Statutes 1974, Section 10A.30, Subdivision 2, is amended to read:

Subd. 2. Within the state elections campaign fund account there shall be maintained (SEPARATE ACCOUNTS) a separate account for the candidates of each political party and a general account.

Sec. 25. Minnesota Statutes 1974, Section 10A.31, Subdivision 3, is amended to read:

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate \$1 of his taxes (\$2 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the \$1 (or \$2 if filing a joint return) to (ONE OF THE FOLLOWING): (i) one of the major political parties; (ii) (THE NAME OF) any minor political party (PROVIDED THAT IF) for which a petition is filed to qualify as a minor political party (IT BE FILED) by June 1 of that taxable year; (AND) or (iii) (DISTRIBUTION TO) all qualifying candidates as provided by this section.

Sec. 26. Minnesota Statutes 1974, Section 10A.31, Subdivision 5, is amended to read:

Subd. 5. ((A) IN EACH FISCAL YEAR, 10 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATEWIDE OFFICE.)

((B) OF THE AMOUNT SET ASIDE IN CLAUSE (A), 40 PERCENT SHALL BE DISTRIBUTED TO THE CANDIDATES FOR GOVERNOR AND LIEUTENANT GOVERNOR JOINTLY; 24 PERCENT SHALL BE DISTRIBUTED TO THE CANDIDATE FOR ATTORNEY GENERAL; AND 12 PERCENT EACH SHALL BE DISTRIBUTED TO THE CANDIDATES FOR SECRETARY OF STATE, STATE TREASURER, AND STATE AUDITOR. IF THERE IS NO NOMINEE OF THAT PARTY FOR ONE OF THE OFFICES, THE SHARE SET ASIDE FOR THAT OFFICE SHALL BE DISTRIBUTED TO THE OTHER STATEWIDE CANDIDATES OF THAT PARTY IN THE SAME PROPORTIONS AS THE ORIGINAL AMOUNT.)

((C) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE PRIMARY ELECTION, THE STATE TREASURER SHALL DISTRIBUTE AVAILABLE FUNDS IN EACH ACCOUNT, OTHER THAN THE GENERAL ACCOUNT, OF THE STATE ELECTIONS FUND TO THE APPROPRIATE CANDIDATES WHO ARE TO APPEAR ON THE BALLOT FOR THE GENERAL ELECTION AS PRESCRIBED IN CLAUSES (A) AND (B).)

((D) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE GENERAL ELECTION, THE STATE TREASURER SHALL DISTRIBUTE THE AVAILABLE FUNDS IN THE GENERAL ACCOUNT IN THE SAME PROPORTIONS AS PROVIDED IN CLAUSE (B), IN AN EQUAL AMOUNT TO EACH CANDIDATE WHO RECEIVED AT LEAST FIVE PERCENT OF THE VOTE CAST IN THE GENERAL ELECTION FOR THE OFFICE FOR WHICH HE WAS A CANDIDATE.) *In each calendar year the moneys in each party account and the general account shall be allocated to candidates as follows:*

(a) 16 percent for the offices of governor and lieutenant governor jointly;

(b) 9.6 percent for the office of attorney general;

(c) 4.8 percent each for the offices of secretary of state, state auditor and state treasurer;

(d) *in each calendar year during the period in which state senators serve a four year term, 20 percent for the office of state senator and 40 percent for the office of state representative;*

(e) *in each calendar year during the period in which state senators serve a two year term, and in 1975 and 1976, 30 percent for the office of state senator and 30 percent for the office of state representative;*

(f) *all candidates of one party for the state senate and state house of representatives whose names are to appear on the ballot in the general election shall share equally in the funds allocated to their respective offices from their party account, except that any candidate may refuse his share, which shall then be divided equally among the remaining candidates of his party for the same office.*

If a candidate elects to refuse moneys from the state elections campaign fund, he shall not be subject to the expenditure limitations imposed by section 10A.25 or limited in the amount he may contribute to his own campaign.

Sec. 27. Minnesota Statutes 1974, Section 10A.31, Subdivision 6, is amended to read:

Subd. 6. ((A) IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A FOUR YEAR TERM WHICH COMMENCES AFTER APRIL 13, 1974, 20 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE SENATE. IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A TWO YEAR TERM, AND IN 1975 AND 1976, 30 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE SENATE.)

((B) THE AMOUNT SET ASIDE IN CLAUSE (A) SHALL BE DISTRIBUTED IN EQUAL SHARES TO EACH OF THE CANDIDATES FOR STATE SENATE OF THAT PARTY.)

((C)) Within two weeks (OF THE) *after* certification by the state canvassing board of the results of the primary (ELECTION), the state treasurer shall distribute *the* available funds in each *party* account, (OTHER THAN THE GENERAL ACCOUNT TO THE APPROPRIATE CANDIDATES WHO) *as certified by the commissioner of revenue on September 15, to the candidates of that party who have signed the agreement as provided in section 10A.32, subdivision 3, and whose names are to appear on the ballot (FOR) in the general election (AS* PRESCRIBED IN CLAUSES (A) AND (B)) *according to the allocations set forth in subdivision 5. If there is no candidate of a party for any one office designated in subdivision 5 in any year in which that office appears on the ballot, the allocation for that office shall be distributed to all other candidates of that party in proportion to their shares as set forth in subdivision 5.*

((D) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE GENERAL ELECTION, THE STATE TREASURER SHALL DISTRIBUTE THE AVAILABLE FUNDS IN THE GENERAL ACCOUNT IN AN EQUAL AMOUNT TO EACH CANDIDATE WHO RECEIVED AT LEAST TEN PERCENT OF THE VOTES CAST IN THE GENERAL ELECTION FOR THE OFFICE FOR WHICH HE WAS A CANDIDATE.)

Sec. 28. Minnesota Statutes 1974, Section 10A.31, Subdivision 7, is amended to read:

Subd. 7. ((A) IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A FOUR YEAR TERM WHICH COMMENCES AFTER APRIL 13, 1974, 40 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDI-

DATES FOR STATE REPRESENTATIVES. IN EACH OF THE FISCAL YEARS DURING THE PERIOD IN WHICH THE STATE SENATE SERVES A TWO YEAR TERM, AND IN 1975 AND 1976, 30 PERCENT OF THE MONEYS IN EACH ACCOUNT SHALL BE SET ASIDE FOR CANDIDATES FOR STATE REPRESENTATIVES.)

((B) THE AMOUNT SET ASIDE IN CLAUSE (A) SHALL BE DISTRIBUTED IN EQUAL SHARES TO EACH OF THE CANDIDATES FOR STATE REPRESENTATIVE OF THAT PARTY.)

((C) WITHIN TWO WEEKS OF THE CERTIFICATION BY THE STATE CANVASSING BOARD OF THE RESULTS OF THE PRIMARY ELECTION, THE STATE TREASURER SHALL DISTRIBUTE AVAILABLE FUNDS IN EACH ACCOUNT, OTHER THAN THE GENERAL ACCOUNT, TO THE APPROPRIATE CANDIDATES WHO ARE TO APPEAR ON THE BALLOT FOR THE GENERAL ELECTION AS PRESCRIBED IN CLAUSES (A) AND (B).)

((D)) Within two weeks (OF THE) *after* certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account, *as certified by the commissioner of revenue on November 15 and according to the allocations set forth in subdivision 5,* in (AN) equal (AMOUNT) amounts to (EACH CANDIDATE) *all candidates for each statewide office who received at least five percent of the votes cast in the general election for that office, and to all candidates for legislative office who received at least ten percent of the votes cast in the general election for the specific office for which (HE WAS A CANDIDATE) they were candidates.*

Sec. 29. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

Subd. 8. Within one week after certification by the state canvassing board of the results of the primary, the commission shall certify to the state treasurer the name of each candidate who has signed the agreement as provided in section 10A.32, subdivision 3, and the amount he is to receive from the available funds in his party account.

Sec. 30. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

Subd. 9. Within one week after certification by the state canvassing board of the results of the general election, the commission shall certify to the state treasurer the name of each candidate who is qualified to receive funds from the general account,

together with the amount he is to receive from the available funds in the general account.

Sec. 31. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

Subd. 10. Within one week after all the tax returns have been processed, the commissioner of revenue shall certify to the commission the amount accumulated in each account since the previous certification. Within one week thereafter, the commission shall certify to the state treasurer the amount to be distributed to each candidate according to the allocations as provided in subdivision 5. As soon as practicable thereafter, the state treasurer shall distribute the amounts to the candidates.

Sec. 32. Minnesota Statutes 1974, Section 10A.32, is amended to read:

10A.32 [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.] Subdivision 1. No candidate shall be entitled to receive from the state elections campaign fund an amount greater than the total amount of expenditures which may be made by *him* or on *his* behalf (**OF THE CANDIDATE**) under sections 10A.25 and 10A.27. *The amount by which the expenditure limit is exceeded shall be distributed to all other candidates of the same party whose shares do not exceed their expenditure limits in proportion to their shares as set forth in section 10A.31.*

Subd. 2. No candidate shall be entitled to receive from the state election campaign fund an amount greater than the total amount actually expended by *him* or on *his* behalf (**OF THE CANDIDATE DURING HIS CAMPAIGN**) in the year of the election. *If the report required to be filed on or before January 7 in the year following the general election indicates that the amount received by the candidate is greater than the amount expended on his behalf, the treasurer of his principal campaign committee shall refund to the state treasurer an amount equal to the difference. The refund in the form of a check or money order shall be submitted with such report and the commission shall forward the refund to the state treasurer.*

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree by stating in writing to the commission on or before September 1 that expenditures on his behalf shall not exceed the expenditure limits as set forth in section 10A.25 and that his principal campaign committee shall not accept contributions (**EXCEEDING**) for the period beginning with the registration of his principal campaign committee and ending December 31 of the election year which exceed 105 percent of the difference between the amount which may legally be expended by *him* or on *his* behalf (**OF THAT CANDIDATE**), and the amount which (**THE CANDIDATE**) *he* receives from the state elections

campaign fund. Any amount by which his total contributions exceed 105 percent of the difference shall be refunded to the state treasurer. The refund in the form of a check or money order shall be submitted in the same manner as provided in subdivision 2.

