

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

NINETY-FOURTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MARCH 19, 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	Munger	Sieben, H.
Adams, L.	Eckstein	Kaley	Neisen	Sieben, M.
Adams, S.	Eken	Kalis	Nelsen	Sieloff
Albrecht	Enebo	Kelly, R.	Nelson	Simoneau
Anderson, G.	Erickson	Kelly, W.	Niehaus	Skoglund
Anderson, I.	Esau	Kempe, A.	Norton	Smith
Arlandson	Evans	Kempe, R.	Novak	Smogard
Beauchamp	Ewald	Ketola	Osthoff	Spanish
Begich	Faricy	Knickerbocker	Parish	Stanton
Berg	Fjoslien	Knoll	Patton	Suss
Berglin	Forsythe	Kostohryz	Pehler	Swanson
Biersdorf	Friedrich	Kroening	Peterson	Tomlinson
Birnstihl	Fudro	Kvam	Philbrook	Ulland
Braun	Fugina	Laidig	Pleasant	Vanasek
Brinkman	George	Langseth	Prahl	Vento
Byrne	Graba	Lemke	Reding	Volk
Carlson, A.	Hanson	Lindstrom	Rice	Voss
Carlson, L.	Haugerud	Luther	St. Onge	Wenstrom
Carlson, R.	Heinitz	Mangan	Samuelson	Wenzel
Casserly	Hokanson	Mann	Sarna	White
Clark	Jacobs	McCarron	Savelkoul	Wieser
Clawson	Jaros	McCauley	Schreiber	Wigley
Corbid	Jensen	McCollar	Schulz	Zubay
Dahl	Johnson, C.	McEachern	Schumacher	Speaker Sabo
Dean	Johnson, D.	Menning	Searle	
DeGroat	Jopp	Metzen	Setzepfandt	
Dieterich	Jude	Moe	Sherwood	

A quorum was present.

Petrafeso was excused.

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

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 2072, 2676, 2677, 2678, 2186, 2339, 2154, 2215, 1985, 1901, 2122, 2169, 1876, 1984, 2218, 2364, 2467, 1735 and 2203 and S. F. Nos. 1619, 1675, 1935, 2210 and 2226 have been placed in the members' files.

S. F. No. 2210 and H. F. No. 2356, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kelly, W. moved that S. F. No. 2210 be substituted for H. F. No. 2356 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES

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

H. F. No. 1482, A bill for an act relating to commerce; collection agencies; regulation and licensure of collection agencies; providing civil remedies under certain circumstances; prescribing penalties; amending Minnesota Statutes 1974, Sections 332.31, Subdivisions 3 and 4, and by adding subdivisions; 332.33; 332.37; 332.42; 332.43, Subdivision 1; 332.44; Chapter 332, by adding sections; repealing Minnesota Statutes 1974, Sections 332.31, Subdivision 5; 332.34; 332.35; 332.36; 332.40; 332.43, Subdivisions 2 and 3.

Reported the same back with the following amendments:

Page 1, line 17, after "person" insert "*directly or indirectly*".

Page 1, line 17, delete "*directly or indirectly*".

Page 1, line 18, after "*soliciting*" insert "*for collection or*".

Page 1, line 19, delete "*repossessing*" and insert "*attempting to collect*".

Page 1, line 21, after "who" insert "*directly or indirectly furnish or attempt to*".

Page 1, line 21, after "furnish" insert "*, sell or offer to sell forms represented to be a*".

Page 1, line 21, strike "carrying a name which".

Page 1, strike line 22.

Page 1, line 23, strike "forms or form letters to be used by the creditor" and insert "*or schemes intended or calculated to be used to collect debts*".

Page 1, line 25, strike "fictitious".

Page 1, line 26, strike "agency" and insert "*other person whose name appears on the form*".

Page 2, delete lines 1 to 5.

Renumber the remaining sections.

Page 2, line 11, after "CONDUCT" insert "BUSINESS".

Page 2, line 11, after "STATE" insert "AS".

Page 2, line 12, after "*Conduct*" insert "*business*".

Page 2, line 12, after "*state*" insert "*as*".

Page 2, line 20, delete "SOLICITOR".

Page 2, line 20, delete "*solicitor*".

Page 2, line 25, after "*which*" insert "*the*".

Page 2, line 27, delete "*collector solicitors or reposseors*" and insert "*collectors*".

Page 2, delete lines 28 to 32.

Page 3, delete line 1.

Page 3, line 6, after "conduct" insert "*business*".

Page 3, line 6, after "state" insert "*as*".

Page 3, line 10, strike "shall carry" and insert "*carries*".

Page 3, line 13, strike "shall carry" and insert "*carries*".

Page 3, line 16, delete "FORM" and insert "APPLICATION".

Page 4, line 15, delete "*and place of*".

Page 4, line 16, delete "*business, including each branch office*" and insert "*at which he conducts business as a collection agency*".

Page 4, line 18, delete "*place of business*" and insert "*location*".

Page 4, line 20, before "*name*" delete "*other*".

Page 4, line 20, before "*place*" delete "*other*".

Page 4, line 21, after "*business*" insert "*other*".

Page 4, line 21, after the period, insert "*The license shall remain in full force and effect until June 30 following or until it is surrendered by the licensee or revoked or suspended by the director.*".

Page 5, line 8, delete "*making such*".

Page 5, line 12, after "*the*" insert "*consumer services*".

Page 5, line 19, delete "*more than*".

Page 5, line 19, after "*months*" insert "*or more*".

Page 5, line 20, delete "*such*" and insert "*the*".

Page 5, line 30, after "*director*" insert "*and return of the license for a change of location endorsement*".

Page 5, line 31, delete "*shall be*" and insert "*is*".

Page 5, line 31, after "*the*" insert "*prior written*".

Page 5, line 32, delete "*and the license shall be limited*".

Page 6, line 1, delete "*solely to the business of collection agency*" and after the period, insert "*The licensee shall promptly notify the director of any change in the management or ownership which was described in the license application. Each new sole proprietor, partner or member of an association, or officer, director or stockholder holding 25 percent or more of the outstanding stock, shall be required to submit such information, evidence, statements, or documents that the director may require.*".

Page 6, line 19, delete "*such*" and insert "*of the*".

Page 6, line 19, after "*persons,*" insert "*listed in subdivision 8, clause (a),*".

Page 6, line 22, after "*of*" insert "*the applicant or any*".

Page 6, line 22, delete "*person*" and insert "*persons*".

Page 6, line 25, delete "*such*" and insert "*the*".

Page 6, line 25, after "*persons*" insert "*listed in subdivision 8, clause (a),*".

Page 6, line 26, delete "*ten*" and insert "*five*".

Page 6, line 26, delete "*had a record of having*".

Page 6, line 30, delete "*such*" and insert "*the*".

Page 6, line 30, after "*persons*" insert "*listed in subdivision 8, clause (a),*".

Page 6, line 32, delete "*in this or*".

Page 7, line 1, delete "*any other state*" and after the semicolon, insert "*and*".

Page 7, delete lines 2 to 15 and insert "(e) *That the applicant and all of the persons listed in subdivision 8, clause (a), have fully complied with the requirements of sections 332.31 to 332.45 and the rules and regulations issued thereunder.*".

Page 7, line 17, after "*filed*" insert "*and*".

Page 7, line 18, after "*renewal*" insert "*on or before July 1*".

Page 7, line 21, delete "*on or before July 1*".

Page 7, line 27, delete "*payment*" and insert "*payments*".

Page 7, line 28, delete "*the additional sum of*".

Page 8, line 14, after "*director*" insert "*and if the application has not been approved or denied within the 45 days, the license shall promptly be granted*".

Page 8, line 16, delete "*registered*" and insert "*certified*".

Page 8, line 16, after "*mail*" insert "*, return receipt requested,*".

Page 8, line 18, delete "*the director or*".

Page 8, line 19, after "*examiner*" insert "*if*".

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

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

Page 8, line 20, delete "*served*" and insert "*of denial is received, he registers with the director a request for a hearing*".

Page 8, line 27, after "*the*" and before "*section*" insert "*consumer services*".

Page 9, line 3, after "*be*" insert "*separately*".

Page 9, line 16, delete "*or persons*".

Page 9, line 19, delete "*said*" and insert "*the*".

Page 9, line 19, delete "*not commit any fraudulent act and will*".

Page 9, line 23, delete "*or persons*".

Page 9, line 24, after "*person*" delete "*or*".

Page 9, line 25, delete "*persons*".

Page 9, line 25, delete "*said*" and insert "*the*".

Page 9, line 28, delete "*or forwarder*".

Page 9, line 29, delete "*such*" and insert "*the*".

Page 9, line 29, delete "*or*".

Page 9, line 30, delete "*forwarder*".

Page 10, line 2, delete "*or*".

Page 10, line 3, delete "*forwarder*".

Page 10, line 8, delete "COLLECTOR SOLICITORS," and insert "COLLECTORS".

Page 10, line 9, delete "REPOSSESSOR".

Page 10, line 11, delete "*solicitor, reposessor*".

Page 10, line 12, delete "1975" and insert "1976".

Page 10, line 15, delete "*collector solicitors*".

Page 10, line 16, delete "*reposseors*" and insert "*collectors*".

Page 10, line 17, delete "1975" and insert "1976".

Page 10, line 18, delete "*solicitor, reposessor*".

Page 10, line 20, delete "*solicitor,*".

Page 10, line 21, delete "*reposessor*".

Page 10, line 25, delete "*solicitor,*".

Page 10, line 26, delete "*reposessor*".

Page 11, line 1, after "*find*" insert "*that the applicant for a collector or manager license*".

Page 11, delete lines 2 and 3.

Page 11, line 4, delete "*(1)*" and insert "*(a)*".

Page 11, line 5, delete "*(2)*" and insert "*(b)*".

Page 11, delete lines 10 to 16.

Page 11, line 17, delete "*(3)*" and insert "*(c)*".

Page 11, line 24, after "*filed*" insert "*and*".

Page 11, line 25, after "*renewal*" insert "*on or before October 1*".

Page 11, line 27, delete "*solicitor, reposessor*".

Page 11, line 28, delete "*on or before October*".

Page 11, line 29, delete "*1*".

Page 12, line 4, delete "*An*" and insert "*A mailed*".

Page 12, line 5, delete "*mailed*".

Page 12, line 16, delete "*said*" and insert "*the*".

Page 12, delete lines 19 to 21 and insert "*Subd. 7. [EFFECTIVE DATE.] The requirement of a license for collectors and managers shall be effective October 1, 1976.*".

Page 12, line 22, delete "*solicitor,*".

Page 12, line 23, delete "*reposessor*".

Page 12, line 27, delete "*solicitor, reposessor*".

Page 12, line 29, delete "*cancelled*" and insert "*revoked or suspended by the director*".

Page 12, line 30, delete "*such*" and insert "*the*".

Page 12, line 30, delete "*solicitor, reposessor*".

Page 12, line 31, delete "*such*" and insert "*the*".

Page 13, line 1, delete "*solicitor, reposessor*".

Page 13, line 1, delete "*terminated*" and insert "*terminates*".

Page 13, line 4, after "*writing*" insert "*of the termination and the reasons therefor*".

Page 13, line 5, delete "*a*" and insert "*the*".

Page 13, line 5, delete "*solicitor,*".

Page 13, line 6, delete "*reposessor*".

Page 13, line 9, delete "*along*" and insert "*together*".

Page 13, line 10, delete "*If the application for transfer*".

Page 13, delete lines 11 to 14.

Page 13, line 17, after "*director*" insert "*and if the application has not been approved or denied within the 45 days, the license shall promptly be granted*".

Page 13, line 19, delete "*registered*" and insert "*certified*".

Page 13, line 19, after "*mail*" insert "*, return receipt requested,*".

Page 13, line 21, delete "*the director or*".

Page 13, line 22, after "*examiner*" insert "*if*".

Page 13, line 22, delete "*such*".

Page 13, line 22, after "*notice*" insert "*of denial*".

Page 13, line 23, delete "*served*" and insert "*received the registers with the director a request for a hearing*".

Page 13, line 27, delete "*or*".

Page 13, line 28, delete "*solicitor, reposessor*".