For the purposes of this subdivision only, the total amount to be distributed to each candidate is his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If the amount actually received by the candidate is greater by reason of a lesser number of qualifying candidates sharing in the funds in each account, and his contributions thereby exceed 105 percent of the difference, the agreement shall not be considered violated.

Subd. 3a. The commissioner of revenue shall certify to the commission on or before the last day for filing for office his estimate of the total to be accumulated in each account in the state elections campaign fund after 100 percent of the tax returns have been processed. Within seven days after the last day for filing for office the secretary of state shall certify to the state treasurer and the commission the name, address, office sought, and party affiliation of each candidate. Within seven days thereafter the commission shall estimate the minimum amount to be received by each candidate who qualifies as provided in section 10A.31, subdivisions 6 and 7, and notify all candidates on or before August 15 of the applicable amount.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for (STATEWIDE) any office (, STATE REPRESENTATIVE OR STATE SENATOR), the moneys (WHICH WOULD BE USED FOR DISTRIBUTION TO THAT CATEGORY OR CATEGORIES) shall be (TRANSFERRED TO THE GENERAL) maintained in that account until the year of the next general election. If in two successive general election years that political party does not have a candidate for any office, the accumulated funds shall be transferred to the general fund.

Sec. 33. Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; and 10A.22, Subdivisions 2 and 8, are repealed.

Sec. 34. This act is effective the day following final enactment."

And further, to amend the title as follows:

Page 1, line 6, after "statements;" insert "providing for distribution of moneys in the state elections campaign fund;".

Page 1, line 7, after "1974," insert "Chapter 10A, by adding a section;"

Page 1, line 8, strike "7, 10".

Page 1, line 9, strike "5,"

Page 1, line 10, after "Subdivision 4" and before the semicolon, insert ", and by adding a subdivision" and strike "10A.07, Subdivision 1;"

Page 1, line 12, after "Subdivision 2;" insert "10A.14, Subdivision 2;"

Page 1, line 14, strike "10A.22,"

Page 1, line 15, strike "Subdivision 5;" and after "Subdivisions 3" and before "6" strike the comma and insert "and".

Page 1, line 16, strike "and 7" and after "Subdivision 3" and before the semicolon insert ", and by adding a subdivision".

The motion prevailed and the amendment was adopted.

Vento moved to amend S. F. No. 1499, as amended, as follows:

Page 3, line 31, after "officer" and before "or" insert ", member".

Page 5, after line 3, insert a new section to read:

"Sec. 6. Minnesota Statutes 1974, Section 10A.02, Subdivision 5, is amended to read:

Subd. 5. The commission shall appoint an executive director who shall be in the unclassified service. The commission may also employ and prescribe the duties of other permanent or temporary employees in the unclassified service as may be necessary to administer sections 10A.01 to 10A.34, subject to appropriation. The executive director and all other employees shall serve at the pleasure of the commission. (ALL ADMINISTRATIVE SERVICES SUCH AS SUPPLIES, OFFICE SPACE AND FURNISHINGS, PAYROLL PREPARATION AND ACCOUNTING SERVICES SHALL BE PROVIDED TO THE COMMISSION BY THE SECRETARY OF STATE.) Expenses of the commission shall be approved by the chairman or such other member as the rules of the commission may provide and the expenses shall then be paid in the same manner as other state expenses are paid."

Renumber the following sections.

Page 10, line 4, after "*January*" delete "7" and insert "31".

Page 12, after line 26, insert a new section to read:

"Sec. 16. Minnesota Statutes 1974, Section 10A.20, is amended by adding a subdivision to read:

Subd. 3a. The reports of a principal campaign committee of a legislative candidate required by this section shall list in a prominent place on the first page of every report each county in which the legislative district lies."

Renumber the following sections.

Page 15, line 5, after "*expenditures*" and before "*by*" insert "*on behalf of a candidate*".

Page 15, line 27, delete "*for*" and strike "*a petition is filed to*".

Page 15, line 28, strike "*qualify as a minor political party*" and strike "*by June 1 of*".

Page 15, line 29, strike "*that taxable year*" and insert "*qualifies under the provisions of subdivision 3a of this section*".

Page 15, line 30 after "*by*" and before "*this*" insert "*subdivision 7 of*".

Page 15, after line 30, insert a new section to read:

"Sec. 26. Minnesota Statutes 1974, Section 10A.31, is amended by adding a subdivision to read:

Subd. 3a. A minor political party qualifies for inclusion on the income tax form as provided in subdivision 3 if a candidate of that party filed for any office in the preceding general election, or if a petition on behalf of that party is filed as provided in section 10A.01, subdivision 13, by June 1 of the taxable year."

Renumber the following sections.

Page 17, line 10, after "*percent*" and before "*for*" insert "*each*"; delete "*office*" and insert "*offices*" and delete "*30 percent*".

Page 17, line 11, delete "*for the office of*".

Page 17, line 16, delete everything after "*account*".

Page 17, line 17, delete the entire line.

Page 17, line 18, delete everything before the period.

Page 17, after line 22, insert the words: "*Moneys from any party account refused by any candidate shall be distributed to all other candidates of that party in proportion to their shares as provided in this subdivision. Moneys from the general account refused by any candidate shall be distributed to all other qualifying candidates in proportion to their shares as provided by this subdivision.*".

Page 20, line 15, after "Subd. 10." delete "Within one week after all" and insert "In the event that on November 15 less than 98 percent of".

Page 20, line 17, after "commission" and before "the" insert "on December 7".

Page 20, line 23, after "candidates." insert "Any moneys accumulated after the final certification shall be maintained in the respective accounts for distribution in the next general election year."

Page 20, line 31, after "which" and before "the" insert "the allocation exceeds".

Page 20, line 32, after "limit" delete "is exceeded".

Page 21, line 9, after "January" delete "7" and insert "31".

Page 21, line 16, after "treasurer" and before the period insert the words "for deposit in the general fund of the state".

Page 21, line 24, after "with" and before "the" insert "January 1 of the election year or".

Page 21, line 25, after "committee" and before "and" insert "whichever occurs later,".

Page 22, line 3, after "is" and before "his" insert "calculated to be".

Page 22, line 20, delete "the state treasurer and".

Page 22, line 22, after "candidate" and before the period insert "who has filed with that office his affidavit of candidacy or petition to appear on the ballot. The auditor of each county shall certify to the commission the same information for each candidate who has filed with that county his affidavit of candidacy or petition to appear on the ballot".

Page 23, line 4, after "fund" and before the period insert "of the state".

And further, to amend the title as follows:

Page 1, line 9, reinstate "5,".

Page 1, line 13, after "adding" strike "a".

Page 1, line 14, strike "subdivision" and insert "subdivisions".

The motion prevailed and the amendment was adopted.

Laidig, Carlson, A., and Ulland moved to amend S. F. No. 1499, as amended, as follows:

Page 2, after line 19, insert a new section to read:

"Sec. 3. Minnesota Statutes, 1974, Section 10A.01 is amended by adding a subdivision to read:

Subd. 8. *'Illegal contribution' means: Any contribution defined by Subd. 7 which is received while the Legislature is in session except for any period when the Legislature is in recess.*"

Renumber the remaining sections.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll being called, there were yeas 30, and nays 92, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeln	Brinkman	Eckstein	Jaros	Lemke
Adams, L.	Byrne	Eken	Johnson, D.	Lindstrom
Anderson, G.	Carlson, L.	Enebo	Jude	Luther
Anderson, I.	Carlson, R.	Faricy	Kahn	Mann
Arlandson	Casserly	Fudro	Kelly, R.	McCarron
Beauchamp	Clark	Fugina	Kelly, W.	McCollar
Begich	Clawson	Graba	Ketola	McEachern
Berg	Corbid	Hanson	Knoll	Menning
Berglin	Dahl	Haugerud	Kostohryz	Metzen
Birnstihl	Dieterich	Hokanson	Kroening	Moe
Braun	Doty	Jacobs	Langseth	Munger

Neisen	Philbrook	Schumacher	Spanish	Voss
Nelson	Prahl	Setzepfandt	Stanton	Wenstrom
Norton	Reding	Sherwood	Suss	Wenzel
Novak	Rice	Sieben, H.	Swanson	White
Osthoff	St. Onge	Sieben, M.	Tomlinson	Speaker Sabo
Parish	Samuelson	Simoneau	Vanasek	
Patton	Sarna	Skoglund	Vento	
Pehler	Schulz	Smogard	Volk	

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

Vento moved to amend S. F. No. 1499, as amended by the second Vento amendment, as follows:

Page 17, after the new language inserted after line 22 insert the following:

"Beginning with calendar year 1977 and applying to taxable year 1976, the allocations from the state elections campaign fund shall be: 21 percent for the offices of governor and lieutenant governor filing jointly; 3.6 percent for the office of attorney general; 1.8 percent each for the offices of secretary of state, state auditor, and state treasurer; in each calendar year during the period in which state senators serve a four year term, 23 1/3 percent for the office of state senator and 46 2/3 percent for the office of state representative; and in each calendar year during the period in which state senators serve a two year term, 35 percent each for the offices of state senator and state representative."

The motion prevailed and the amendment was adopted.

Adams, S. moved to amend S. F. No. 1499, as amended, as follows:

Page 15, line 6, delete "written".

Page 15, line 17, after "candidate" insert "or his agent".

The motion prevailed and the amendment was adopted.

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

S. F. No. 1499, A bill for an act relating to the conduct of public officials and campaigns for public office; defining "lobbying"; redefining "lobbyist" and certain other terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2, 5, 7, 10 and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 5, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; 10A.09, Subdivision 5; 10A.11, Subdivision 6; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2,

and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.23; 10A.25, Subdivisions 3, 6 and 7; 10A.27, Subdivision 3; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.20, Subdivision 4; 10A.22, Subdivisions 2 and 8.

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 126, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

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

S. F. No. 1957 was reported to the House.

Swanson moved to amend S. F. No. 1957 as follows:

Page 3, line 1, delete "*may have*" and insert "*, with the written consent of the recipient, shall be allowed*".

Page 3, line 2, after "*to*" insert "*all*".

Page 3, delete lines 3 to 6.

Page 3, line 7, delete "*Access to the records shall be*".

Page 3, line 10, after the semicolon insert "or".

Page 3, line 11, after "necessary" insert a period and delete the rest of the line.

Page 3, delete lines 12 and 13.

Page 3, line 17, delete "Access to the".

Page 3, delete lines 18 to 22 and insert "Notwithstanding any other law to the contrary, a vendor of medical care shall not be subject to any civil or criminal liability for providing access to medical records to the commissioner of public welfare pursuant to this section."

Subd. 4. No person shall be eligible for medical assistance unless he has authorized in writing the department of public welfare to examine all personal medical records developed while receiving medical assistance for the sole purpose of investigating whether or not a vendor has submitted a claim for reimbursement, cost report or rate application which he knows to be false in whole or in part.

Subd. 5. Medical records obtained by the commissioner of public welfare pursuant to this section are confidential data, as defined in Minnesota Statutes, Section 15.162, Subdivision 2a."

Page 4, line 2, delete "resulted" and insert "result".

Lindstrom moved to amend the Swanson amendment as follows:

In Subd. 5 of the amendment, delete "confidential" and insert "private".

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Swanson amendment, as amended. The motion prevailed and the amendment, as amended, was adopted.

S. F. No. 1957, A bill for an act relating to medical assistance for the needy; prohibiting false claims for reimbursement; making certain vendors ineligible for reimbursement; providing access to certain medical records for verification of claims; providing for a penalty; amending Minnesota Statutes 1974, Sections 256B.064; 256B.27; Chapters 256B and 609, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 256B.12 and 609.52, Subdivision 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 128, and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2009, A bill for an act relating to the city of Eveleth; firemen's pensions therein; amending Laws 1935, Chapter 208, Section 11, as added.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Begich moved that the House concur in the Senate amendments to H. F. No. 2009 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2009, A bill for an act relating to the cities of Chisholm, Eveleth and Duluth; police and firemen's pensions and survivor benefits therein; amending Laws 1935, Chapter 208, Section 11, as added; and Laws 1975, Chapter 127, Section 2.

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 115, and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht	Esau	Haugerud	Niehaus	Searle
Erickson	Evans	Jopp	Peterson	

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. 2010, A bill for an act relating to the city of Eveleth; increase in police pensions; amending Laws 1965, Chapter 636, Section 8, as added.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Begich moved that the House concur in the Senate amendments to H. F. No. 2010 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2010, A bill for an act relating to the cities of Eveleth and Duluth; increase in police pensions in the city of Eveleth; police survivor benefits in the city of Duluth; amending Laws 1965, Chapter 636, Section 8, as added; and Laws 1953, Chapter 91, Section 11, Subdivision 1, as amended.

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

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

Those who voted in the affirmative were:

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

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. 525, A bill for an act relating to state government; creating a department of transportation; prescribing its duties and responsibilities; transferring the functions of some state departments; appropriating money; amending Minnesota Statutes 1974, Sections 43.09, Subdivision 2a; and 360.017, Subdivision 1; repealing Minnesota Statutes 1974, Sections 4.20; 161.03; and 360.014.

PATRICK E. FLAHAVEN, Secretary of the Senate

Hanson moved that the House refuse to concur in the Senate amendments to H. F. No. 525, 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 accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 109, A bill for an act relating to the organization of state government; providing that heads of certain departments and other governmental units of the state shall serve at the pleasure of the governor; eliminating obsolete language; amending Minnesota Statutes 1974, Sections 16.01; 16A.01, Subdivision 2; 17.01; 45.02; 45.15; 84.01, Subdivision 2; 116.03, Subdivision 1; 161.03, Subdivision 1; 175.001, Subdivision 1; 179.02; 196.02, Subdivision 1; 216A.06; 241.01, Subdivision 1; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 2; 298.22, Subdivision 1; 299A.01, Subdivision 1; 360.014, Subdivision 2; 362.09, Subdivision 1; and 363.04, Subdivision 1.

The Senate has appointed as such committee Messrs. Schaaf, Brown and Stokowski.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1382:

Fugina, Petrafeso and Adams, L.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 525:

Hanson, Pehler, Knickerbocker, Petrafeso and Beauchamp.

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.

Eken, Fudro, Graba, McCauley, Menning and Suss were excused for the remainder of today's session.

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

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1876, A bill for an act relating to transportation; providing for rail transportation improvements throughout the state; creating the Minnesota rail line improvement fund; authorizing the development of a state plan for rail transportation and a feasibility study of rail line acquisition by the state or by a political subdivision of the state; appropriating money.

Reported the same back with the following amendments:

Page 2, line 1, after "agency" insert "or the department of transportation 30 days after the effective date that such department may be established by law".

Page 2, line 9, delete "FUND" and insert "ACCOUNT".

Page 2, line 10, delete "fund" and insert "account".

Page 2, line 13, delete "fund" and insert "account".

Page 3, line 18, delete "fund" and insert "account".

Page 4, line 11, delete "fund" and insert "account".

Page 4, line 15, delete "fund" and insert "account".

Page 4, line 19, after "lines" insert "of that company".

Page 6, line 17, after "state" insert "for the biennium ending June 30, 1977,".

Page 6, line 19, delete "None of the moneys expended".

Page 6, delete line 20.

Further, amend the title:

Page 1, line 4, delete "fund" and insert "account".

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1901, A bill for an act relating to education; authorizing the establishment of a pilot higher education extension center to serve downtown St. Paul and its surrounding area; appropriating money.

Reported the same back with the following amendments:

Page 3, line 32, after "colleges," insert "\$113,288".

Page 4, line 7, after "board," insert "\$45,000".

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1984, A bill for an act relating to agriculture; establishing a family farm security program to encourage loans for farm real estate; appropriating money; amending Minnesota Statutes 1974, Sections 48.24, Subdivision 5; and 290.08, by add-

ing a subdivision; Minnesota Statutes, 1975 Supplement, Section 290.01, Subdivision 20; and 290.09, Subdivision 4.

Reported the same back with the following amendments:

Page 1, line 15, delete "15" and insert "10".

Page 1, delete line 17 and insert "*purposes of sections 1 to 10 the terms defined in this section have the*".

Page 2, line 4, after "and" insert "*may be*".

Page 2, line 5, before "loan" insert "*seller's*".

Page 2, line 13, delete "Loan" and insert "*Seller's loan*".

Page 2, line 16, delete "7" and insert "10".

Page 2, line 32, after "*insurance*" insert "*, as defined in Minnesota Statutes, Section 60A.02, Subdivision 3,*".

Page 3, lines 1 and 2, delete "*as defined in Minnesota Statutes, Section 60A.02, Subdivisions 1 and 3*".

Page 3, delete lines 11 and 12 and insert "*to 10. He shall also provide*".

Page 3, line 13, delete "board" and insert "*council*".

Page 3, delete lines 16 and 17, and insert "*1 to 10*".

Page 3, line 31, delete "*officer*" and insert "*director*".

Page 6, line 27, delete "*and shall accept applications from prospective*" and insert a period.

Page 6, delete lines 28 to 32.

Page 7, delete lines 1 to 4 and insert "*Proceeds from the sale of a parcel of property obtained by the state pursuant to this subdivision shall be paid into the special account authorized in section 15, subdivision 1, to the extent that funds from the special account were disbursed according to the terms of the family farm security loan guarantee. Proceeds in excess of the amount disbursed from the special fund shall be paid into the general fund.*".

Page 7, line 10, delete "*provided*" and insert "*approved*".

Page 8, line 16, after "*interest*" insert "*, including payment adjustment to the extent that it is applied to interest,*".

Page 8, delete lines 20 to 25.

Page 10, line 16, delete "*this act*" and insert "*sections 1 to 10*".

Page 15, line 29, delete "*and payment adjustment*" and insert "*, including payment adjustment to the extent that it is applied to interest,*".

Page 15, line 32, delete "*5, 6, 7 and 8*" and insert "*1 to 10*".

Page 18, after line 9, insert:

"Sec. 14. Minnesota Statutes 1974, Section 290.08, is amended by adding a subdivision to read:

Subd. 23. The interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan that is guaranteed by the commissioner of agriculture under the provisions of sections 1 to 10 of this act."

Page 18, line 23, delete "*10*" and insert "*9*".

Page 19, line 20, after the period insert "*The sum of all outstanding family farm security loans guaranteed by the commissioner at any time shall not exceed ten times the amount of money in the special account created in this subdivision."*

Page 19, line 21, delete "*Interest accrued from the investment of funds*".

Page 19, line 22, delete "*from the special account is annually appropriated, and*".

Page 19, line 23, after "*of*" insert "*\$800,000*".

Page 19, line 27, delete "*\$56,000*" and insert "*\$74,300 for the biennium ending June 30, 1977*".

Renumber sections in sequence.

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1985, A bill for an act relating to appropriations; appropriating funds for seminars for local governmental officials.

Reported the same back with the following amendments:

Page 1, after line 10, insert a new section:

"Sec. 2. The state planning agency shall have the authority to conduct training activities for local and regional government officials and the public in general as is necessary to the implementation of its functions and responsibilities. The state planning agency may charge fees to the participants necessary to cover the agency costs for such activities. All such fees received shall be paid into the state treasury and reappropriated to the state planning agency. The agency shall be authorized to make disbursements for expenses relating to such activities for which the fees are paid."

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2215, A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangers.