Page 13, line 32, after "*lawyer*" insert "*for the particular garnishment or suit*".

Page 14, line 5, after "*use*" and before "*or*" insert "*, attempt to use*".

Page 14, line 6, delete "*, collect or attempt to collect by*".

Page 14, line 7, delete "*the use of any methods*" and insert "*are*".

Page 14, line 16, after "*which*" insert "*falsely*".

Page 14, line 18, delete "*, when it*".

Page 14, line 19, delete "*is not*".

Page 14, line 31, strike "*or claims*".

Page 14, line 32, strike "*or claims*".

Page 15, line 1, strike the comma and insert "*or*".

Page 15, line 1, strike "*or forwarder*".

Page 15, line 9, strike "*or forwarder*".

Page 15, line 14, delete "*, or employ in any communication, correspondence,*".

Page 15, line 15, delete "*notice, advertisement or circular*" and insert "*or make any representations, including use of*".

Page 15, line 16, after "*'United States',*" insert "*or*".

Page 15, line 16, delete "*or any*".

Page 15, delete lines 17 to 20.

Page 15, line 21, delete "*government*" and insert "*which might be construed as indicating an official connection with any federal, state, county or municipal law enforcement agency or any other governmental agency, while engaged in debt collection*".

Page 15, line 31, delete "*simulate in any manner a law enforcement officer*".

Page 15, line 32, delete "or" and insert "make use of any badge or uniform of any law enforcement agency or simulate in any other manner".

Page 16, line 2, delete "consumer claim" and insert "debt".

Page 16, line 13, delete "a person from telling the debtor" and insert "communications to the debtor".

Page 16, line 14, before the semicolon, insert "or with the debtor's employer where the sole purpose is to locate the debtor".

Page 16, line 20, before the semicolon, insert "or misleading".

Page 16, line 22, delete "reasonably".

Page 16, line 23, delete "fact" and insert "the debt is disputed".

Page 16, line 23, delete "such".

Page 16, line 24, delete "reasonable" and insert "the".

Page 16, line 26, delete "and if such dispute is reasonable".

Page 16, line 31, delete "willfully".

Page 16, line 32, after "frequency" insert "or at such times or places".

Page 17, line 1, delete "willfully".

Page 17, line 4, delete "willfully".

Page 17, line 7, after "to" insert "collect a debt or".

Page 17, line 7, delete "consumer".

Page 17, delete line 8.

Page 17, delete line 9 and insert "legal right knowing that the debt is not legitimate or".

Page 17, delete lines 11 to 13.

Page 17, line 14, delete "(22)" and insert "(21)".

Page 17, line 14, after "orally" insert "or in writing".

Page 17, line 17, delete "(23)" and insert "(22)".

Page 17, line 20, delete "*consumer claim*" and insert "*debt*".

Page 17, line 21, delete "*(24) mail*" and insert "*(23) send*".

Page 17, line 21, delete "*in an envelope*".

Page 17, delete line 22.

Page 17, line 23, delete "*outside of the envelope or postcard calculated*" and insert "*with representations which ordinarily would be seen by any other person and which could reasonably be expected*".

Page 17, line 26, delete "*(25)*" and insert "*(24)*".

Page 17, line 26, delete "*use or distribute*" and insert "*make*".

Page 17, line 27, delete "*collection letter, demand form or other printed*".

Page 17, delete line 28, and insert "*written or oral communication in connection with the collection of an alleged debt;*".

Page 17, delete lines 29 to 32.

Page 18, delete lines 1 and 2 and insert:

"(25) collect or attempt to collect from the debtor all or any part of the collection agency fee or charge for services rendered, or collect or attempt to collect any interest or other charge, fee, or expense incidental to the principal debt unless such expense is authorized by contract or law; or

(26) communicate with a debtor after having been informed in writing that the debtor is represented by an attorney, unless authorized to do so in writing by the attorney, or unless the attorney fails to respond to a written or oral communication within seven business days after receipt of such written or oral communication."

Page 18, line 7, after "*may*" insert "*assert the violation as a defense or counterclaim in a civil action brought to enforce a debt, or may*".

Page 18, line 7, after "*district*" insert "*court, county court, or municipal*".

Page 18, line 12, delete "*attorneys*" and insert "*attorney's*".

Page 18, line 17, after "*suit*" insert "*was*".

Page 18, line 18, delete "*was ill-founded or brought*".

Page 18, line 20, delete "*attorneys*" and insert "*attorney's*".

Page 18, line 23, after "*to the*" insert "*consumer services*".

Page 18, line 25, after "*the*" insert "*consumer services*".

Page 18, line 29, delete "*shall violate*" and insert "*violates*".

Page 20, line 17, delete "*, sections 15.0418 to*".

Page 20, line 18, delete "*15.0426*".

Page 20, line 19, delete "*the director or any person designated by him*" and insert "*a duly appointed hearings examiner*".

Page 20, line 20, after "*of*" delete "*such*" and insert "*the*".

Page 20, line 20, delete "*The director may, in such*".

Page 20, delete lines 21 and 22.

Page 20, line 23, delete "*suspended,*".

Page 20, line 25, delete "*If the license is so suspended,*".

Page 20, delete lines 26 to 29.

Page 20, line 32, delete "*shall find*" and insert "*finds*".

Page 21, line 25, delete "*The*".

Page 21, delete lines 26 to 28 and insert:

"For the purpose of discovering violations of this chapter or securing information lawfully required by him hereunder, the director may, at any time, either personally or by a person or persons duly designated by him, investigate the business and examine the books, accounts, records, and files used therein, of every licensee and of every person who shall be engaged in the business described in sections 332.31 to 332.45, whether the person shall act or claim to act as a principal or agent, or under or without the authority of this chapter. For that purpose the director and his duly designed representative shall have free access to the offices and places of business, books, accounts, papers, records, files, safes, and vaults of all such persons."

Page 22, line 22, delete "*such*" and insert "*the*".

Page 22, line 24, after "*in*" delete "*such*" and insert "*that*".

Page 22, line 26, delete "*such*" and insert "*that*".

Page 22, line 30, strike "shall determine" and insert "*determines*".

Page 22, line 32, strike "or forwarder".

Page 23, line 4, strike "shall determine" and insert "*determines*".

Page 23, line 12, strike "or".

Page 23, line 13, strike "forwarders".

Page 24, line 3, delete "332.36;".

Page 24, line 6, delete "1975" and insert "1976".

Further, amend the title, as follows:

Page 1, line 7, delete "Subdivisions 3 and 4" and insert "Subdivision 3".

Page 1, line 11, delete "332.36;".

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

The report was adopted.

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

S. F. No. 1822, A bill for an act relating to governmental operations; creating an interstate commission to develop a plan to merge the port authorities at Duluth, Minnesota, and Superior, Wisconsin; appropriating money.

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

The report was adopted.

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

H. F. No. 2281, A bill for an act relating to cultural and recreational activities; prescribing powers and duties of the state board of arts; establishing a local arts development program and a program of general operating support for major arts institutions; requiring a certificate of need for construction of certain new

public regional sports and auditorium facilities; creating the metropolitan sports facilities commission and prescribing its powers and duties; authorizing the metropolitan council to issue bonds and levy taxes; providing for the construction and operation of a sports facility; authorizing a tax on certain sales of intoxicating liquor and fermented malt beverages in the metropolitan area; providing for admissions tax at certain facilities; requiring the completion of an environmental impact statement prior to construction of a sports facility; appropriating money; amending Minnesota Statutes 1974, Chapters 139 and 473, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 139.08, Subdivision 5; 139.10, Subdivisions 1 and 2 and by adding a subdivision; repealing Minnesota Statutes 1974, Section 340.11, Subdivision 11a.

Reported the same back with the following amendments:

Page 9, after line 12, insert:

"Subd. 6. Neither the board nor any person or body acting on its behalf may select particular artistic products or services for, or otherwise supervise or control the artistic policy of, any recipient. Each type of artistic product or service which may be defined for a class assistance program shall include a substantial selection unless there is a reasonable likelihood that a substantial selection will develop during the course of the program. The board shall explicitly interpret the substantial selection requirement when developing each program, record its findings, and make all necessary rules relating thereto for each program."

Page 11, after line 25, insert:

"Subd. 9. "Debt service fund" means the fund, established pursuant to section 17, subdivision 4, from which are payable the principal and interest on all bonds issued under section 17 or debt obligations assumed by the council under section 13.

Subd. 10. "Deficit" means an amount equal to the difference between the annual debt service, required to pay the principal of and interest on all bonds issued pursuant to section 17 and all obligations assumed by the council pursuant to section 13, when due or called for prior redemption, and net revenues, in any year in which the debt service required is larger than the net revenues.

Subd. 11. "Net revenues" means revenues received from time to time by the commission from the operation of all premises owned, operated, or controlled by the commission and all facilities situated thereon, including revenues from the sources described in section 19, subdivisions 1 and 3, and any additional revenues received by the commission from the sale of land owned by it or from interest on funds held by it, in excess of (a) amounts necessary to pay when due the current, reasonable, and necessary expenditures of the commission for proper administra-

tion, operation, and maintenance of all its property and facilities and the funds and revenues thereof, (b) amounts necessary to pay when due the expenditures required to meet all obligations assumed by the commission and pursuant to sections 13 and 14, and (c) amounts necessary to accumulate and maintain reserves authorized by the council for working capital and for major repairs, replacements, and improvements."

Page 12, line 23, delete *"while"*.

Page 12, line 24, delete *"serving"*; before the period insert *"while serving on the commission"*; after *"Two"* insert *"of the"*.

Page 12, line 25, after *"reside"* insert *"anywhere in the state"*.

Page 12, line 26, after *"area"* insert *"while serving on the commission"*.

Page 12, line 27, after *"[TERM.]"* insert *"Initial appointments of members shall be made within 30 days following the effective date of this act."*

Page 13, line 6, delete *"COMPENSATION"* and insert *"GENERAL PROVISIONS"*.

Page 14, line 2, after *"regular"* insert *"and temporary"*.

Page 14, line 27, delete *"; FACILITY"*.

Page 14, line 28, delete *"CONSTRUCTION AND OPERATION; EXEMPTION OF PROPERTY"*.

Page 14, line 30, delete *"or"*.

Page 14, line 31, after *"117,"* insert *"or by means of section 13"*.

Page 14, line 32, after *"real"* delete *"and"* and insert a comma; after *"personal"* insert *"and mixed"*.

Page 15, line 4, delete *", and may"* and insert a period.

Page 15, delete line 5.

Page 15, line 6, delete *"sports facilities, including existing facilities."*

Page 15, line 8, delete the period and insert *", provided that"*.

Page 15, line 9, delete *"may"* and insert *"shall"*.

Page 15, delete lines 11 to 21 and insert:

"Subd. 4. [FACILITY OPERATION AND CONSTRUCTION.] The commission may equip, improve, operate, manage, maintain, and control the existing sports facility and indoor public assembly facility, including parking facilities, within the limits of the metropolitan sports area. The commission also may construct, equip, improve, operate, manage, maintain, and control a sports facility within three-quarters of a mile of the intersection of twelfth avenue and second street in the city of Minneapolis."

Renumber the remaining subdivisions.

Page 15, line 25, after "to" insert *"the provisions of section 24 and"*.

Page 16, after line 1, insert:

"Subd. 6. [EMPLOYEES; PROFESSIONAL SERVICES; PEACE AND TRAFFIC OFFICERS.] The commission may employ persons as regular and temporary employees as provided in section 11, and may employ on such terms as it deems advisable persons or firms to perform engineering, legal, or other services of a professional nature necessary for the commission to carry out its functions. The commission also may employ peace officers for any purposes it deems appropriate, and may employ persons or firms for the purpose of providing traffic officers to direct traffic on property under the control of the commission, and on the city streets in the general area of the property controlled by the commission. The traffic officers shall not be peace officers and shall not have authority to make arrests for violations of traffic regulations.