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2364, A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1974, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; 638.08; and Laws 1971, Chapter 121, Section 2, as amended; repealing Minnesota Statutes 1974, Sections 7.07; 138.821; Minnesota Statutes, 1975 Supplement, Sections 123.937; 144.146, Subdivision 2; Laws 1973, Chapter 768, Section 23; and Laws 1975, Chapter 433, Section 20.

Reported the same back with the following amendments:

Page 3, line 31, delete "12,000,000" insert "5,500,000".

Further, amend the title:

Page 1, line 9, delete "138.821" and insert "136.821".

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2467, A bill for an act relating to the organization and operation of state government; codifying various provisions formerly contained as riders in appropriation acts; amending Minnesota Statutes 1974, Sections 3.755; 16A.28; 16A.72; 38.02, Subdivision 1, and by adding a subdivision; 121.26; 125.08; 136.06; 136.11, Subdivisions 1 and 2, and by adding subdivisions; 136.13; 136.62, by adding a subdivision; 137.02, Subdivision 3, and by adding subdivisions; 138.01; 144.169, by adding a subdivision; 158.04; 158.05; 158.08; 161.142, Subdivision 6; 161.201; 167.45; 171.26; 173.231; 241.27, by adding a subdivision; 243.44; 245.61; 245.65, Subdivision 1; 246.02, Subdivisions 2 and 4; 248.07, Subdivision 8; 252.27, Subdivision 1; 254A.08, Subdivision 3; 256.01, Subdivision 8; 256.011; 260.311, Subdivision 5; 299D.03, Subdivision 6; 299D.04; 352B.02, Subdivision 1; Chapters 134, 136, 137, 138, 139, 161, 242, 245, and 246, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 16.02, Subdivision 16; 136A.121, Subdivision 3; 139.10, by adding subdivisions; 243.09, Subdivision 3; 252.24, Subdivision 4; 260.251, Subdivision 1a; 268.08, Subdivision 5; repealing Minnesota Statutes 1974, Sections 136.821; 161.241, Subdivision 5; 161.261, Subdivision 3; 167.40; 299D.03, Subdivision 4; Laws 1969, Chapter 157, Section 2; Laws 1973, Chapter 768, Section 23; and Laws 1975, Chapter 433, Section 20.

Reported the same back with the following amendments:

Pages 3 and 4, delete all of section 3.

Pages 18, 19 and 20, delete all of section 24.

Page 20, delete lines 8 to 25.

Page 20, line 28, delete "5" and insert "4".

Pages 23 and 24, strike all of sections 33 to 36.

Page 27, line 14, strike "17" and insert "7".

Pages 30 and 31, delete all of section 50.

Page 33, line 28, strike "State Hospital" and insert "*nursing home*".

Page 36, line 4, delete "*maids*" and insert "*domestic servants*".

Page 36, line 7, delete "*unless the maid or*" and insert a period.

Page 36, strike lines 8 to 10.

Page 36, line 24, delete "*administration*" and insert "*personnel*".

Page 38, line 31, reinstate "The board of directors of an activity center".

Page 38, line 32, reinstate the stricken language.

Page 39, reinstate lines 1 to 6.

Page 41, line 2, after "*for*" insert "*a portion of*".

Page 41, line 3, delete "*appropriate state matching money from*" and insert "*remaining portion from state*".

Page 41, line 4, delete "*state*".

Renumber the sections in sequence.

Further amend the title as follows:

Line 6, delete "16A.28;".

Line 10, delete "Subdivision 3, and".

Line 11, delete "subdivisions" and insert "a subdivision".

Line 14, delete "243.44;".

Line 20, delete "139,".

Delete all of line 23.

Line 24, delete "subdivisions;".

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 1097, A bill for an act relating to health; providing for pilot programs for dental care for senior citizens; establish-

ing means of administration; subsidizing premiums to cover cost of services; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [ESTABLISHMENT OF PILOT PROGRAMS.] There are established two pilot programs to provide dental care for senior citizens including nursing home residents. One pilot program shall be established in the metropolitan area, composed of Hennepin, Ramsey, Anoka, Washington, Dakota, Scott, and Carver counties; and one pilot program shall be established in other areas of the state.

Sec. 2. [ADMINISTRATION; STAFF.] For purposes of administration, the program shall be under the supervision of the department of public welfare for the state of Minnesota, which shall select an organization of senior citizens, hereinafter referred to as the senior organization, to perform advisory functions including identification of potentially eligible participants. The organization selected must be a nonprofit service corporation representing and operating for the benefit of senior citizens.

Sec. 3. [DELIVERY OF SERVICES.] Subdivision 1. [CONTRACT FOR DENTAL SERVICES.] The department of public welfare shall contract for the delivery of dental services according to the terms of sections 1 to 6 with qualified providers of dental care.

Subd. 2. [REVIEW OF PERFORMANCE.] The department of public welfare and licensed dentists shall monitor the program. The monitoring shall include, but not be limited to, the following elements: extent and quality of dental service delivered, data concerning number of participants in the program and cost effectiveness. A comprehensive evaluation of the pilot program shall be performed by the department of public welfare and the senior organization.

Sec. 4. [ELIGIBILITY FOR BENEFITS.] Subdivision 1. [IDENTIFICATION OF PARTICIPANTS.] The senior organization shall assist in the identification of a cross section of senior citizens potentially eligible for participation in the program. The department of public welfare shall determine individual eligibility of persons in the identified group. The department may require relevant identifying information from the participants and compile statistics and records of the information.

Subd. 2. [FULL SUBSIDY.] The full cost of the program shall be paid by the department of public welfare, within the availability of funds appropriated for that purpose for individuals who:

- (a) Are aged 62 or over; and
- (b) Have an annual net income not in excess of \$3,900 if single or \$4,875 if married; and
- (c) Are not eligible for dental care services or reimbursement through any other program.

Subd. 3. [HARDSHIP SUBSIDY.] Persons aged 62 or over having incomes in excess of the maxima set in subdivision 2 may, with the consent of the department, be eligible for full subsidy if they have demonstrated special financial hardship.

Subd. 4. [NURSING HOME RESIDENTS.] Not less than ten percent of those participating shall be residents of nursing homes.

Sec. 5. [COVERAGE.] Subdivision 1. [SERVICES PROVIDED.] Services to be made available to members of the program shall include:

- (a) routine examinations,
- (b) x-rays,
- (c) emergency treatment for relief of pain,
- (d) restorative services,
- (e) oral surgery, including preoperative and postoperative care,
- (f) surgical and nonsurgical periodontics,
- (g) endodontics, including pulpal therapy and root canal filling, and
- (h) prosthetics, provided that all dentures shall be permanently identified during fabrication.

Subd. 2. [PAYMENTS COVERED.] The cost of the treatment, equal to 80 percent of the usual, customary, and reasonable fee of the treating dentist, will be paid by the department of public welfare, with no deductible amount. Participants shall be responsible for any remaining balance.

Sec. 6. [OUTSIDE FUNDING.] The department of public welfare, with the assistance of the senior organization, shall investigate the availability of funding from sources including Title III Older Americans Act through the council on aging of the metropolitan council, the state council on aging, and foundation

support. The department of public welfare and the senior organization may solicit and accept in behalf of the program established pursuant to sections 1 to 6 contributions, gifts, and grants from these or any other sources.

Sec. 7. [APPROPRIATIONS.] There is appropriated from the general fund in the state treasury a sum of \$400,000 to the department of public welfare for the purposes of this act. Notwithstanding Minnesota Statutes, Section 16A.28 or any other law relating to the lapse of an appropriation, the appropriation made by this section shall not lapse but shall continue until fully expended."

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. 2040, A bill for an act relating to nursing homes; establishing an office of nursing home complaints; appropriating money.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [144A.51] [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 6 of this act, the terms defined in this section have the meanings given them.

Subd. 2. "Administrative agency" or "agency" means any division, official, or employee of a state or local governmental agency, but does not include:

- (a) Any member of the senate or house of representatives;
- (b) The governor or his personal staff;
- (c) Any instrumentality of the federal government of the United States; or
- (d) Any court or judge.

Subd. 3. "Director" means the director of the office of health facility complaints.

Subd. 4. "Health care provider" means any professional licensed by the state to provide medical or health care services who does provide the services to a resident of a health facility.

Subd. 5. "Health facility" means a facility or that part of a facility which provides hospital or nursing care to five or more persons. Health facility does not include a facility or that part of a facility which is not subject to licensure as a hospital or nursing home pursuant to chapters 144 or 144A.

Subd. 6. "Resident" means any resident or patient of a health facility, or the guardian or conservator of a resident or patient of a health facility, if one has been appointed.

Sec. 2. [144A.52] [OFFICE OF HEALTH FACILITY COMPLAINTS.] Subdivision 1. The office of health facility complaints is hereby created in the department of health. The office shall be headed by a director appointed by the board of health. The director shall report to and serve at the pleasure of the board of health.

The commissioner of health shall provide the office with office space, administrative services and secretarial and clerical assistance.

Subd. 2. The director may appoint a deputy director, personal secretary and other personnel as necessary to discharge the responsibilities of his office. Any deputy director or personal secretary shall serve at the director's pleasure and shall be in the unclassified service. All other employees of the office shall be classified employees of the department of health.

Subd. 3. The director may delegate to members of his staff any of his authority or duties except the duty of formally making recommendations to the legislature, administrative agencies, health facilities, health care providers, and the board of health.

Subd. 4. The director shall attempt to include on his staff persons with expertise in areas such as law, health care, social work, dietary needs, sanitation, financial audits, health-safety requirements as they apply to health facilities and any other relevant fields.

Sec. 3. [144A.53] [POWERS AND DUTIES OF DIRECTOR.] Subdivision 1. [POWERS.] The director may:

(a) Promulgate by rule, within the limits set forth in subdivision 2, the methods by which complaints against health facilities, health care providers or administrative agencies are to be made, reviewed, investigated, and acted upon; provided, however, that he may not charge a fee for filing a complaint;

(b) Recommend legislation and changes in rules to the board of health, legislature, governor, administrative agencies or the federal government;

(c) Investigate, upon a complaint or upon his own initiative, any action or failure to act by an administrative agency, a health care provider, or a health facility;

(d) Request and receive access to relevant information, records, or documents in the possession of an administrative agency, health care provider or a health facility which he deems necessary for the discharge of this responsibilities;

(e) Enter and inspect, at any time, governmental premises within the control of an administrative agency or a health facility provided that the director shall not unduly interfere with or disturb the activities of a resident unless the resident consents;

(f) Recommend that the board of health issue a correction order pursuant to section 144.653 or any law which supersedes that section;

(g) Assist residents of health facilities in the enforcement of their rights under Minnesota law; and

(h) Work with administrative agencies, health facilities, health care providers and organizations representing consumers on programs designed to provide information about health facilities to the public and to health facility residents.

Subd. 2. [COMPLAINTS.] The director may receive a complaint from any source concerning an action of an administrative agency, a health care provider, or a health facility. He may require a complainant to pursue other remedies or channels of complaint open to the complainant before accepting or investigating the complaint.

The director shall keep written records of all complaints and his action upon them. After completing his investigation of a complaint, he shall inform the complainant, the administrative agency having jurisdiction over the subject matter, the health care provider and the health facility of the action taken.

Subd. 3. [RECOMMENDATIONS.] If, after duly considering a complaint and whatever material he deems pertinent, the director determines that the complaint is valid, he may recommend that an administrative agency, a health care provider or a health facility should:

(a) Modify or cancel the actions which gave rise to the complaint;

(b) Alter the practice, rule or decision which gave rise to the complaint;

(c) Provide more information about the action under investigation; or

(d) Take any other step which the director considers appropriate.

If the director requests, the administrative agency, a health care provider or health facility shall, within the time specified, inform the director about the action taken on his recommendation.

Subd. 4. [REFERRAL OF COMPLAINTS.] If a complaint received by the director relates to a matter more properly within the jurisdiction of an occupational licensing board, the office of consumer services or any other governmental agency, the director shall forward the complaint to that agency and shall inform the complaining party of the forwarding. The agency shall promptly act in respect to the complaint, and shall inform the complaining party and the director of its disposition. If a governmental agency receives a complaint which is more properly within the jurisdiction of the director, it shall promptly forward the complaint to the director, and shall inform the complaining party of the forwarding. If the director has reason to believe that any official or employee of an administrative agency or health facility has acted in a manner warranting criminal or disciplinary proceedings, he shall refer the matter to the board of health, department of public welfare, an appropriate prosecuting authority, or other appropriate agency.

Sec. 4. [144A.54] [PUBLICATION OF RECOMMENDATIONS; REPORTS.] Subdivision 1. Except as otherwise provided by this section, the director may determine the form, frequency, and distribution of his conclusions and recommendations. The director shall transmit his conclusions and recommendations to the board of health and the legislature. Before announcing a conclusion or recommendation that expressly or by implication criticizes an administrative agency, a health care provider or a health facility, the director shall consult with that agency, health care provider or facility. When publishing an opinion adverse to an administrative agency, a health care provider or a health facility, he shall include in the publication any statement of reasonable length made to him by that agency, health care provider or health facility in defense or explanation of the action.

Subd. 2. In addition to whatever other reports the director may make, he shall, at the end of each year, report to the board of health and the legislature concerning the exercise of this functions during the preceding year. The board of health may, at any time, request and receive information, other than resident records, from the director.

Subd. 3. In performing his duties under this act, the director shall preserve the confidentiality of resident records. He may release a resident's records with the written approval of the resident who is the subject of the records.

Sec. 5. [HEALTH DEPARTMENT COMPLAINT TEAM.] It is the intent of the legislature that the complaint team of the department of health be superseded by the office of health facility complaints and that funds currently allocated to the com-

plaint team by the department of health be transferred to the director of health facility complaints.

Sec. 6. [ADVISORY COMMITTEE.] The director of health facility complaints shall appoint a 15 member task force to advise the director in the establishment of the office under this act. The appointment, compensation and term of office of the task force shall be governed by the provisions of section 15.059, subdivision 6.

Sec. 7. [APPROPRIATION.] The sum of \$ is hereby appropriated from the general fund to the director of health facility complaints for the purposes of this act.

Sec. 8. [EFFECTIVE DATE.] Section 2, subdivision 1, is effective the day after final enactment. The remainder of this act is effective upon appointment of the director of health facility complaints."

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

The report was adopted.

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

H. F. No. 2666, A bill for an act relating to the operation of state government; raising salaries for certain executive branch employees, constitutional officers, judges and judicial branch employees; limiting possible increases for certain executive branch employees; amending Minnesota Statutes 1974, Sections 15A.081, by adding a subdivision; 15A.083, as amended; 43.062, Subdivision 3; 43.067; and 241.045, Subdivision 4; and Minnesota Statutes, 1975 Supplement, Section 15A.081, Subdivision 1; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 43.066; 43.069 and 487.05.

Reported the same back with the following amendments:

Page 1, line 25, delete "\$44,000" and insert "\$41,000".

Page 1, line 26, delete "39,600" and insert "36,900".

Page 2, line 18, delete "36,000" and insert "34,000".

Page 2, line 19, delete "32,400" and insert "30,600".

Page 2, line 26, delete "39,000" and insert "37,000".

Page 2, line 27, delete "35,100" and insert "33,300".

Page 2, line 29, delete "\$32,000" and insert "\$30,000".

Page 2, line 30, delete "28,800" and insert "27,000".

Page 3, line 3, delete "43,000" and insert "40,000".

Page 3, line 4, delete "38,700" and insert "36,000".

Page 3, line 8, delete "39,000" and insert "36,000".

Page 3, line 9, delete "35,100" and insert "32,400".

Page 3, line 16, delete "41,000" and insert "39,000".

Page 3, line 17, delete "36,900" and insert "32,400".

Page 4, line 15, delete "43,000" and insert "40,000".

Page 4, line 16, delete "38,700" and insert "36,000".

Page 4, line 28, delete "26,000" and insert "28,600".

Page 4, line 30, delete "41,000" and insert "39,000".

Page 4, line 31, delete "36,900" and insert "32,400".

Page 5, line 7, delete "39,000" and insert "37,500".

Page 7, line 26, delete "49,000" and insert "45,000".

Page 7, line 27, delete "46,000" and insert "42,000".

Page 7, line 28, delete "36,000" and insert "32,000".

Page 7, line 29, delete "32,500" and insert "29,400".

Page 7, line 30, delete "31,500" and insert "27,500".

Page 7, line 31, delete "31,500" and insert "27,500".

Page 8, line 8, delete "46,000" and insert "44,000".

Page 8, line 9, delete "45,000" and insert "43,000".

Page 8, line 28, after "following" insert "annual".

Page 8, line 28, delete "annually".

Page 10, line 7, before "The" insert "Compensation for".

Page 10, line 8, strike "RECEIVE AS COMPENSATION HIS" and insert "be the".

Page 10, after line 20, insert:

"Sec. 2. Minnesota Statutes 1974, Chapter 8, is amended by adding a section to read:

[8.065] [DEPUTY AND ASSISTANT ATTORNEYS GENERAL; ASSIGNMENTS.] *Notwithstanding any other provision of law, the attorney general may assign all deputy and assistant attorneys general authorized by statute to such state agencies as he deems necessary to the proper conduct of the legal business of the state.*

Sec. 3. *No public employee or official, except an employee of the university of Minnesota, shall receive a salary greater than that paid to the governor, nor shall any additional compensation be paid in an amount greater than the compensation paid to the governor. Contracts for salary and compensation in effect on the effective date of this act that conflict with this section may continue until their term of expiration but the conflicting provision may not be extended thereafter.*

Sec. 4. Subdivision 1. *Notwithstanding any other law, ordinance, resolution or provision in a home rule charter to the contrary, all political subdivisions shall expend funds for expenses incurred in travel by employees or elected or appointed officials only in accordance with rules established by the commissioner of personnel to govern expenses incurred by state employees.*

Subd. 2. *Any travel by an employee or elected or appointed official of a political subdivision which is in excess of 50 miles beyond the state of Minnesota and which is paid for by public funds shall be given prior written approval by the governing body of the political subdivision. Any travel by a state employee, or appointed official, which is in excess of 50 miles beyond the state of Minnesota and which is paid for by public funds shall be given prior written approval by the agency, official or governing body designated in law as having responsibility for the conduct of the agency within which the employee or appointed official is employed or serves; except that employees of the house of representatives and senate shall be governed by the rules of their respective body. In an emergency or when prior written approval is not possible, the travel shall be reported to the appropriate governing body or official within 36 hours of return."*

Further amend the title:

Page 1, line 7, after "1974," insert "Chapter 8, by adding a section;"

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

The report was adopted.

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

S. F. No. 2078, A bill for an act relating to metropolitan revenue distribution; changing the method of computing the taxable valuation of certain governmental units; amending Minnesota Statutes 1974, Section 473F.08, Subdivision 2.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1974, Section 473F.02, Subdivision 7, is amended to read:

Subd. 7. “Population” means the most recent estimate of the population of a municipality made by the metropolitan council and filed with the commissioner of (FINANCE) *revenue*. The council shall annually estimate the population of each municipality as of a date which it determines and, in the case of a municipality which is located partly within and partly without the area, the proportion of the total which resides within the area, and shall promptly thereafter file its estimates with the commissioner of (FINANCE) *revenue*.

Sec. 2. Minnesota Statutes 1974, Section 473F.02, Subdivision 11, is amended to read:

Subd. 11. “Locally raised revenues” means the total money receipts of a municipality, including those of its constituent agencies, boards, commissions, and other bodies, from all sources and for all purposes, reduced by the expenses, including a reasonable allowance for depreciation of capital assets, incurred in the operation by the municipality of facilities for the production or sale of electricity, water, gas, heat, or telephone service, except that locally raised revenues shall not include:

(a) Revenues derived from the operation of municipal liquor stores;

(b) Public grants, as defined in subdivision 17, except that for purposes of this subdivision the amount prescribed by clause (2) of subdivision 17 shall be multiplied by 10;

(c) Grants or gifts from private persons, unless made by an entity exempt from ad valorem taxation in an amount which does not exceed the ad valorem tax which would have been payable

by the entity during that year for the benefit of the recipient if the exemption did not exist; and

(d) The proceeds of any indebtedness incurred by the municipality.