Subd. 7. [CONTRACTS.] The commission may contract for services, materials, supplies, and equipment necessary to carry out its functions. Such contracts shall be made in accordance with section 471.345, except that the commission, with the approval of the council, and without advertisement for bids, may contract with a person, firm, or corporation to perform one or more or all of the functions of architect, engineer, construction manager, or contractor for both design and construction, with respect to all or any part of a sports facility project. Any such person, firm, or corporation shall certify, before the contracts are finally signed, a total construction price to the commission and shall post a bond in the amount of \$10,000,000 to cover any costs which may be incurred over and above the certified price. The commission shall secure surety bonds as required in section 574.26, securing payment of just claims in connection with all public work undertaken by it. Persons entitled to the protection of such bonds may enforce them as provided in sections 574.28 to 574.32, and shall not be entitled to a lien on any prop-

erty of the commission under the provisions of sections 514.01 to 514.16.”.

Page 16, delete lines 2 to 5.

Page 16, delete lines 31 to 32.

Page 17, delete lines 1 to 27.

Renumber the remaining subdivisions.

Page 18, line 9, strike “On the effective date of this act” and insert “On or before June 1, 1976 the commission shall hold its first meeting, and it”.

Page 18, line 10, strike “the commission”.

Page 18, line 11, after “area” insert “on July 1, 1976”.

Page 18, line 31, after “agreement” insert “among the cities”.

Page 21, after line 17, insert the following new section:

“Sec. 16. [EXEMPTION OF PROPERTY.] Any real, personal, or mixed properties acquired, owned, leased, controlled, used, or occupied by the commission for any of the purposes of this act, are declared to be acquired, owned, leased, controlled, used and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any political subdivision of the state, provided that such properties shall be subject to special assessments levied by a political subdivision for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from the improvement.”.

Renumber the remaining sections.

Page 21, line 28, after “council” insert “, upon the recommendation of the metropolitan sports facilities commission,”.

Page 22, line 16, delete “, and” and insert a period.

Page 22, line 16, after “required” insert “except as provided in subdivision 3, clause (c)”.

Page 23, line 3, delete “established”.

Page 23, line 4, delete “pursuant to subdivision 4”.

Page 23, line 10, after "satisfied" insert *"and without obtaining the approval of the electors in the metropolitan area. The election on the question shall be held in accordance with the provisions of chapter 475"*.

Page 23, line 11, delete *"from time to"*.

Page 23, delete lines 12 to 19.

Page 23, line 20, delete *"replacements, or improvements,"* and insert *", plus any proceeds from a tax imposed pursuant to section 19, subdivision 2,"*.

Page 26, line 13, after *"facility"* insert *", which agreements shall include binding undertakings by the professional baseball and football organizations and their present or future stockholders prohibiting the use of any league franchises or television, radio, and player contracts which they now or in the future may own, enter into, or otherwise control, whether directly or indirectly, except in connection with football, baseball, or other sports activities at the sports facility herein contemplated"*.

Page 26, delete lines 14 to 32.

Page 27, delete lines 1 to 4 and insert:

"(h) Agreements have been executed by each league on behalf of its owners that the franchises of the professional football and baseball organizations described herein will not in any way be assigned or transferred from use in the facility herein contemplated, or otherwise terminated;

(i) Professional sports organizations, which have agreed to use the sports facility, have entered into agreements with the commission which provide the maximum possible guarantees by the organizations for payment of any deficits, including as a minimum but not limited to (1) a provision which requires that, in any year in which the debt service fund at any time is less than \$2,000,000 above the amount required for debt service and operating cost, and in which there is a deficit, the professional sports organizations shall pay together into the debt service fund, in proportion to the annual rentals, fees, and charges to be paid by each for the use of the sports facility, an amount equal to one-half of the deficit, and (2) a provision which requires that, in any year in which a tax is imposed pursuant to section 19, subdivision 2, and in which there is a deficit, and in which the proceeds from the tax and from the payment of the organizations required under subclause (1) of this clause are less than the deficit, the professional sports organizations shall pay together into the debt service fund, in proportion to the annual rentals, fees, and charges to be paid by each for the use of the sports fa-

cility, in addition to the payment required under subclause (1), an amount equal to the difference between the annual debt service, required to meet the council's obligations under sections 13 and 17, and the sum of net revenue and proceeds from the tax and the payment required under subclause (1).

(j) Professional baseball and football organizations have entered into agreements with the commission to pay, in the event of breach of the agreements with the commission, liquidated damages in the amount of \$5,000,000;".

Reletter the following clauses accordingly.

Page 27, delete lines 30 to 32.

Page 28, delete lines 1 to 7 and insert:

"(o) Net revenues that may reasonably be expected will be sufficient to pay".

Page 28, line 9, after "17," insert "and obligations assumed by the council pursuant to section 13,".

Page 28, after line 14, insert:

"Sec. 19. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.861] [ALTERNATE PROPOSAL.] *If the council determines pursuant to section 18 that any one or more of the conditions listed therein has not or cannot reasonably be met, the council may authorize the commission to develop a proposal for new or renovated sports facilities located at the metropolitan sports area. The proposal shall be submitted to the council and the legislature by April 1, 1977, for review and approval."*

Renumber the following sections and preliminary coding accordingly.

Page 28, line 18, before "The" insert "Effective January 1, 1977,".

Page 28, line 20, delete "other than the".

Page 28, line 21, delete "commission".

Page 28, line 23, after the period insert "Effective January 1, 1978,".

Page 28, line 25, delete "other".

Page 28, line 26, delete "*than the commission*".

Page 28, line 28, after the period insert "*Beginning January 1, 1977,*".

Page 29, line 18, delete "*under section 17, subdivision 4*".

Page 29, line 19, strike "*The council is authorized to*" and insert "*Beginning in October 1977 and in October of each year thereafter, the council shall examine the financial records of the commission and make an estimate of the net revenue which will be deposited in the debt service fund during the following calendar year. If in any year the council estimates that the net revenue to be deposited in the fund plus reserves will not exceed the amount of revenue required in the fund for that year by at least \$1,000,000 it shall*".

Page 29, line 19, after the comma insert "*effective January 1,*".

Page 29, line 24, after the period insert:

"For purposes of this subdivision, the term "metropolitan area" shall not include that portion of the city of New Prague that is located in Scott county."

Page 29, line 31, delete "*established in section 17,*".

Page 29, line 32, delete "*subdivision 4*".

Page 29, line 32, strike "*only when*" and insert "*as long as*".

Page 30, line 4, after "*17*" insert "*provided that the tax shall be imposed for at least two years*".

Page 30, line 25, delete "*and from such revenues*" and insert "*, and all other revenues of the commission. The commission*".

Page 30, line 26, after "*operation*" insert "*, administration,*".

Page 30, line 27, after "*facilities*" insert "*and the funds and revenues thereof*".

Page 30, line 29, delete "*a reasonable reserve*" and insert "*, as authorized by resolutions of the council, reserves for major repairs, replacements, and improvements and*".

Page 30, line 32, delete the semicolon and insert a period.

Page 31, delete lines 1 to 3.

Page 33, line 5, after "*commission*" insert "*, other than facilities situated in the present metropolitan sports area*".

Page 33, line 12, after "*issued*" insert "*by the city of Bloomington*".

Page 33, line 13, strike "*on land now known as*" and insert "*situated in*".

Page 33, line 14, strike "*owned by the commission and which is used*".

Page 33, line 15, strike "*primarily for sports and recreational purposes*".

Page 33, line 17, strike "*municipality wherein the licensed premises are located*" and insert "*city of Bloomington*".

Page 33, line 20, delete "*Subdivision 1. The*".

Page 33, line 21, delete "*city of Bloomington may add to*".

Page 33, line 21, after "*levy*" insert "*limit*".

Page 33, line 21, after "*base*" insert "*for the city of Bloomington*".

Page 33, line 23, after "*275.56,*" insert "*is increased by*".

Page 33, delete lines 27 to 29.

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. 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 recommendation that the bill do pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2683 and 1482 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 2210 and 2078 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Norton introduced:

H. F. No. 2684, A bill for an act relating to appropriations; converting certain open appropriations of dedicated receipts to direct appropriations; abolishing other open appropriations of dedicated receipts; abolishing certain dedicated funds and accounts; appropriating money; amending Minnesota Statutes 1974, Sections 16A.125, Subdivision 5; 17A.11; 18.411; 18.67; 21.115; 21.116; 21.55; 29.049, Subdivision 1; 29.22, Subdivision 5; 32.394, Subdivision 9; 32B.12; 34.07; 43.31; 69.031, Subdivision 3; 69.55; 84.153; 84.154, Subdivision 5; 84.155, Subdivision 6; 84.86, Subdivision 1; 84A.03; 84A.22; 84A.32, Subdivision 2; 84A.51, Subdivision 4; 84A.52; 84A.53; 86.42, Subdivision 1; 89.035; 89.036; 89.21; 93.283, Subdivision 7; 93.335, Subdivision 4; 94.48; 97.49, Subdivisions 1, 3, 5 and 7; 116C.69, Subdivision 2; 144.175, Subdivision 4; 160.285, Subdivision 3; 163.051, Subdivisions 2 and 3; 168.54, Subdivision 5; 168A.31, Subdivision 1; 192.68, Subdivision 2; 192A.645; 197.02; 197.03; 197.05; 197.06; 246.41, Subdivision 2; 270.077; 296.421, Subdivision 4; 298.22, Subdivisions 1 and 2; 298.221; 299D.03, Subdivision 5; 299F.21; and 344.03, Subdivision 2; Minnesota Statutes, 1975 Supplement, Sections 31.39; 32A.05, Subdivision 4; 32A.09, Subdivision 6; and 298.244, Subdivision 1; repealing Minnesota Statutes 1974, Sections 16A.125, Subdivision 6; 21.114; 33.10; 33.11; 33.12 to 33.15; 33.171; 84.085; 84A.51, Subdivisions 1, 2 and 3; 84A.54; 84A.55, Subdivision 14; 86.42, Subdivision 2; 94.49; 161.085; 161.231; 162.19; 168.54, Subdivisions 2, 3 and 6; 168A.31, Subdivision 2; 190.28; 197.04; 197.07; 241.25; 246.41, Subdivisions 1 and 3; 360.389; 362.40, Subdivision 13; 424.165; 458.50 to 458.60; and 626.85, Subdivision 2; Minnesota Statutes, 1975 Supplement, Section 241.01, Subdivision 5a; and Laws 1961, Chapter 472, Section 4, as added.

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

Sieben, H.; Carlson, A.; Simoneau; Zubay and Patton introduced:

H. F. No. 2685, A bill for an act relating to the operation of state government; establishing a system of periodic review of certain agencies; providing a hearing; creating guidelines; setting termination dates.

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

Sieben, M., introduced:

H. F. No. 2686, A bill for an act relating to the fire department relief association and firemen's service pensions in the city of St. Paul Park.

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

Schreiber, Knickerbocker, Sieloff and Pleasant introduced:

H. F. No. 2687, A bill for an act relating to taxation; permitting use of renter credit provision in lieu of income-adjusted homestead credit; increasing amounts given as renter credit; amending Minnesota Statutes 1974, Section 290.983, Subdivision 1, and Minnesota Statutes, 1975 Supplement, Section 290A.21.

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

HOUSE ADVISORY BILLS

Pursuant to Rule 5.3, the following House Advisory Bills were introduced.

Mann and Munger introduced:

H. A. B. No. 70, Minnesota Shelterbelt Program.

The bill was referred to the Committee on Agriculture.

Wieser introduced:

H. A. B. No. 71, Resources study of the John Doer Memorial Forest.

The bill was referred to the Committee on Environment and Natural Resources.

Sarna, Vento, Osthoff, Biersdorf and Birnstihl introduced:

H. A. B. No. 72, Proposals regarding the operation of the State Fair.

The bill was referred to the Committee on General Legislation and Veterans Affairs.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

House Concurrent Resolution No. 21

A Concurrent Resolution designating September 13 to 19, 1976 as Minnesota Farmfest Week.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Savelkoul moved that the House concur in the Senate amendments to H. F. No. 771 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 771, A bill for an act relating to the cities of Albert Lea and Buhl; placing the chief of police of Albert Lea under the public employees police and fire fund; providing membership of police officers of the city of Buhl in the public employees retirement association police and fire fund.