The state auditor shall certify the locally raised revenues of each municipality for each year to the commissioner of (FINANCE) *revenue* not later than September 1 of the subsequent year. If the fiscal year of a municipality ends on a date other than December 31, the certification shall relate to the fiscal year which ended in the calendar year preceding that in which the certificate is required to be made, and references in sections 473F.01 to 473F.13 to the locally raised revenues of a municipality in a specified year shall be deemed to refer to the fiscal year ended in the specified calendar year.

Sec. 3. Minnesota Statutes 1974, Section 473F.02, Subdivision 12, is amended to read:

Subd. 12. "Market value" of real property within a municipality means the "actual market value" of real property within the municipality, determined in the manner and with respect to the property described for school districts in section 475.53, subdivision 4, except that no adjustment shall be made for property on which taxes are paid into the state treasury under gross earnings tax laws applicable to common carrier railroads. For purposes of sections 473F.01 to 473F.13, the equalization aid review committee shall annually make determinations and reports with respect to each municipality which are comparable to those it makes for school districts under section 124.212, subdivision 10, in the same manner and at the same times as are prescribed by the subdivision. The (AUDITOR OF EACH COUNTY AND THE) commissioner of revenue shall annually determine (AND CERTIFY TO THE COMMISSIONER OF FINANCE), for each municipality, information comparable to that required (OF EACH OF THEM) by section 475.53, subdivision 4, for school districts, as soon as practicable after it becomes available. The commissioner of (FINANCE) *revenue* shall then compute the market value of property within each municipality.

Sec. 4. Minnesota Statutes 1974, Section 473F.06, is amended to read:

473F.06 [INCREASE IN ASSESSED VALUATION.] On or before (NOVEMBER 20) *September 1* of (1972) 1976 and each subsequent year, the auditor of each county in the area shall determine the amount, if any, by which the assessed valuation *determined in (THAT) the preceding year pursuant to section 473F.05*, of commercial-industrial property subject to taxation within each municipality in his county exceeds the assessed valuation in 1971 of commercial-industrial property subject to taxation within that municipality. If a municipality is located in two

or more counties within the area, the auditors of those counties shall certify the data required by sections 473F.04 and 473F.05 to the county auditor who is responsible under other provisions of law for allocating the levies of that municipality between or among the affected counties. That county auditor shall determine the amount of the net excess, if any, for the municipality under this section, and certify that amount under section 473F.07. Notwithstanding any other provision of sections 473F.01 to 473F.13 to the contrary, in the case of a municipality which is designated on July 24, 1971, as a redevelopment area pursuant to Section 401(a) (4) of the Public Works and Economic Development Act of 1965, P.L. 89-136, the increase in its assessed valuation of commercial-industrial property for purposes of this section shall be determined in each year subsequent to the termination of such designation by using as a base the assessed valuation of commercial-industrial property in that municipality in the year following that in which such designation is terminated, rather than the assessed valuation of such property in 1971. *The increase in assessed valuation determined by this section shall be reduced by the amount of any decreases in the assessed valuation of commercial-industrial property resulting from any court decisions, court related stipulation agreements, or abatements for a prior year, and only in the amount of such decreases made during the twelve month period ending on June 30 of the current assessment year, where such decreases, if originally reflected in the determination of a prior year's valuation under section 473F.05, would have resulted in a smaller contribution from the municipality in that year. An adjustment for such decreases shall be made only if the municipality made a contribution in a prior year based on the higher valuation of the commercial-industrial property.*

Sec. 5. Minnesota Statutes 1974, Section 473F.08, Subdivision 2, is amended to read:

Subd. 2. The taxable value of a governmental unit is its assessed valuation, as determined in accordance with other provisions of law, subject to the following adjustments:

(a) There shall be subtracted from its assessed valuation, in each municipality in which the governmental unit exercises ad valorem taxing jurisdiction, an amount which bears the same proportion to 40 percent of the amount certified in that year pursuant to section 473F.06 in respect to that municipality as the total *preceding year's* assessed valuation of commercial-industrial property which is subject to the taxing jurisdiction of the governmental unit within the municipality bears to the total *preceding year's* assessed valuation of commercial-industrial property within the municipality;

(b) There shall be added to its assessed valuation, in each municipality in which the governmental unit exercises ad valorem taxing jurisdiction, an amount which bears the same proportion to the area-wide base for the year attributable to that

municipality as the total *preceding year's* assessed valuation of residential property which is subject to the taxing jurisdiction of the governmental unit within the municipality bears to the total *preceding year's* assessed valuation of residential property of the municipality.

Sec. 6. Minnesota Statutes 1974, Section 473F.08, Subdivision 3, is amended to read:

Subd. 3. On or before (NOVEMBER 30) *October 15* of (1972) 1976 and each subsequent year, the county auditor shall apportion the levy of each governmental unit in his county in the manner prescribed by this subdivision. He shall: (a) Determine (THAT PORTION OF THE LEVY WHICH BEARS THE SAME PROPORTION TO THE TOTAL LEVY AS THE AMOUNT SET FORTH IN SUBDIVISION 2, CLAUSE (B), BEARS TO THE TAXABLE VALUE OF THE GOVERNMENTAL UNIT) *the area-wide portion of the levy for each governmental unit by multiplying the nonagricultural mill rate of the governmental unit for the preceding levy year times the distribution value set forth in section 473F.08, subdivision 2, clause (b); and*

(b) Determine (THE EXCESS OF THE LEVY OVER THAT PORTION OF THE LEVY DETERMINED PURSUANT TO CLAUSE (A)) *the local portion of the current year's levy by subtracting the resulting amount from clause (a) from the governmental unit's current year's total levy.*

Sec. 7. Minnesota Statutes 1974, Section 473F.08, Subdivision 7, is amended to read:

Subd. 7. On or before January 1 of (1973 AND) each (SUBSEQUENT) year, the (ADMINISTRATIVE AUDITOR) *commissioner of revenue* shall certify to the state treasurer the amount of that portion of the levy made by each governmental unit set forth in subdivision 3, clause (a). Each county treasurer shall remit (ALL) *50 percent of the total real and personal property tax (PAYMENTS) levies* computed pursuant to subdivision 5 to the state treasurer not later than 20 days before the times prescribed by chapter 276, for the apportionment and distribution of tax revenues by county treasurers *of the May settlement and the remaining one half shall be remitted on or before December 31.* The state treasurer shall deposit (SUCH) *these* payments to the credit of the area-wide tax account, which is hereby created. Marginal expenses incurred by the state treasurer under this section, and all refunds of tax receipts paid into the account, shall be paid from the account, and all interest earned on moneys in the account shall be credited to the account, and the distributions under subdivision 8 shall be adjusted proportionately to reflect expense payments and interest income and reduced to reflect the payment of each refund in amounts

proportionate to the distributions received in the year the tax was paid.

Sec. 8. Minnesota Statutes 1974, Section 473F.08, Subdivision 8, is amended to read:

Subd. 8. The state treasurer shall apportion and distribute amounts received by him pursuant to subdivision 7 to the county treasurer having jurisdiction of each governmental unit entitled thereto as shown by the certification to him in accordance with subdivision 7. The apportionment and distribution shall be made in the manner and not later than (TEN) *fifteen* days before the times prescribed by chapter 276, for the apportionment and distribution of tax revenues by county treasurers *after the receipt of the payments from the county treasurers*. Each county treasurer shall include the amounts thus received in his distributions pursuant to chapter 276. Amounts necessary for distributions, refunds and payment of administrative expenses under sections 473F.01 to 473F.13 are hereby appropriated.

Sec. 9. Minnesota Statutes 1974, Section 473F.12, Subdivision 2, is amended to read:

Subd. 2. On September 1 of (1971 AND) each (SUBSEQUENT) year, the commissioner of (FINANCE) *revenue* shall estimate the total amount available for distribution to municipalities from the municipal equity account during the subsequent calendar year. The amount so estimated shall be the sum of the estimated balance in the account on November 15 of the year in which the estimate is made, the estimated deposits to the credit of the account thereafter through November 15 of the subsequent year, and interest earned by the fund over the 12 month period. The amount to be distributed to each qualifying municipality shall be the amount determined in accordance with subdivision 3, except that (a) if the sum of the amounts so determined differs from the total amount estimated to be available for distribution, the amount of the distribution to each municipality shall be adjusted proportionately, and (b) the amount to be distributed to each qualifying municipality, after any adjustment prescribed by clause (a), shall not be less than \$9, or, if the total amount estimated to be available for distribution is less than \$40 millions, that proportion of \$9 which equals the proportion which the total amount estimated to be available for distribution bears to \$40 millions, multiplied by the population of the municipality residing within the area as determined in the year preceding that in which the estimate is made. To the extent that the distributions to any municipality or group of municipalities are adjusted pursuant to clause (b), the distributions to all other municipalities shall be adjusted proportionately in amounts sufficient to make the total of the distributions to all municipalities equal the total amount estimated to be available for distribution. The commissioner of (FINANCE) *revenue* shall notify the governing body of each qualifying municipality of the amount so determined with respect to that municipality before September 20.

Sec. 10. Minnesota Statutes 1974, Section 473F.12, Subdivision 4, is amended to read:

Subd. 4. On or before each of the dates June 15 and November 15 (OF 1972 AND) each (SUBSEQUENT) year, the commissioner of (FINANCE) *revenue* shall issue his warrant in favor of the treasurer of each qualifying municipality in an amount equal to one half the amount determined by the commissioner of (FINANCE) *revenue* to be due the municipality in that year under the terms of subdivision 2. There is hereby appropriated from the municipal equity account, to each municipality entitled to payments authorized by this section, sufficient moneys to make such payments.

Sec. 11. Minnesota Statutes 1974, Section 473F.13, Subdivision 1, is amended to read:

473F.13 [CHANGE IN STATUS OF MUNICIPALITY.] Subdivision 1. If a qualifying municipality is dissolved, is consolidated with all or part of another municipality, annexes territory, has a portion of its territory detached from it, or if newly incorporated, the secretary of state shall immediately certify that fact to the commissioner of (FINANCE) *revenue*. The secretary of state shall also certify to the commissioner of (FINANCE) *revenue* the current population of the new, enlarged, or successor municipality, if determined by the municipal commission incident to consolidation, annexation, or incorporation proceedings. The population so certified shall govern for purposes of sections 473F.01 to 473F.13 until the metropolitan council files its first population estimate as of a later date with the commissioner of (FINANCE) *revenue*. If an annexation of unincorporated land occurs without proceedings before the municipal commission, the population of the annexing municipality as previously determined shall continue to govern for purposes of sections 473F.01 to 473F.13 until the metropolitan council files its first population estimate as of a later date with the commissioner of (FINANCE) *revenue*.

Sec. 12. Minnesota Statutes 1974, Section 473F.13, Subdivision 2, is amended to read:

Subd. 2. The amount of each distribution from the municipal equity account shall reflect the status of municipalities as certified to the commissioner of (FINANCE) *revenue* on September 1 of the year preceding that in which the distribution is made. If the status of a municipality thereafter changes before the distribution is made, the distribution shall be made to the successor municipality or municipalities. If there are two or more successors, the distribution shall be apportioned among them in accordance with section 414.067.

Sec. 13. *In the next edition of Minnesota Statutes, the revisor of statutes shall substitute the words "commissioner of*

revenue" for the words "administrative auditor" wherever they appear in chapter 473F.

Sec. 14. *Minnesota Statutes 1974, Sections 473F.02, Subdivision 6; 473F.03; 473F.07, Subdivision 2; and 473F.08, Subdivision 9, are repealed.*

Sec. 15. *This act is effective for taxes levied in 1976 and payable in 1977 and all subsequent years."*

Further delete the title in its entirety and insert:

"A bill for an act relating to metropolitan revenue distribution; providing that the commissioner of revenue shall perform administrative functions; changing settlement dates and the method of computing the taxable valuation of governmental units; amending Minnesota Statutes 1974, Sections 473F.02, Subdivisions 7, 11 and 12; 473F.06; 473F.08, Subdivisions 2, 3, 7 and 8; 473F.12, Subdivisions 2 and 4; 473F.13, Subdivisions 1 and 2; repealing Minnesota Statutes 1974, Sections 473F.02, Subdivision 6; 473F.03; 473F.07, Subdivision 2; and 473F.08, Subdivision 9."

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

The report was adopted.

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

H. F. No. 2122, A bill for an act relating to taxation; imposing a use tax on certain vehicles owned by foreign business and providing transportation services in the state; amending Minnesota Statutes 1974, Chapter 297A, by adding a section.

Reported the same back with the following amendments:

Page 2, delete lines 2 and 3.

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. 1997, A bill for an act relating to taxation; credits on tax on fermented malt beverages; amending Minnesota Statutes 1974; Section 340.47, Subdivisions 2 and 2a.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1876, 1901, 1984, 1985, 2215, 2364, 2467 and 2122 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1097 and 1997 were read for the second time.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Pursuant to Rule 1.9, Anderson, I., for the Committee on Rules and Legislative Administration, designated the following bills as a Special Order to be acted upon immediately following H. F. No. 2269 on the Special Order for March 18, 1976.

H. F. No. 2203; S. F. Nos. 1273, 2033, 1920, 357, 1874, 2318, 1296, 1792, 1740, 454, 1976, 1051, 1973 and 1039.

SPECIAL ORDERS, Continued

H. F. No. 2269 was reported to the House.

There being no objection, H. F. No. 2269 was continued on Special Orders for one day.

H. F. No. 2203 was reported to the House.

Petrafeso moved to amend H. F. No. 2203, as follows:

Page 4, line 1, after "average" insert "daily".

The motion prevailed and the amendment was adopted.

Sieloff moved to amend H. F. No. 2203, as follows:

Page 4, line 2, after "rates" insert "for similar care".

The motion prevailed and the amendment was adopted.

Vanasek moved to amend H. F. No. 2203, as follows:

Page 5, line 12, strike "January" and insert "July".

Page 5, line 13, strike "1977" and insert "1976".

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

H. F. No. 2203, A bill for an act relating to medical assistance for the needy; establishing guidelines for reimbursement of medical services furnished by nursing homes; prescribing certain responsibilities for the department of public welfare.

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 104, and nays 15, as follows:

Those who voted in the affirmative were:

Abeln	Dahl	Kempe, A.	Nelson	Sieben, H.
Adams, L.	Dean	Kempe, R.	Norton	Sieben, M.
Adams, S.	Dieterich	Ketola	Novak	Sieloff
Anderson, G.	Doty	Knickerbocker	Osthoff	Simoneau
Anderson, I.	Eckstein	Knoll	Parish	Skoglund
Arlandson	Enebo	Kostohryz	Patton	Smith
Beauchamp	Evans	Kroening	Pehler	Smogard
Begich	Faricy	Laidig	Petrafeso	Swanson
Berg	Fjoslien	Langseth	Philbrook	Tomlinson
Berglin	Fugina	Lemke	Prahl	Ulland
Biersdorf	Hanson	Lindstrom	Reding	Vanasek
Birnstihl	Haugerud	Luther	Rice	Vento
Braun	Hokanson	Mangan	St. Onge	Volk
Byrne	Jacobs	McCarron	Samuelson	Voss
Carlson, A.	Jaros	McCollar	Sarna	Wenstrom
Carlson, L.	Johnson, C.	McEachern	Savelkoul	Wenzel
Carlson, R.	Johnson, D.	Metzen	Schreiber	White
Casserly	Jude	Moe	Schulz	Wieser
Clark	Kahn	Munger	Schumacher	Williamson
Clawson	Kelly, R.	Neisen	Setzepfandt	Speaker Sabo
Corbid	Kelly, W.	Nelsen	Sherwood	

Those who voted in the negative were:

Albrecht	Esau	Jopp	Mann	Pleasant
DeGroat	Friedrich	Kaley	Niehaus	Searle
Erickson	Heinitz	Kvam	Peterson	Zubay

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

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.

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 119, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Friday, March 19, 1976, immediately following the Consent Calendar. The motion prevailed.

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

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2169, A bill for an act relating to torts; defining the state's liability for torts.

Reported the same back with the following amendments:

Page 1, line 6, after "provided" insert "by law".

Page 1, line 6, after "state" delete "is" and insert ", its agents, and employees are".

Page 1, line 21, delete "malfeasance".

Page 1, line 22, delete "in office or".

Page 2, line 10, after "state" insert "and its employees acting within the scope of their employment".

Page 3, after line 8, insert the following:

"(h) Any claim for benefits or compensation provided under a program of public assistance or public welfare, except where expressly required by federal laws in order for the state to receive federal grants-in-aid.

(i) Any claim based on the failure of any person to meet the standards needed for a license, permit, or other authorization issued by the state or its agents.

(j) Any claim based on the loss, damage, or destruction of property of a patient or inmate of a state institution."

Page 4, line 2, after "of the state" insert:

"or, in the case of a claim against the university of Minnesota, to the person designated by the regents of the university as the university attorney,".

Page 5, line 14, delete "The procurement of such insurance constitutes a".

Page 5, delete lines 15 to 18.

Page 5, after line 31, add a new section 7 as follows:

"Sec. 7. [JUDGMENT AS BAR.] The judgment in an action under this act shall constitute a complete bar to any action by the claimant, by reason of the same subject matter, against the employee of the government whose act or omission gave rise to the claim."

Page 6, line 13, after "general" insert "or the person designated as the university attorney, as the case may be".

Page 6, after line 13, add a new section as follows:

"Sec. 10. [FUNDING.] Subdivision 1. [REQUEST FOR FUNDS.] Any state department or agency or the university of Minnesota, state universities, or community college incurring a tort claim judgment or settlement obligation or whose employees acting within the scope of their employment incur such obligation may seek payment of same through funds in the general contingent account by submitting a written request to the commissioner of finance. The request shall contain a description of the tort claim precipitating the request, specify the amount of the obligation and be accompanied by copies of judgments, settlement agreements or other documentation relevant to the obligation for which the department, agency, university or college is seeking payment.

Subd. 2. [TRANSFER OF FUNDS.] Upon receipt and review of a request as provided in subdivision 1 the commissioner of finance shall transfer the fund necessary to pay the department, agency, university or college. The transfer shall be in accord with the provisions of Minnesota Statutes, Section 3.30, and such transfer may be made to any entity entitled under this act to the payment of tort claim judgments or settlement obligations.

Subd. 3. [REPORT TO LEGISLATURE.] On January 1 and July 1 of each year, the commissioner of finance shall transmit to the legislature and the chairmen of the house appropriations and senate finance committees thereof copies of all requests in the preceding six months together with a report on the transfers made with respect to each request.”.

Page 6, after line 24, insert the following:

“Sec. 13. [STATE’S DUTY; WARNINGS.] Except as specifically recognized by or provided in section 15, the state owes no duty of care to render or maintain units of the outdoor recreation system safe for entry or use by others. For the purposes of sections 13 through 16 the term “outdoor recreation system” shall have the meaning given it in section 86A.04.

Sec. 14. [STATE’S LIABILITY.] Except as specifically recognized by or provided in section 15, the state by establishing, constructing, operating and maintaining the outdoor recreation system or by allowing any person to use the same does not thereby:

(a) Extend any assurance that the premises are safe for any purpose;

(b) Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed; or

(c) Assume responsibility or incur liability for any injury to person or property caused by an act or omission of such persons.