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

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

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

Mr. Speaker:

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

S. F. No. 932, A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is hereby transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. NO. 932

A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

March 13, 1976

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

We, the undersigned conferees for S. F. No. 932 report that we have agreed upon the items in dispute and recommend as follows:

That the senate concur in the house amendments and that the unofficial engrossment be further amended as follows:

Page 1, line 17, strike everything after the period.

Page 1, strike lines 18 to 20.

Page 2, line 12, strike “, as defined in section 250.02,”.

Page 2, line 26, strike “and regulations”.

Page 5, line 8, strike “and regulation”.

Page 5, line 16, strike “and regulations”.

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

Senate Conferees: ROBERT D. NORTH, JOHN MILTON and JOHN L. Olson.

House Conferees: LINDA L. BERGLIN, HAROLD J. DAHL and O. J. Heinitz.

Berglin moved that the report of the Conference Committee on S. F. No. 932 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 932, A bill for an act relating to public welfare; permitting the commissioner of public welfare to establish maximum fees for congregate living care under the income maintenance programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

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

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

Those who voted in the affirmative were:

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

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

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

Mr. Speaker:

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

S. F. Nos. 1886 and 2486.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1991, 2339, 2436 and 2510.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 252 and 2053.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1886, A bill for an act relating to courts; providing for the election of Hennepin county municipal judges at the uniform municipal election; amending Minnesota Statutes 1974, Section 488A.021, Subdivision 3.

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

S. F. No. 2486, A bill for an act relating to highways; construction limitations on certain trunk highways; requiring the preparation of environmental impact statements for such highways; amending Minnesota Statutes, 1975 Supplement, Section 161.123.

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

S. F. No. 1991, A bill for an act relating to education; providing for loans to medical students on certain conditions; amending Minnesota Statutes, 1975 Supplement, Section 147.30.

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

S. F. No. 2339, A bill for an act relating to public welfare; specifying services to handicapped persons; defining terms; amending Minnesota Statutes 1974, Section 645.44, by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Section 256.01, Subdivision 2.

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

S. F. No. 2436, A bill for an act relating to public lands; authorizing the commissioner of natural resources to sell certain state owned lands; and authorizing certain county boards to sell certain tax-forfeited lands.

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

S. F. No. 2510, bill for an act relating to natural resources; authorizing the designation of the Zumbro river as a canoe and boating route; amending Minnesota Statutes 1974, Section 85.32, Subdivision 1.

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

S. F. No. 252, A bill for an act relating to the legislature; providing for part of the apportionment of representative districts 19A and 19B.

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

S. F. No. 2053, A bill for an act relating to elections; providing for nonpartisan municipal elections in Duluth and St. Paul; amending Minnesota Statutes 1974, Section 205.17.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Sieloff moved that the rule therein be suspended and an urgency be declared so that S. F. No. 2053 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 32, and nays 97, as follows:

Those who voted in the affirmative were:

Adams, S.	Erickson	Jopp	Niehaus	Spanish
Albrecht	Esau	Kaley	Peterson	Ulland
Biersdorf	Evans	Kalis	Pleasant	Wigley
Carlson, A.	Fjoslien	Kvam	Savelkoul	Zubay
Dean	Forsythe	Laidig	Schreiber	
DeGroat	Friedrich	McCauley	Searle	
Doty	Heinitz	Neisen	Sieloff	

Those who voted in the negative were:

Abeln	Dieterich	Kelly, W.	Neisen	Simoneau
Adams, L.	Eckstein	Kempe, A.	Nelson	Skoglund
Anderson, G.	Eken	Kempe, R.	Norton	Smith
Anderson, I.	Enebo	Ketola	Novak	Smogard
Arlandson	Faricy	Knoll	Osthoff	Stanton
Beauchamp	Fudro	Kostohryz	Parish	Suss
Begich	Fugina	Kroening	Patton	Swanson
Berg	George	Langseth	Pehler	Tomlinson
Berglin	Graba	Lemke	Philbrook	Vanasek
Birnstihl	Hanson	Lindstrom	Prahl	Vento
Braun	Haugerud	Luther	Reding	Volk
Brinkman	Hokanson	Mangan	Rice	Voss
Byrne	Jacobs	Mann	St. Onge	Wenstrom
Carlson, L.	Jaros	McCarron	Samuelson	Wenzel
Carlson, R.	Jensen	McCollar	Sarna	White
Casserly	Johnson, C.	McEachern	Schulz	Wieser
Clark	Johnson, D.	Menning	Schumacher	Speaker Sabo
Clawson	Jude	Metzen	Setzepfandt	
Corbid	Kahn	Moe	Sieben, H.	
Dahl	Kelly, R.	Munger	Sieben, M.	

The motion did not prevail.

The bill was referred to the Committee on General Legislation and Veterans Affairs.

The following conference committee reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1751

A bill for an act relating to game and fish; firearms permissible for taking wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 9.

March 17, 1976

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

We, the undersigned conferees for H. F. No. 1751 report that we have agreed upon the items in dispute and recommend as follows:

That the senate recede from its amendments and H. F. No. 1751 be amended as follows:

Page 2, after line 5, insert

"Sec. 2. Minnesota Statutes 1974, Section 100.29, Subdivision 10, is amended to read:

Subd. 10. If shall be unlawful to throw or cast the rays of a spotlight, headlight, or other artificial light on any highway, or in any field, woodland, or forest, for the purpose of spotting, locating or taking any wild animal, except raccoons when treed with the aid of dogs, while having in possession or under control, either singly or as one of a group of persons, any firearm, bow or other implement whereby big game could be killed, unless the firearm is unloaded in both barrels and magazine and completely contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened with no portion of the firearm exposed, (OR) *and, as so enclosed, the firearm is contained in the trunk of the car with the trunk door closed and in the case of a bow, unless the same is completely encased or unstrung (OR) and, as so encased or unstrung, the bow is contained in the trunk of the car with the trunk door closed; provided, however, that if the vehicle has no trunk, the firearm or bow must be placed in the rearmost location in the vehicle.* When artificial lights are used to take raccoon when treed with the aid of dogs, the rifles used to take raccoon shall not be of a larger caliber than .22 rim-fire, and shotguns so used shall only contain shells with shot no larger than No. 4. Artificial lights to take raccoon when treed with the aid of dogs shall be legal."

Further, amend the title as follows:

Page 1, line 2, after the semicolon insert "authorizing use of muzzle loading muskets to take game; regulating the shining of wild animals;"

Page 1, line 4, delete "Subdivision 9" and insert "Subdivisions 9 and 10".

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

House Conferees: HAROLD J. DAHL, BOB MCEACHERN and RICHARD E. WIGLEY.

Senate Conferees: JOHN BERNHAGEN, LEW W. LARSON and ED SCHROM.

Dahl moved that the report of the Conference Committee on H. F. No. 1751 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1751, A bill for an act relating to game and fish; firearms permissible for taking wild animals; amending Minnesota Statutes 1974, Section 100.29, Subdivision 9.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 127, and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albrecht

Anderson, I.

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

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1199

A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, by adding subdivisions; and Chapter 254A, by adding sections.

March 17, 1976

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

We, the undersigned conferees for H. F. No. 1199 report that we have agreed upon the items in dispute and recommend as follows:

That the senate recede from its amendments and that H. F. No. 1199 be further amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 254A.02, Subdivision 1, is amended to read:

254A.02 [DEFINITIONS.] Subdivision 1. For the purposes of (LAWS 1973, CHAPTER 572) *Chapter 254A*, unless the context clearly indicates otherwise, the terms defined in this section have the meanings given them.

Sec. 2. Minnesota Statutes 1974, Section 254A.02, is amended by adding subdivisions to read:

Subd. 12. "Area mental health board" or "area board" means a board established pursuant to sections 245.61 to 245.69.

Subd. 13. "Commissioner" means the commissioner of public welfare.

Subd. 14. "Youth" means any person 18 years of age or under.

Subd. 15. "Underserved populations" means identifiable groups of significant numbers which do not have available to them sufficient programs and services designed to meet their special alcoholism and chemical dependency needs.

Subd. 16. "Affected employee" means an employee whose job performance is substantially affected by chemical dependency.

Subd. 17. "Purchase of service agreement" means a contract between a contractor and service provided for the provision of services. The agreement shall specify the services to be provided, the method of delivery, the type of staff to be employed, and a method of evaluation of the services to be provided.

Sec. 3. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.031] [NATIVE AMERICAN PROGRAMS.] The commissioner shall enter into one or more purchase of service agreements to provide programs for native Americans. The agreements shall provide for residential and aftercare treatment programs, programs relating to prevention, education, and community awareness, and training programs. All programs shall be designed to meet the needs identified by the native American community, and appropriate recognition shall be given to the cultural and social needs of native Americans. The commissioner shall enter into the agreements after consultation with the special assistant for native American programs of the alcohol and drug abuse section of the department of public welfare, and all agreements shall be reviewed pursuant to section 254A.03.

Sec. 4. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.12] [AFFECTED EMPLOYEES.] Participating area boards shall enter into one or more purchase of service agreements to provide services to employers to develop personnel practices for prevention of alcoholism and other chemical dependency, and to assist affected employees in gaining access to care through identification and referral services.

Sec. 5. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.14] [SERVICES TO YOUTH AND OTHER UNDERSERVED POPULATIONS.] Subdivision 1. [IDENTIFICATION.] Participating area boards shall enter into one or more purchase of service agreements to provide services related to the prevention of chemical dependency to persons and groups which have responsibility for, and access to, youth and other underserved populations. The boards shall also enter into

purchase of service agreements to assist youth and other underserved populations in gaining access to care.

Subd. 2. [TREATMENT FACILITIES.] If, as a result of programs authorized under subdivision 1, significant numbers of persons are identified for whom treatment and aftercare programs are not available, participating area boards may request funds from the commissioner to develop treatment and aftercare capabilities.

Sec. 6. [AFFIRMATIVE OUTREACH.] The commissioner shall design and implement a plan of affirmative outreach to encourage utilization of the services authorized in sections 3 to 5. The plan may include purchase of services by the commissioner to carry out the plan.

Sec. 7. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.16] [RESPONSIBILITIES OF THE COMMISSIONER.] Subdivision 1. [EVALUATION.] The commissioner shall evaluate or contract for the evaluation of all programs authorized under sections 3 to 5. The evaluation shall be directed at determining the degree to which funded activities attain their prestated objectives, whether existent and proposed activities are the most appropriate programmatic response to predetermined needs, and whether they are cost effective.

Subd. 2. (a) The commissioner shall provide program guidelines and technical assistance to the area boards in carrying out their responsibilities under sections 4 and 5.

(b) The commissioner shall recommend to the governor and to the legislature means of making the programs funded under sections 3 to 5 wholly or partially self sustaining.

Sec. 8. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.17] [ALLOCATION OF FUNDS BY COMMISSIONER OF PUBLIC WELFARE.] The funds appropriated for sections 3 to 6 to the commissioner of public welfare shall be allocated by him subject to the following provisions:

(a) For the purposes of section 4, the allocation of funds shall be to each participating area board on the basis of total numbers of persons in the work force in counties served by the area board. For the purposes of section 5, the allocation of funds shall be to each participating area board on the basis of the elementary, middle and secondary school populations and the most current United States census data in counties served by the area board. Area boards shall ensure that services are provided in each county in proportion to the population to be served.

(b) Funds in section 4 to assist troubled employees in gaining access to care may be used for private employer or employee groups of under 200 persons, or public employer or employee groups of any number and shall be paid on the following cost sharing basis: During the first year of the program, the participating area board shall meet 90 percent of the cost of the program, and the employer or employee group shall meet 10 percent of the cost. During the second year of the program, each party shall pay 50 percent of the cost of the program. Private employer or employee groups of over 200 may participate in programs authorized under section 4, but shall not be eligible for receipt of public funds under this act. The area board and employer and employee groups must work towards a financially self-sustaining system for each program.

(c) Funds shall not be used to supplant or reduce in any way present local, state, federal, or private expenditure levels supporting existing resources.

(d) Existing program resources shall be fully utilized before new programs are developed.

(e) Allocation of funds to area mental health boards shall be contingent upon the demonstrated capability of the boards to adequately plan and coordinate chemical dependency programs.