Sec. 15. [STATE’S LIABILITY; NOT LIMITED.] Nothing in sections 13 through 16 limits in any way any liability which otherwise exists for conduct which, at law, entitles a trespasser to maintain an action and obtain relief for the conduct complained of.

Sec. 16. [LAND USER’S LIABILITY.] Nothing in sections 13 through 16 shall be construed to relieve any person using any unit of the outdoor recreation system from any obligation which he may have in the absence of sections 13 through 16 to exercise care in his use of said system and in his activities there-

in, or from the legal consequences of the failure to employ such care.

Sec. 17. [APPROPRIATION.] There is appropriated to the attorney general from the general fund the sum of \$200,000 for the fiscal year ending June 30, 1977. The personnel complement for the attorney general's office shall be increased by seven."

Renumber the sections accordingly.

Further amend the title as follows:

Line 3, after "torts" insert "; appropriating money".

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2218, A bill for an act relating to the department of public welfare; providing for funding for detoxification programs; amending Minnesota Statutes 1974, Section 254A.08, Subdivision 3.

Reported the same back with the following amendments:

Page 1, line 20, after "(WELFARE)" insert "*Notwithstanding any other provision of law, funding up to 85 percent provided by the state shall be effective through December 31, 1976. Effective January 1, 1977*".

Page 1, line 20, after "percent" insert "*shall be*".

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 1530, A bill for an act relating to wild animals; establishing the expiration date of all game and fish licenses as the last day of February; authorizing the commissioner of natural resources to provide for the issuance of more than one game or fish license to a person during any licensing year; providing for distribution of game and fish licenses on consignment; estab-

lishing an issuing fee for such licenses; requiring sub-agents to be bonded; authorizing county auditors to retain a four percent commission on all license fees including surcharges; authorizing the commissioner of natural resources to issue regulations regulating to sub-agencies; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 1; and 98.50, Subdivisions 1, 2, 3 and 5.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 98.45, Subdivision 1, is amended to read:

98.45 [REQUIREMENT.] Subdivision 1. Except as specifically permitted in chapters 97 to 102, no person may take, buy, sell, transport, or possess any protected wild animals of this state or any aquatic plants without first procuring a license therefor as provided in section 98.46 or in section 98.48. Every license is issued for (THE CALENDAR) *a year beginning on the first day of March* and is void after the last day of the open season or the lawful time within that year during which the acts authorized may be performed. No license to take beaver or otter may be issued to any person after the third day of the open season provided therefor for that year. Except as provided in this section, no license to take deer with firearm may be issued after the first day of the regular rifle season, and all license agents shall return all stubs and unsold license blanks to the county auditor on the (SECOND) *first business day following the first day of such season*. A resident who is discharged from the military or naval forces of the United States, or any active reserve or component thereof, during the regular season for taking deer by firearm or within ten days before its commencement, may be issued, at any time during the firearm deer season and upon a showing of his official discharge paper, a license to take deer with firearm. Only one license of each kind, except *as authorized by order of the commissioner adopted pursuant to section 97.53 and except* the non-resident short term angling license, may be issued to a person in any (CALENDAR) *licensing* year. No license may be transferred except as expressly authorized.

Sec. 2. Minnesota Statutes 1974, Section 98.50, Subdivision 1, is amended to read:

98.50 [ISSUANCE.] Subdivision 1. County auditors are hereby appointed agents of the commissioner for the sale of licenses to take big and small game and fish, and to trap fur-bearing animals, and to harvest wild rice, to residents of the state, and to take big and small game and fish, to nonresidents of the state. Each county auditor may appoint sub-agents within his county or within adjacent counties to sell such licenses, and upon such appointment the auditor shall notify the commissioner

forthwith of the name and address of the sub-agent. Such appointments may be revoked by the auditor at any time (AND HE MAY REQUIRE SUCH SECURITY OF THE AGENT AS HE DEEMS ADVISABLE), and he shall revoke any agency upon demand of the commissioner. *The auditor shall require each sub-agent to furnish a surety bond in favor of the county in an amount at least equal to the value of all license blanks consigned to that sub-agent. Such bond is to be acquired in accordance with section 6 hereof.* The county auditor shall be responsible for all license blanks issued to, and license fees received by, his agents, except in a county to which Laws 1951, Chapter 381, applies, or in a county wherein the county auditor does not retain fees paid for such license purposes. In such county the responsibility imposed above upon the county auditor is imposed upon the county.

Sec. 3. Minnesota Statutes 1974, Section 98.50, Subdivision 2, is amended to read:

Subd. 2. The commissioner may require county auditors to furnish such additional corporate surety bonds as in his opinion may be required to secure the state, in addition to the auditor's official bond. The commissioner shall prescribe rules and regulations setting up such accounting and procedural requirements as he may deem necessary to assure the efficient handling of licenses and license fees, and all county auditors and other agents shall strictly comply therewith. *The commissioner may by order adopted pursuant to section 97.53 establish such standards and other requirements for the establishment and revocation of sub-agencies as he may deem necessary to assure the efficient distribution of licenses throughout the state, and all county auditors shall strictly comply therewith.*

Sec. 4. Minnesota Statutes 1974, Section 98.50, Subdivision 5, is amended to read:

Subd. 5. Any resident desiring to sell the licenses referred to in subdivision 1 may either purchase for cash or obtain on consignment license blanks from a county auditor (AT THE AUDITOR'S OPTION DESCRIBED IN SUBDIVISION 1) in groups of not less than five non-resident, and ten resident license blanks. *In addition to the basic license fee, he shall (BE ENTITLED TO A DISCOUNT OF SEVEN PERCENT FROM THE PRICE ESTABLISHED BY LAW ON CASH PURCHASES AND SIX PERCENT ON CONSIGNMENTS) collect a fee for issuing each license in the amount of \$.75 for the license to take deer and \$.50 for all other licenses.* In selling such licenses, he shall be deemed an agent of the county auditor and the commissioner, and he shall observe all rules and regulations promulgated by the commissioner for the accounting for and handling of such licenses.

The county auditor shall promptly deposit all moneys received from the sale of licenses with the county treasurer, and shall

promptly transmit such reports as may be required by the commissioner, together with his warrant on the county treasurer for (90) 100 percent of the surcharge imposed by section 97.482 plus 96 percent of the price to the licensee, exclusive of said surcharge and the issuing fee, for each license sold or consigned by him and subsequently sold to a licensee during the accounting period. The county auditor shall retain as his commission (THREE) four percent of all license fees (FOR LICENSES SOLD FOR CASH AND RESALE, FOUR PERCENT OF ALL LICENSE FEES), excluding issuing fees for licenses consigned to sub-agents (, AND TEN PERCENT OF ALL LICENSE FEES). In addition, for licenses sold for cash directly to the licensee, the auditor shall collect the same issuing fee as a sub-agent. Unsold license blanks in the hands of any agent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner therefor. Any license blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the agent possessing the same or to whom they are charged shall be accountable therefor. The commissioner shall collect the same issuing fee as a sub-agent for licenses sold directly through a license distribution center operated by the department of natural resources. The issuing fees so collected by the commissioner shall be credited to the game and fish fund.

Sec. 5. *The provisions contained in section 4 of this act apply to licenses issued for licensing years beginning on March 1, 1977, and thereafter. All licenses issued for the calendar year 1976 shall be deemed to have been issued for a period ending on the last day of February, 1977.*

Sec. 6. Minnesota Statutes 1974, Section 98.50, is amended by adding a subdivision to read:

Subd. 10. (a) *A written application shall be made by each sub-agent to the appropriate county auditor in a manner approved by the commissioner, who shall require the applicant to deposit with the state treasurer, securities of the United States government or the state of Minnesota or to execute and file a bond, with a corporate surety approved by the commissioner, to the appropriate county auditor and to the state of Minnesota in an amount to be fixed by the commissioner and approved by the attorney general and which shall be conditioned for the payment when due of all license fees, penalties and accrued interest arising by reason of any delinquent money which may be due to the appropriate county auditor and the state of Minnesota for said fees. The bond shall cover all places of business within the state where license fees are received by the sub-agent.*

(b) *When the surety upon any bond issued pursuant to the provisions of this chapter shall have fulfilled the conditions of such bond and compensated the state for any loss occasioned by*

any act or omission of any sub-agent under this chapter, such surety shall be subrogated to all the rights of the state in connection with the transaction wherein such loss occurred.

(c) If a sub-agent cannot or does not choose to acquire a bond of the type required then the county auditor shall demand prepayment for such licenses prior to delivery of them to the sub-agent. Such license may be returned by the sub-agent to the auditor for a refund within time limits established by the commissioner.

Sec. 7. [REPEALER.] *Minnesota Statutes 1974, Section 98.50, Subdivision 3, is repealed."*

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

"A bill for an act relating to game and fish; establishing the expiration date of all game and fish licenses as the last day of February; authorizing the commissioner of natural resources to provide for the issuance of more than one game or fish license to a person during any licensing year; providing for distribution of game and fish licenses on consignment; establishing an issuing fee for such licenses; requiring sub-agents to be bonded; authorizing county auditors to retain a four percent commission on license fees; authorizing the commissioner of natural resources to issue regulations relating to sub-agencies; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 1; and 98.50, Subdivisions 1, 2 and 5, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 98.50, Subdivision 3."

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2169 and 2218 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1530 was read for the second time.

MOTIONS AND RESOLUTIONS

Swanson moved that the names of Sabo and Rice be added as authors on H. F. No. 1910. The motion prevailed.

Prahl moved that H. F. No. 1814, now on General Orders, be returned to the Committee on Environment and Natural Resources. The motion prevailed.

Faricy moved that H. F. No. 1989, now on General Orders, be re-referred to the Committee on Commerce and Economic Development. The motion prevailed.

Pehler moved that H. F. No. 468, now on General Orders, be returned to its author. The motion prevailed.

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

S. F. Nos. 360, 551, 819, 1753, 1764, 1780, 1097 and 1530.

The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m. Friday, March 19, 1976. 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, March 19, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