(f) Area boards shall be encouraged to plan jointly to develop needed program resources on a multiarea basis.

(g) Programs developed by funds allocated under sections 3 to 5 shall comply with the guidelines established by the commissioner.

(h) No more than five percent of the total allocation to an area mental health board may be used for purposes of administering and monitoring purchased services.

(i) Purchase of service agreements and contracts under sections 4, 5 and 7 shall be contingent on the demonstrated capability of a service provider to adequately fulfill the terms of the agreement or contract.

(j) During the biennium, the commissioner may review the unexpended balance of funds allocated to each area board and service provider under sections 4 and 5 and may reallocate unexpended funds within the program categories established by sections 4 and 5 based upon demand for services.

Sec. 9. The commissioner of public welfare shall submit to the legislature by January 2, 1977 a comprehensive five year plan which shall include at least the following:

(a) An analysis of the availability and effectiveness of existing resources and programs in the state to identify and treat chemically dependent individuals.

(b) An analysis, by population group, of the numbers of chemically dependent individuals in the state, including a determination of whether or not treatment is currently available for them.

(c) A detailed projection, by population group, of the number of chemically dependent individuals, and an analysis of the nature and scope of services they will require.

(d) An analysis of the projected benefits, including cost effectiveness, of funding early identification programs.

(e) An analysis of the future program needs in the state of Minnesota; and an analysis of the cost of the programs.

(f) A specific year by year plan for the development and implementation of the programs set forth in clause (e), and a projected budget for each year.

(g) An analysis of the anticipated nature of the chemical dependency problem in the state by 1981.

Sec. 10. [APPROPRIATION.] Subdivision 1. For purposes of section 4, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$1,100,000. Not more than \$50,000 shall be used by the commissioner for the administration of the program. The approved complement of the department of public welfare shall be enlarged by two positions.

Subd. 2. For purposes of section 5, there is appropriated the sum of \$1,356,000 from the general fund for the biennium ending June 30, 1977, to the commissioner of public welfare.

Subd. 3. For the purposes of section 3, there is appropriated from the general fund to the commissioner of public welfare for the biennium ending June 30, 1977, the sum of \$775,000. Of this sum, \$500,000 shall be used for residential treatment programs or facilities; \$250,000 shall be used for prevention, aftercare, education, community awareness, and training programs; and \$25,000 shall be used for the development of a plan to implement the provisions of section 3.

Subd. 4. For the purposes of section 6, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$30,000.

Subd. 5. For purposes of section 7, subdivision 1, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$50,000. In addition, the commissioner shall allocate \$40,000 of the sum appropriated to him by Laws 1975, Chapter 434, Section 2, for the purposes specified in section 7, subdivision 1 of this act.

Sec. 11. [SUPPLEMENTARY FUNDING.] *There is appropriated from the general fund to the commissioner of public welfare for the biennium ending June 30, 1977, the sum of \$2,802,000. Of this sum, \$950,000 shall be used for the state share of the expense of administration, operation and maintenance of detoxification programs pursuant to Minnesota Statutes, Section 254A.08; \$727,000 shall be used for the state share of the expense of administration, operation and maintenance of half-way houses; and \$1,125,000 shall be used for the state share of the expense of administration, operation and maintenance of nonresidential programs.*

Sec. 12. *This act shall be effective July 1, 1976."*

Further amend the title as follows:

Page 1, line 4, after "employees" insert ", native Americans,".

Page 1, line 4, after the semicolon insert "providing funding for detoxification programs, half-way houses and nonresidential programs;".

Page 1, line 6, after "254A.02," insert "Subdivision 1, and".

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

House Conferees: JOHN T. CLAWSON, LINDA L. BERGLIN, MARY M. FORSYTHE, DONALD B. SAMUELSON and JAMES I. RICE.

Senate Conferees: ROGER D. MOE, ROBERT J. TENNESSEN, GEORGE F. PERPICH, HOWARD A. KNUTSON and WILLIAM G. KIRCHNER.

Clawson moved that the report of the Conference Committee on H. F. No. 1199 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1199, A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, by adding subdivisions; and Chapter 254A, by adding sections.

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

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

Those who voted in the affirmative were:

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

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

CONSENT CALENDAR

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

Clawson moved to amend S. F. No. 2051, as follows:

Page 1, after line 22, add new sections to read:

"Section 2. Minnesota Statutes 1974, Section 429.021, Subdivision 3, is amended to read:

Subd. 3. [RELATION TO CHARTER AND OTHER LAWS.] When any portion of the cost of any improvement is defrayed by special assessments, the procedure prescribed in this chapter shall be followed unless the council determines to proceed under charter provisions; but this chapter does not prescribe the procedure to be followed by a municipality in making improvements financed without the use of special assessments.

If the council determines to proceed under charter provisions for special assessments, such provisions shall be deemed to include a requirement that notices of proposed assessments inform property owners of the procedures they must follow under the charter in order to appeal the assessments to district court. *Charter provisions shall also be deemed to require that when the council determines to make any improvement, it shall let the contract therefor, or order the work done by day labor or otherwise as may be authorized by the charter, no later than one year after the adoption of the resolution ordering such improvement.*

Sec. 3. Minnesota Statutes 1974, Section 429.041, Subdivision 1, is amended to read:

429.041 [COUNCIL PROCEDURE.] Subdivision 1. [PLANS AND SPECIFICATIONS, ADVERTISEMENT FOR BIDS.] When the council determines to make any improvement, it shall *let the contract therefor, or order the work done by day labor or otherwise as authorized by subdivision 2 of this section, no later than one year after the adoption of the resolution ordering such improvement.* The council shall cause plans and specifications of the improvement to be made, or if previously made, to be modified, if necessary, and to be approved and filed with the clerk, and if the estimated cost exceeds \$5,000, shall advertise for bids for the improvement in the newspaper and such other papers and for such length of time as it may deem advisable. If the estimated cost exceeds \$100,000, publication shall be made once in the newspaper and at least once in a newspaper or trade paper published in a city of the first class no less than three weeks before the last day for submission of bids. To be eligible as such a trade paper, a publication shall have all the qualifications of a legal newspaper except that instead of the requirement that it shall contain general and local news, such trade paper shall contain building and construction news of interest to contractors in this state, among whom it shall have a general circulation. The advertisement shall specify the work to be done, shall state the time when the bids will be publicly opened for consideration by the council, which shall be not less than ten days after the first publication of the advertisement when the estimated cost is less than \$100,000 and not less than three weeks after such publication in other cases, and shall state that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk, for such percentage of the amount of the bid as the council may specify. In providing for the advertisement for bids the council may direct that the bids shall be opened publicly by two or more designated officers or agents of the municipality and tabulated in advance of the meeting at which they are to be considered by the council. Nothing herein shall prevent the council from advertising separately for various portions of the work involved in an improvement, or from itself, supplying by such means as may be otherwise authorized by law, all or any part of the materials, supplies,

or equipment to be used in the improvement or from combining two or more improvements in a single set of plans and specifications or a single contract.”.

Further, amend the title:

Page 1, strike line 6 and insert instead thereof: “Subdivisions 1 and 4 and 429.021, Subdivision 3.”.

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

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

The bill was read for the 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 129, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1262, A bill for an act relating to tax forfeited lands; authorizing the county auditor to grant easements or permits

thereon for recreational trails; amending Minnesota Statutes 1974, Section 282.04, Subdivision 4.

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Volk

The bill was passed and its title agreed to.

S. F. No. 1627, A bill for an act relating to state parks; adding lands to Kilen Woods state park in Jackson county.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 2077, A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1; and Section 2.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 674 was reported to the House.

Hokanson moved to amend S. F. No. 674, the unofficial engrossment, as follows:

Amend the title as follows:

Line 4, strike the words "delaying the effective date".

Strike all of line 5.

The motion prevailed and the amendment was adopted.

S. F. No. 674, A bill for an act relating to administrative procedure; requiring agency estimates of the cost of proposed rules to local public bodies; delaying the effective date of rules involving costs to local public bodies; amending Minnesota Statutes, 1975 Supplement, Section 15.0412, by adding subdivisions.

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

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

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

S. F. No. 1813, A bill for an act authorizing the conveyance by the state of certain lands located in Roseau county.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

S. F. No. 1876 was reported to the House.

Beauchamp moved to amend S. F. No. 1876, the unofficial engrossment, as follows:

Page 42, line 23, strike "committee" and reinstate "com-mission".

Page 43, line 17, after "15.059" add "*Subdivision 3*".

Page 43, line 21, strike "November 15" and insert "*February 11*".

Page 43, line 22, strike "1976" and insert "1977".

The motion prevailed and the amendment was adopted.

Savelkoul and Kelly, W., moved to amend S. F. No. 1876, the unofficial engrossment, as follows:

Page 43, line 1, delete all the new language.

The motion prevailed and the amendment was adopted.

S. F. No. 1876, A bill for an act relating to the operation of state government; correcting the nomenclature of or restructuring several boards and committees; limiting the use of advisory groups; standardizing the terms, compensation and removal of members of committees; abolishing or transferring the functions of several state agencies including the public relief advisory committee, the Minnesota-South Dakota boundary waters commission, the motor vehicle reciprocity commission, the Big Island veterans camp board of directors, the publications advisory board, the Indian education committee, the advisory committee for mentally retarded and cerebral palsied community residential facilities, and the state teletypewriter advisory committee; amending Minnesota Statutes 1974, Sections 3.30, by adding a subdivision; 16.71, Subdivision 1; 17.52; 17.53, Subdivision 5; 17.54, Subdivision 2; 21A.02, Subdivision 5; 21A.03; 29.14, Subdivision 4; 30.463, Subdivision 2; 32B.03, Subdivision 4; 84.01, Subdivision 5; 114.12; 116E.02, Subdivision 1; 116E.03, Subdivision 7, and by adding a subdivision; 121.83; 136A.02, Subdivision 5; 141.24; 168.187, Subdivisions 7, 8, 9, 11, 12, 15, 18, 24 and 25; 178.02, Subdivision 2; 197.13; 197.15; 197.16; 252.28, Subdivision 2; 256.01, Subdivision 6; 326.41; 326.49; 481.01; Chapters 15, 60C, 114, and 252 by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 15.01; 15.012; 15.059, Subdivisions 3 and 4; 84B.11, Subdivision 1; 86A.10, Subdivision 1; 115.71, Subdivision 4; 115.74; 125.183, Subdivision 1; 148.231, Subdivision 2; 149.02; 151.03; 155.05; 198.055, Subdivisions 1 and 2; 326.241, Subdivision 1; 326.33, Subdivision 1; Extra Session Laws 1971, Chapter 31, Article 13, as amended; Laws 1975, Chapter 271, Section 3; repealing Minnesota Statutes 1974, Sections 15.046, as amended; 17.60; 17.601; 21A.04; 32B.04, Subdivision 2; 72B.09; 114.01 to 114.08; 126.023; 168.187, Subdivision 6; 178.02, Subdivision 3; 197.14; 252.29; 362.16; Minnesota Statutes, 1975 Supplement, Sections 86A.10, Subdivisions 3, 4 and 5; 241.023; and 299C.47.

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

Those who voted in the negative were:

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

S. F. No. 2130, A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Hennepin county.

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

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

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 1944, A bill for an act relating to health; providing for a waiver of the certificate of need requirements by the state board of health; amending Minnesota Statutes, 1975 Supplement, Section 145.811; and Minnesota Statutes 1974, Chapter 145, by adding a section.

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

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

Those who voted in the affirmative were:

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

Vanasek
Vento
Volk

Voss
Wenstrom
Wenzel

White
Wieser
Wigley

Zubay

Speaker Sabo

The bill was passed and its title agreed to.

S. F. No. 1188 was reported to the House.

Upon objection of ten members, S. F. No. 1188 was stricken from the Consent Calendar and returned to General Orders.

CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Norton requested immediate consideration of H. F. Nos. 2201, 2677 and 2678.

H. F. No. 2201, A bill for an act relating to the state planning agency; providing additional responsibilities for the state demographer; providing for implementation of federal law permitting the state to design a plan for return of census data to the state; providing precinct boundaries to facilitate census data returns; appropriating money; amending Minnesota Statutes 1974, Section 4.12, Subdivision 7; and Minnesota Statutes, 1975 Supplement, Section 204A.06, Subdivision 1, and by adding a subdivision.

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

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

Those who voted in the affirmative were:

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

Spanish	Tomlinson	Volk	White	Speaker Sabo
Stanton	Ulland	Voss	Wieser	
Suss	Vanasek	Wenstrom	Wigley	
Swanson	Vento	Wenzel	Zubay	

The bill was passed and its title agreed to.

McCarron was excused between the hours of 12:55 to 4:05 p.m.

H. F. No. 2677, A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; appropriating money.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 130, and nays 0, as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2678, A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 16A.28; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

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

Those who voted in the negative were:

Kvam

The bill was passed and its title agreed to.

The following Conference Committee Report was received.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 404

A bill for an act relating to banks; cash reserves of banks and trust companies; recordkeeping of savings associations; amending Minnesota Statutes 1974, Sections 48.22; and 51A.19, Subdivision 4.

March 17, 1976

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

We, the undersigned conferees for H. F. No. 404 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 404 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 47.20, is amended to read:

47.20 [USE OF FEDERAL ACTS.] Pursuant to such regulations as the commissioner of banks finds to be necessary and proper, if any, banks, savings banks, mutual savings banks, building and loan associations, and savings and loan associations organized under the laws of this state or the United States, trust companies, trust companies acting as fiduciaries, and other banking institutions, subject to the supervision of the commissioner of banks, and mortgagees or lenders approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs, are authorized:

(1) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are insured *or guaranteed* by the secretary of housing and urban development pursuant to the national housing act, as amended, or the administrator of veterans affairs pursuant to the servicemen's readjustment act of 1944, as amended, and to obtain such insurance *or guarantees*;

(2) To make such loans secured by mortgages on real property which the secretary of housing and urban development or the administrator of veterans affairs has insured *or guaranteed* or made a commitment to insure *or guarantee*, and to obtain such insurance *or guarantees*.

Sec. 2. Minnesota Statutes 1974, Section 48.153, is amended to read:

48.153 (ANY BANK ORGANIZED UNDER THE LAWS OF THIS STATE, OR ANY NATIONAL BANKING ASSOCIATION DOING BUSINESS IN THE STATE, MAKING ANY LOAN OF MONEY NOT EXCEEDING \$25,000 REPAYABLE IN INSTALLMENTS, MAY MAKE A CHARGE FOR SUCH LOAN COMPUTED AT A RATE NOT EXCEEDING SIX PERCENT PER ANNUM UPON THE TOTAL AMOUNT OF THE LOAN FROM THE DATE THEREOF UNTIL THE STATED MATURITY DATE OF THE FINAL INSTALLMENT THEREOF, WHICH SHALL NOT EXCEED 12 YEARS AND THIRTY-TWO DAYS FROM THE DATE OF THE LOAN, NOTWITHSTANDING THAT SUCH LOAN IS REQUIRED TO BE REPAYED IN INSTALLMENTS OR THAT THE LOAN IS SECURED BY MORTGAGE, PLEDGE, OR OTHER COLLATERAL OR BY A DEPOSIT ACCOUNT OPENED CONCURRENTLY WITH THE MAKING OF THE LOAN AND ASSIGNED AS COLLATERAL SECURITY

THEREFOR, WHICH DEPOSIT ACCOUNT MAY EVIDENCE DEPOSITS MADE OR REQUIRED TO BE MADE PERIODICALLY, WITH OR WITHOUT INTEREST, THROUGHOUT THE TERM OF SAID LOAN. IF THE CHARGE COMPUTED ON ANY INSTALLMENT LOAN, SINGLE PAYMENT OR DEMAND LOAN SHALL BE LESS THAN \$10, THE AMOUNT SO CHARGED MAY NEVERTHELESS BE \$10. ANY CHARGE AUTHORIZED BY SECTIONS 48.153 TO 48.157 MAY BE INCLUDED IN THE PRINCIPAL AMOUNT OF THE NOTE OR OTHER INSTRUMENT EVIDENCING SAID LOAN AND THE AGGREGATE AMOUNT THEREOF BE PAYABLE IN INSTALLMENTS.) [INSTALLMENT LOANS, FINANCE CHARGES, MINIMUM CHARGES.] *Any bank organized under the laws of this state, or any national banking association doing business in this state, making any loan of money not exceeding \$25,000 repayable in installments, may make a finance charge for such loan to be computed at a rate which does not exceed 12 percent per annum upon the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral. Any savings bank organized pursuant to Minnesota Statutes, Chapter 50, and having its principal place of business in this state, may make a loan for consumer purposes to any natural person in an amount not exceeding \$7,500 repayable in installments, and may make a finance charge for the loan to be computed at a rate not exceeding 12 percent per annum on the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of five years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge or other collateral. Charges in reference to installment loans under this section shall be computed and collected only on the unpaid principal balance of the amount financed actually outstanding. One day's finance charge shall mean an amount equal to 1/365 of the per annum rate provided for in an installment loan. If the total finance charge determined on an installment loan, single payment or demand loan shall be less than \$10 the amount charged may nevertheless be \$10.*

Sec. 3. Minnesota Statutes 1974, Section 48.154, is amended to read:

48.154 (THE BORROWER MAY REPAY THE ENTIRE BALANCE OF SUCH A LOAN AT ANY TIME, AND UPON SUCH PREPAYMENT THE BORROWER SHALL BE ENTITLED TO A REFUND, COMPUTED AT THE RATE AT WHICH THE ORIGINAL CHARGE WAS COMPUTED, UPON THE AMOUNT SO PREPAID FROM THE DATE OF SUCH PREPAYMENT TO THE STATED MATURITY DATE OF THE FINAL INSTALLMENT; PROVIDED, THAT IN ANY EVENT THE LENDER MAY RETAIN AT LEAST \$5 OF THE ORIGINAL CHARGE.) [PREPAYMENT, EXTENSION

OF TERMS.] *The borrower may repay the entire balance or any portion of the balance of an installment loan in advance without penalty. An installment loan contract may provide that the parties, before or after default, may agree in writing to an extension of all or part of the unpaid installments and collect as an extension fee a finance charge not exceeding that rate agreed to in the original loan contract. No such extension shall be permitted to cause repayment of a loan to exceed those maturities set down in section 48.153. One day's finance charge shall mean an amount equal to 1/365 of the per annum rate provided for in an installment loan.*

Sec. 4. Minnesota Statutes 1974, Section 48.155, is amended to read:

48.155 [ALLOWABLE ADDITIONAL CHARGES.] No charge other than those provided for in sections 48.153 and 48.154 shall be made directly or indirectly for any such installment loan except that there may be charged to the borrower or included in the amount financed:

((A)) IN CASE OF DEFAULT, TO COLLECT A DELINQUENCY AND COLLECTION CHARGE ON EACH INSTALLMENT IN ARREARS FOR A PERIOD OF NOT LESS THAN TEN DAYS IN AN AMOUNT NOT IN EXCESS OF FIVE PERCENT OF THE UNPAID AMOUNT OF EACH INSTALLMENT OR \$5, WHICHEVER IS LESS. A DELINQUENCY CHARGE MAY BE COLLECTED ONLY ONCE ON AN INSTALLMENT HOWEVER LONG IT REMAINS IN DEFAULT. NO DELINQUENCY CHARGE MAY BE COLLECTED ON AN INSTALLMENT WHICH IS PAID IN FULL WITHIN 10 DAYS AFTER ITS SCHEDULED INSTALLMENT DUE DATE EVEN THOUGH AN EARLIER MATURING INSTALLMENT OR A DELINQUENCY CHARGE ON AN EARLIER INSTALLMENT MAY NOT HAVE BEEN PAID IN FULL. FOR PURPOSES OF THIS PARAGRAPH PAYMENTS ARE APPLIED FIRST TO CURRENT INSTALLMENTS AND THEN TO DELINQUENT INSTALLMENTS;)

((B)) (a) Any lawful fees paid or to be paid by the lender (FOR ANY ABSTRACT OR) to any public officer for filing, recording, or releasing in any public office (OR FOR ACKNOWLEDGING) any instrument securing the loan;

((C)) (b) Any lawful premium or charge for insurance protecting the lender against the risk of loss from not filing or recording a security agreement or financing statement and in lieu of filing thereof. Such premium or charge shall not exceed the actual premium or charge made by the insurance company to the lender and in no event in excess of the costs if the document were actually filed, recorded, or released in any public office;

((D)) (c) The premium on any life, property or other insurance taken as security for the loan; provided, that the borrower has acknowledged by his signature that he has been notified in writing that he may (HIMSELF), at his own cost, procure and deposit with the lender (ANY) such insurance if written by a responsible company. Such premium may be included as part of the loan.

Sec. 5. Minnesota Statutes 1974, Chapter 48, is amended by adding a section to read:

[48.185] [OPEN END LOAN ACCOUNT ARRANGEMENTS.] Subdivision 1. Any bank organized under the laws of this state, any national banking association doing business in this state, and any savings bank organized and operated pursuant to Minnesota Statutes, Chapter 50, may extend credit through an open end loan account arrangement with a debtor, pursuant to which the debtor may obtain loans from time to time by cash advances, purchase or satisfaction of the obligations of the debtor incurred pursuant to a credit card plan, or otherwise under a credit card or overdraft checking plan.

Subd. 2. No bank shall extend credit which would cause the total outstanding balance of the debtor on accounts created pursuant to the authority of this section to exceed \$7,500. No savings bank shall extend credit which would cause the outstanding balance of the debtor to exceed \$5,000, nor shall it extend such credit for any purposes other than personal, family or household purposes, nor shall it extend such credit to any person other than a natural person.

Subd. 3. A bank or savings bank may collect a periodic rate of finance charge in connection with extensions of credit pursuant to this section, which rate does not exceed one percent per month computed on an amount no greater than the average daily balance of the account during each monthly billing cycle. If the billing cycle is other than monthly, the maximum finance charge for that billing cycle shall be that percentage which bears the same relation to one percent as the number of days in the billing cycle bears to 30.

Subd. 4. No charges other than those provided for in subdivision 3 shall be made directly or indirectly for any credit extended under the authority of this section, except that there may be charged to the debtor:

(a) Annual charges, not to exceed \$15 per annum, payable in advance, for the privilege of using a bank credit card which entitled the debtor to purchase goods or services from merchants, under an arrangement pursuant to which the debts resulting from the purchases are paid or satisfied by the bank or savings bank and charged to the debtor's open end loan account with the bank or savings bank;

(b) *Charges for premiums on credit life and credit accident and health insurance if:*

(1) *The insurance is not required by the bank or savings bank and this fact is clearly disclosed in writing to the debtor; and*

(2) *The debtor is notified in writing of the cost of the insurance and affirmatively elects, in writing, to purchase the insurance.*

Subd. 5. If the balance in a revolving loan account under a credit card plan is attributable solely to purchases of goods or services charged to the account during one billing cycle, and the account is paid in full before the due date of the first statement issued after the end of that billing cycle, no finance charge shall be charged on that balance.

Subd. 6. This section shall apply to all open end credit transactions of a bank or savings bank in extending credit under an open end loan account or other open end credit arrangement to persons who are residents of this state, if the bank or savings bank induces such persons to enter into such arrangements by a continuous and systematic solicitation either personally or by an agent or by mail, and retail merchants and banks or savings banks within this state are contractually bound to honor credit cards issued by the bank or savings bank, and the goods, services and loans are delivered or furnished in this state and payment is made from this state. A term of a writing or credit card device executed or signed by a person to evidence an open end credit arrangement specifying:

(a) *that the law of another state shall apply;*

(b) *that the person consents to the jurisdiction of another state; and*

(c) *which fixes venue;*

is invalid with respect to open end credit transactions to which this section applies. An open end credit arrangement made in another state with a person who was a resident of that state when the open end credit arrangement was made is valid and enforceable in this state according to its terms to the extent that it is valid and enforceable under the laws of the state applicable to the transaction.

Subd. 7. Any bank or savings bank extending credit in compliance with the provisions of this section, which is injured competitively by violations of this section by another bank or savings bank, may institute a civil action in the district court of this state against that bank or savings bank for an injunction prohibiting

any violation of this section. The court, upon proper proof that the defendant has engaged in any practice in violation of this section, may enjoin the future commission of that practice. Proof of monetary damage or loss of profits shall not be required. Costs and attorneys' fees may be allowed to the plaintiff, unless the court directs otherwise. The relief provided in this subdivision is in addition to remedies otherwise available against the same conduct under the common law or statutes of this state.

Service of process shall be as in any other civil suit, except that if a defendant in the action is a foreign corporation or a national banking association with its principal place of business in another state, service of process may also be made by personal service outside the state, or in the manner provided by Minnesota Statutes, Section 303.13, Subdivision 1, Clause (3), or in such manner as the court may direct. Process is valid if it satisfies the requirements of due process of law, whether or not defendant is doing business in Minnesota regularly or habitually.

Sec. 6. Minnesota Statutes 1974, Section 48.22, is amended to read:

48.22 [CASH RESERVES.] Subdivision 1. [REQUIREMENTS.] (1T) A state bank or trust company shall always keep a reserve equal to (12) seven percent of its demandable liabilities and (THREE) two percent of its time deposits; which shall be in cash, cash items in process of collection and balances due on demand from solvent banks in the United States or its territories. No bank or trust company shall act as reserve agent for another without the approval of the commissioner if its capital and surplus are less than \$100,000. When its reserve shall become impaired, it shall make no new loans or discounts except upon sight bills of exchange, nor declare any dividend until the same has been fully restored.

Subd. 2. [FAILURE TO MEET REQUIREMENTS.] If on any one day, (SUCH) a state bank or trust company's reserve shall not meet requirements, it shall not constitute a violation for the purposes of section 48.22 provided that the average reserve for each biweekly period ending on the last business day of alternate calendar weeks and to include the actual number of such business days, shall equal or exceed minimum requirements as provided in subdivisions 1 and 3. The cash reserves of each bank or trust company shall be the amount available at the end of the day for which such reserve is maintained. The amount of the reserve required (FOR SUCH DAY UNDER SUBDIVISION 1) shall be based upon the total deposits at the close of the previous business day. By appropriate action of the board of directors at any meeting, a bank or trust company, with subsequent 30 days notice to the commissioner as to the effective date, may exercise the option of adopting a biweekly period for the purpose of this subdivision which will end on Wednesday of alternate calendar weeks. At such a meeting and with the previous approval

of the commissioner, a bank or trust company may establish a biweekly period other than provided herein and with such effective date as the commissioner may prescribe. For each such biweekly period in which the average reserve shall become deficient, such bank or trust company shall pay a fine of \$50 or an amount equivalent to (EIGHT) 12 percent per annum based on the average deficiency for such period, whichever is greater. Such fine shall be payable to the commissioner on his making a request for payment.

Subd. 3. [STATE BANKS, CHANGE IN REQUIREMENTS.] Whenever the commissioner of banks shall determine that the maintenance of sound banking practices or the prevention of injurious credit expansion or contraction makes action advisable, he may (MAKE AN ORDER CHANGING THE) *by directive change his* requirements as to reserves against demand or time deposits, or both, in state banks or trust companies which are not members of the Federal Reserve System. The reserve requirements established in any such (ORDER) *directive* shall not be less than the requirements contained in subdivision 1, nor more than those required of member banks of the Federal Reserve System on the date that the (ORDER) *directive* is (MADE) *issued by the commissioner unless these reserve requirements are less than those contained in subdivision 1.*

Subd. 4. [FEDERAL RESERVE BANK MEMBERS EXEMPT.] Any state bank or trust company which is a member of a federal reserve bank (SHALL MAINTAIN) *and maintains* such reserves with such federal reserve bank as are required by or pursuant to the federal reserve act (AND SO LONG AS IT COMPLIES WITH THE REQUIREMENTS OF SUCH FEDERAL RESERVE ACT WITH REFERENCE TO RESERVES) shall be exempt from the (PRECEDING) provisions relating to reserve requirements.

Subd. 5. [SAVINGS CERTIFICATES, WHEN DEMANDABLE.] Savings certificates issued by state banks and trust companies on the basis of being renewed on an optional basis for a period of not to exceed ten days shall not be considered as demandable liabilities during such option periods for the purposes of this section.

Subd. 6. [INVESTMENT IN SHORT TERM FEDERAL OBLIGATIONS.] Not more than 30 percent of a (BANK'S) *state bank or trust company's* reserves may be invested in *direct* obligations of the United States Treasury which mature within one year from the date such obligations are first considered as a part of the (BANK'S) *bank or trust company's* reserve. *Obligations which constitute reserves shall be segregated on the books and records of the bank or trust company as required by directive of the commissioner of banks. Obligations which constitute reserves shall not be used to secure any municipal deposits or as collateral for any purpose while held as a part of the re-*

serves required by this section. Reserves of a state bank or trust company shall not be invested in obligations of agencies of the United States.

Sec. 7. Minnesota Statutes 1974, Section 51A.19, Subdivision 4, is amended to read:

Subd. 4. [BOOKS TO BE CLOSED AT LEAST ANNUALLY.] Every association shall close its books at the close of business on (JUNE 30 AND) December 31 of each year, or more often (IF AUTHORIZED FOR ALL ASSOCIATIONS BY THE COMMISSIONER) *if desired by the association.*

Sec. 8. Minnesota Statutes 1974, Sections 50.161, 50.162, 50.163, 50.164, and 50.165 are repealed.

Sec. 9. [EFFECTIVE DATES.] *This section and sections 1 and 5 are effective the day following their final enactment. The remaining provisions of this act are effective July 1, 1976."*

Further strike the title and insert:

"A bill for an act relating to financial institutions; allowing loans guaranteed by certain federal authorities; providing for certain installment loans and open end loan accounts; establishing certain recordkeeping and reserve requirements; providing certain remedies; amending Minnesota Statutes 1974, Sections 47.20; 48.153; 48.154; 48.155; 48.22; and 51A.19, Subdivision 4; and Chapter 48, by adding a section; repealing Minnesota Statutes 1974, Sections 50.161 to 50.165."

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

House Conferees: BERNARD J. BRINKMAN, B. J. PHILBROOK and RONALD B. SIELOFF.

Senate Conferees: WINSTON W. BORDEN, BALDY HANSEN and OTTO T. BANG, JR.

Brinkman moved that the report of the Conference Committee on H. F. No. 404 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

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

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 74, and nays 55, as follows:

Those who voted in the affirmative were:

Abeln	Erickson	Jude	Menning	Sherwood
Anderson, G.	Esau	Kaley	Metzen	Sieben, M.
Biersdorf	Evans	Kelly, R.	Nelsen	Sieloff
Birnstihl	Ewald	Kelly, W.	Niehaus	Spanish
Braun	Fjoslien	Kempe, R.	Novak	Suss
Brinkman	Forsythe	Knickerbocker	Patton	Tomlinson
Carlson, A.	Friedrich	Kvam	Peterson	Ulland
Casserly	George	Laidig	Philbrook	Volk
Corbid	Graba	Langseth	Reding	Voss
Dahl	Haugerud	Lemke	St. Onge	Wenzel
Dean	Heinitz	Lindstrom	Savelkoul	White
DeGroat	Hokanson	Luther	Schreiber	Wieser
Eckstein	Jacobs	Mann	Schulz	Wigley
Eken	Johnson, C.	McCauley	Searle	Williamson
Enebo	Jopp	McEachern	Setzepfandt	

Those who voted in the negative were:

Adams, L.	Carlson, R.	Kahn	Nelson	Sieben, H.
Adams, S.	Clark	Kalis	Norton	Simoneau
Albrecht	Clawson	Kempe, A.	Osthoff	Skoglund
Anderson, I.	Dieterich	Ketola	Parish	Smith
Arlandson	Doty	Kostohryz	Pehler	Smogard
Beauchamp	Faricy	Kroening	Pleasant	Stanton
Begich	Fudro	Mangan	Prahl	Swanson
Berg	Fugina	McCollar	Rice	Vanasek
Berglin	Hanson	Moe	Samuelson	Vento
Byrne	Jaros	Munger	Sarna	Wenstrom
Carlson, L.	Johnson, D.	Neisen	Schumacher	Speaker Sabo

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

SPECIAL ORDERS

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

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

Osthoff moved that H. F. No. 2002 be returned to General Orders. The motion prevailed.

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

Carlson, A., Ulland, Laidig and Dean moved to amend H. F. No. 2154 as follows:

Page 1, line 23, strike "equal" and insert the word "primary".

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 20, and nays 96, as follows:

Those who voted in the affirmative were:

Albrecht	Clark	Evans	Laidig	Savelkoul
Biersdorf	Dean	Friedrich	Moe	Sieloff
Byrne	DeGroat	Jaros	Nelson	Skoglund
Carlson, A.	Dieterich	Kaley	Peterson	Ulland

Those who voted in the negative were:

Abeln	Eckstein	Kempe, R.	Osthoff	Smogard
Adams, L.	Enebo	Ketola	Parish	Spanish
Adams, S.	Erickson	Knoll	Patton	Stanton
Anderson, G.	Ewald	Kostohryz	Pehler	Suss
Anderson, I.	Fudro	Kroening	Philbrook	Swanson
Arlandson	Fugina	Kvam	Prahl	Tomlinson
Beauchamp	George	Lemke	Reding	Vanasek
Begich	Graba	Lindstrom	Rice	Volk
Berg	Hanson	Luther	St. Onge	Voss
Berglin	Haugerud	Mangan	Samuelson	Wenstrom
Birnsthil	Hokanson	Mann	Sarna	Wenzel
Braun	Jacobs	McCauley	Schulz	White
Brinkman	Jensen	McCollar	Schumacher	Wieser
Carlson, L.	Johnson, C.	McEachern	Searle	Williamson
Carlson, R.	Johnson, D.	Menning	Setzepfandt	Zubay
Casserly	Jude	Munger	Sherwood	Speaker Sabo
Clawson	Kalis	Neisen	Sieben, H.	
Corbid	Kelly, R.	Niehaus	Sieben, M.	
Dahl	Kelly, W.	Norton	Simoneau	
Doty	Kempe, A.	Novak	Smith	

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

H. F. No. 2154, A bill for an act relating to the operation and structure of state government; eliminating certain qualifications for the office of commissioner of personnel; amending Minnesota Statutes 1974, Section 43.001, Subdivision 2.

The bill was read for the third time, as amended on Special Orders for Wednesday, March 17, 1976, 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 59, as follows:

Those who voted in the affirmative were:

Adams, L.	Braun	Doty	Jaros	Ketola
Anderson, G.	Brinkman	Eken	Jensen	Knoll
Anderson, I.	Carlson, L.	Enebo	Johnson, C.	Kroening
Arlandson	Carlson, R.	Fudro	Johnson, D.	Langseth
Begich	Casserly	Fugina	Jude	Lemke
Berg	Clark	George	Kalis	Lindstrom
Berglin	Corbid	Graba	Kelly, W.	Luther
Birnsthil	Dahl	Jacobs	Kempe, A.	Mangan

Mann	Novak	Samuelson	Smogard	Voss
McCollar	Osthoff	Sarna	Spanish	Wenzel
McEachern	Parish	Schumacher	Suss	Speaker Sabo
Menning	Patton	Setzepfandt	Swanson	
Metzen	Philbrook	Sieben, H.	Tomlinson	
Moe	Rice	Sieben, M.	Vanasek	
Munger	St. Onge	Simoneau	Vento	

Those who voted in the negative were:

Abeln	Erickson	Kahn	Niehaus	Sieloff
Adams, S.	Esau	Kaley	Norton	Skoglund
Albrecht	Evans	Kelly, R.	Pehler	Smith
Beauchamp	Ewald	Kempe, R.	Peterson	Stanton
Biersdorf	Faricy	Knickerbocker	Pleasant	Ulland
Byrne	Fjoslien	Kostohryz	Prahl	Volk
Carlson, A.	Friedrich	Kvam	Reding	Wenstrom
Clawson	Hanson	Laidig	Savelkoul	White
Dean	Hangerud	McCauley	Schreiber	Wieser
DeGroat	Heinitz	Neisen	Schulz	Wigley
Dieterich	Hokanson	Nelsen	Searle	Zubay
Eckstein	Jopp	Nelson	Sherwood	

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

H. F. No. 2269 was reported to the House.

Adams, L., moved that H. F. No. 2269 be returned to the top of General Orders. The motion prevailed.

Anderson, I., moved that the remaining bills on Special Orders for today be continued on Special Orders for Monday, March 22, 1976, immediately following the Consent Calendar. The motion prevailed.

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

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

H. F. No. 617, A bill for an act relating to taxation; adding certain disabled persons to those paying reduced property taxes; amending Minnesota Statutes 1974, Section 273.13, Subdivision 7.

Reported the same back with the following amendments:

Page 1, line 7, delete "1974" and insert ", 1975 Supplement".

Page 1, after line 14, insert "less any reduction received pursuant to section 273.135,".

Page 1, line 16, delete "\$12,000" and insert "the homestead base value".

Page 1, line 21, delete "\$12,000" and insert "the homestead base value".

Page 2, line 25, after the comma insert "*or who is receiving aid under the federal railroad retirement act of 1937, 45 United States Code Annotated, Section 228b(a)5*".

Page 2, line 26, delete "*or*".

Page 2, delete lines 27 and 28.

Page 2, line 29, delete "*et. seq.*".

Page 3, line 4, after the comma insert "less any reduction received pursuant to section 273.135,".

Page 3, line 5, delete "\$12,000" and insert "the homestead base value".

Page 3, after line 13 insert:

"Sec. 2. *This act is effective for taxes assessed in 1976 and thereafter and payable in 1977 and thereafter*".

Further, amend the title:

Line 4, delete "1974" and insert ", 1975 Supplement".

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

The report was adopted.

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

H. F. No. 1947, A bill for an act relating to taxation; providing for the assessment of dwelling units in certain buildings; amending Minnesota Statutes 1974, Section 273.133.

Reported the same back with the following amendments:

Page 1, line 8, after "COOPERATIVES" insert a comma.

Page 1, line 9, after "CORPORATIONS" insert "OR OTHER NONPROFIT CORPORATIONS".

Page 1, line 9, before "When" insert "*Subdivision 1. [CO-OPERATIVES AND CHARITABLE CORPORATIONS.]*".

Page 2, line 2, reinstate "charitable".

Page 2, line 3, delete "*as a charitable corporation*".

Page 2, line 4, reinstate "thereunder with" and delete "*from taxation under article X,*".

Page 2, delete line 5.

Page 2, line 6, delete "*constitution or laws and having*".

Page 2, line 9, delete "*or equivalent or more*".

Page 2, line 10, delete "*advantageous contract rights*".

Page 2 after line 11, insert "*Subd. 2. [OTHER NON-PROFIT CORPORATIONS.] When a building containing several dwelling units is owned by an entity organized under chapter 317 and operating as a nonprofit corporation which enters into membership agreements with persons under which they are entitled to life occupancy in a unit in the building, homestead classification shall be given to each unit so occupied and the entire building shall be assessed in the manner provided in subdivision 1 for cooperatives and charitable corporations.*"

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 12, is amended to read:

Subd. 12. [GROSS RENT.] "Gross rent" means rental paid solely for the right of occupancy, at arms-length, of a homestead, exclusive of charges for any utilities, services, furniture, furnishings or personal property appliances furnished by the landlord as part of the rental agreement, whether expressly set out in the rental agreement or not. If the landlord and tenant have not dealt with each other at arms-length and the commissioner determines that the gross rent charged was excessive, he may adjust the gross rent to a reasonable amount for purposes of sections 290A.01 to 290A.21.

If the landlord does not supply the charges for any utilities, furniture, furnishings or personal property appliances furnished by him, or if the charges appear to be incorrect the commissioner may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.

Any amount paid by a claimant residing in property assessed pursuant to section 273.133 for occupancy in that property shall

be excluded from gross rent for purposes of this chapter. However, property taxes imputed to the homestead of the claimant pursuant to section 273.133 shall be included within the term "property taxes payable" as defined in subdivision 13, notwithstanding the fact that ownership is not in the name of the claimant."

Renumber the remaining section accordingly.

Further, amend the title as follows:

Line 4, after "273.133" insert "; and Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 12".

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 617 and 1947 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. 1615, A bill for an act relating to public health; providing for care, medical treatment, and legal rights of live births resulting from abortions.

PATRICK E. FLAHAVEN, Secretary of the Senate

Faricy moved that the House refuse to concur in the Senate amendments to H. F. No. 1615, 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 that the Senate accedes to the request of the House for the appointment of a Conference Committee, con-

sisting of 5 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 525, A bill for an act relating to state government; creating a department of transportation; prescribing its duties and responsibilities; transferring the functions of some state departments; appropriating money; amending Minnesota Statutes 1974, Sections 43.09, Subdivision 2a; and 360.017, Subdivision 1; repealing Minnesota Statutes 1974, Sections 4.20; 161.03; and 360.014.

The Senate has appointed as such committee Messrs. Laufenburger, Brown, Schaaf, North and Borden.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 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.

The Senate has appointed as such committee Messrs. Anderson, Hughes, O'Neill, Sillers and Lewis.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1979, A bill for an act relating to taxation; defining "claimant" for purposes of certain homestead credits; amending Minnesota Statutes, 1975 Supplement, Sections 290A.03, Subdivision 8; and 290A.04, Subdivisions 2 and 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

Kelly, W. moved that the House refuse to concur in the Senate amendments to H. F. No. 1979, that H. F. No. 1979 be returned to the Senate, that the Senate be advised that the House refuses to meet in conference on H. F. No. 1979, and that the Senate be advised that the House respectfully suggests that H. F. No. 2072 would be a suitable bill to refer to conference to resolve the differing positions of the two houses.

In addition, the House respectfully requests that the Senate pass H. F. No. 1979 without amendment and that the bill be transmitted to the Governor so that the problems of some of our senior citizens will be resolved.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll being called, there were yeas 97, and nays 33, as follows:

Those who voted in the affirmative were:

Abeln	Corbid	Johnson, C.	McCollar	Rice
Adams, L.	Dahl	Johnson, D.	McEachern	St. Onge
Anderson, G.	Doty	Jude	Menning	Samuelson
Anderson, I.	Eckstein	Kahn	Metzen	Sarna
Arlandson	Eken	Kalis	Moe	Schulz
Beauchamp	Enebo	Kelly, R.	Munger	Schumacher
Begich	Faricy	Kelly, W.	Neisen	Setzepfandt
Berglin	Fudro	Ketola	Nelson	Sherwood
Birnstihl	Fugina	Knoll	Norton	Sieben, H.
Braun	George	Kostohryz	Novak	Sieben, M.
Brinkman	Graba	Kroening	Osthoff	Simoneau
Byrne	Hanson	Langseth	Parish	Skoglund
Carlson, L.	Haugerud	Lemke	Patton	Smith
Carlson, R.	Hokanson	Luther	Pehler	Smogard
Casserty	Jacobs	Mangan	Philbrook	Spanish
Clark	Jaros	Mann	Prahl	Stanton
Clawson	Jensen	McCarron	Reding	Suss

Swanson
Tomlinson
Vanasek

Vento
Volk
Voss

Wenstrom
Wenzel
White

Wieser
Williamson

Speaker Sabo

Those who voted in the negative were:

Adams, S.
Albrecht
Biersdorf
Carlson, A.
Dean
DeGroat
Dieterich

Erickson
Esau
Evans
Ewald
Fjoslien
Friedrich
Heinitz

Jopp
Kaley
Kempe, A.
Kempe, R.
Knickerbocker
Kvam
Laidig

McCauley
Nelsen
Niehaus
Peterson
Pleasant
Savelkoul
Schreiber

Searle
Sieloff
Ulland
Wigley
Zubay

The motion prevailed.

Mr. Speaker:

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

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.

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Casserly moved that the House accede to the request of the Senate for the appointment of a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 840. The motion prevailed.

Mr. Speaker:

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

S. F. No. 2277.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1857, 2164 and 2465.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 1800 and 2177.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2277, 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.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, by adding a subdivision; 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; 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, 161, 242, 245, and 246, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 16.02, Subdivision 16; 136A.121, Subdivision 3; 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.

The bill was read for the first time.

Faricy moved that S. F. No. 2277 and H. F. No. 2467, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1857, A bill for an act creating a Minnesota law revision board; prescribing its duties and functions; and appropriating funds for its operation.

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

S. F. No. 2164, A bill for an act relating to elections; limiting persons who may assist voters at the polling place; amending Minnesota Statutes, 1975 Supplement, Section 204A.34, by adding a subdivision.

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

S. F. No. 2465, A bill for an act relating to natural resources; appropriating money for overtime compensation to conservation officers pursuant to contract; describing the contract provisions.

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

S. F. No. 1800, A bill for an act relating to unemployment compensation; providing for exclusion of certain part time services; providing for an emergency surtax in employer contributions; modifying disqualifying conditions for employment compensation; permitting information to be furnished to department of public welfare by commissioner of employment services; permitting information to be furnished to department of employment services by commissioner of revenue; providing taxation of unemployment compensation benefits in certain conditions; providing a penalty; amending Minnesota Statutes 1974, Section 268.04, Subdivision 29; 268.06, by adding a subdivision; 268.10, Subdivision 1; 268.18, Subdivision 3; 268.12, Subdivision 12; and 290.61; Minnesota Statutes, 1975 Supplement, Sections 268.04, Subdivision 12; 268.06, Subdivision 8; 268.07, Subdivision 2; 268.09, Subdivision 1; and 290.01, Subdivision 20.

The bill was read for the first time.

Adams, L., moved that S. F. No. 1800 and H. F. No. 2269, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2177, A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; providing for a medical adviser in disability cases; inclusions and exclusions under the Minnesota state retirement system; mandatory retirement age for correctional officers; miscellaneous amendments to the elective state officers retirement plan and the unclassified employees retirement plan; providing for privacy of individual retirement data; providing for release of necessary data to governmental agencies; requiring an annual report to the legislature; excluding overtime payments for pension purposes; service credit for teachers on parental or maternity leave; elections to receive a combined service annuity; amending Minnesota Statutes 1974, Sections 352.01, Subdivisions

2A and 2B; 352C.02, Subdivisions 2, 3, and by adding a subdivision; 352C.04, Subdivisions 1 and 2a; 352C.05; 352C.09, Subdivision 1; 353.01, Subdivisions 2b 16, and 30; 353.03, Subdivision 1, and by adding a subdivision; 353.27, Subdivision 7; 353.30, Subdivision 3; 353.33, Subdivision 11, and by adding subdivisions; 353.34, Subdivision 6; 353.35; 353.656, Subdivision 6; Chapter 352C, by adding a section; Chapter 354, by adding a section; Chapter 356, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 43.051, Subdivision 3; 352D.02, Subdivision 1; 353.01, Subdivision 24; 353.03, Subdivision 2a; 353.15; and 353.29, Subdivision 7; and repealing Minnesota Statutes 1974, Sections 352C.04, Subdivisions 2 and 2b.

The bill was read for the first time.

Beauchamp moved that S. F. No. 2177 and H. F. No. 2535, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 1615:

Faricy, Philbrook and Wigley.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued until Monday, March 22, 1976.

MOTIONS AND RESOLUTIONS

Lindstrom moved that H. F. No. 2531 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Appropriations. The motion prevailed.

Lindstrom moved that H. F. No. 2288, now on General Orders, be re-referred to the Committee on Transportation. The motion prevailed.

Swanson moved that S. F. No. 1957 be recalled from the Senate for further consideration by the House. The motion prevailed.

Skoglund moved that H. F. No. 1267, now on General Orders, be re-referred to the Committee on Judiciary. The motion prevailed.

Laidig introduced:

House Resolution No. 34, A house resolution extending congratulations to the Stillwater High School Football Team on winning the state Class AA 1975 championship.

The resolution was referred to the Committee on Rules and Legislative Administration.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Monday, March 22, 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., Monday, March 22, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

