

STATE OF MINNESOTA

SIXTY-NINTH SESSION - 1976

NINETY-EIGHTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 25, 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	Eckstein	Kaley	Neisen	Sieben, H.
Adams, L.	Eken	Kalis	Nelsen	Sieben, M.
Adams, S.	Enebo	Kelly, R.	Nelson	Sieloff
Albrecht	Erickson	Kelly, W.	Niehaus	Simoneau
Anderson, G.	Esau	Kempe, A.	Norton	Skoglund
Anderson, I.	Evans	Kempe, R.	Novak	Smith
Arlandson	Ewald	Ketola	Osthoff	Smogard
Beauchamp	Faricy	Knickerbocker	Parish	Spanish
Begich	Fjoslien	Knoll	Patton	Stanton
Berg	Forsythe	Kostohryz	Pehler	Suss
Berglin	Friedrich	Kroening	Peterson	Swanson
Biersdorf	Fudro	Kvam	Petrafeso	Tomlinson
Braun	Fugina	Laidig	Philbrook	Ulland
Brinkman	George	Langseth	Pleasant	Vanasek
Byrne	Graba	Lemke	Prahl	Vento
Carlson, A.	Hanson	Lindstrom	Reding	Voik
Carlson, L.	Haugerud	Luther	Rice	Voss
Carlson, R.	Heinitz	Mangan	St. Onge	Wenstrom
Casserly	Hokanson	Mann	Samuelson	Wenzel
Clark	Jacobs	McCarron	Sarna	White
Clawson	Jaros	McCauley	Savelkoul	Wieser
Corbid	Jensen	McCollar	Schreiber	Wigley
Dahl	Johnson, C.	McEachern	Schulz	Williamson
Dean	Johnson, D.	Menning	Schumacher	Zubay
DeGroat	Jopp	Metzen	Searle	Speaker Sabo
Dieterich	Jude	Moe	Setzepfandt	
Doty	Kahn	Munger	Sherwood	

A quorum was present.

Birnstihl was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. On the motion of Kalis 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. 2122, 2137, 1120, 1940, 2386, 2531, 2332 and 2564 and S. F. Nos. 2288, 2014, 466 and 2309 have been placed in the members' files.

S. F. No. 2014 and H. F. No. 2112, which had been referred to the Chief Clerk for comparison, were examined and found to be identical, except S. F. No. 2014, page 1, lines 11 to 19 contains the language "June 27, 1973, with respect to permanent disability benefits, retirement annuities, and retirement allowance options II, III and IV paid to surviving spouses pursuant to Minnesota Statutes 1971, Section 422.08 provided by the Minneapolis municipal employees retirement fund; April 25, 1959, with respect to survivor benefits paid to surviving spouses of contributing members provided by the Minneapolis municipal employees retirement fund;"

Whereas H. F. No. 2112, page 1, line 11 after the semicolon does not contain this language.

H. F. 2112, page 1, lines 15 and 16 contains "of a covered fund" whereas S. F. No. 2014, page 2, line 1, after "members" does not contain this language.

H. F. No. 2112, page 1, line 18, contains "of a covered fund" whereas S. F. No. 2014, page 2, line 4 does not contain this language.

H. F. No. 2112, page 2, line 11, contains "or" whereas S. F. No. 2014, page 2, line 19, does not.

H. F. No. 2112, page 2, line 12 contains a period, whereas S. F. No. 2014, page 2, line 20, contains a semicolon.

S. F. No. 2014, page 2, lines 21 to 23 contains the language:

"(6) the Minneapolis municipal employees retirement fund;
or

(7) the legislators' retirement plan."

Whereas H. F. No. 2112, page 2, after line 12 does not contain this language.

S. F. No. 2014, page 3, lines 1 to 6 contains the language: "Provided however, that no plan participant who is receiving a permanent disability benefit or a retirement annuity from the Minneapolis municipal employees retirement fund in excess of \$500 per month shall be entitled to an increase in such benefit or annuity pursuant to this act."

Whereas H. F. No. 2112, page 2, line 22 does not contain this language.

S. F. No. 2014, page 4, line 9, contains "payment" whereas H. F. No. 2112, page 3, line 25, contains "accruing".

S. F. No. 2014, page 4, lines 11 to 17 contains the language: "Provided however, that no surviving spouse who is receiving an option II, III or IV survivor retirement allowance pursuant to Minnesota Statutes 1971, Section 422.08 provided by the Minneapolis municipal employees retirement fund shall be entitled to an increase in such annnuity pursuant to this act if the retirement annuity which was paid or payable to the plan participant was in excess of "\$500 per month."".

Whereas H. F. No. 2112, page 3, after line 26, does not contain this language.

H. F. No. 2112, page 4, line 17, contains "Subdivision 1." whereas S. F. No. 2014, page 5, line 8 does not contain this language.

H. F. No. 2112, page 4, line 18, contains "\$16,888,250" whereas S. F. No. 2014, page 5, line 9, contains "\$19,852,833".

H. F. No. 2112, page 4, line 20, contains "\$32,102" whereas S. F. No. 2014, page 5, line 12, contains "\$210,075".

H. F. No. 2112, page 4, line 22, contains "\$359,302" whereas S. F. No. 2014, page 5, line 14, contains "\$361,079".

H. F. No. 2112, page 4, line 25, contains a period, whereas S. F. No. 2014, page 5, line 17, contains a semicolon.

H. F. No. 2112, page 4, lines 26 to 28 reads:

"Subd. 2. There is hereby appropriated to the highway patrolmen's retirement fund \$165,782 from the trunk highway fund and \$39,472 from the game and fish fund."

Whereas S. F. No. 2014, page 5, lines 18 to 28 reads:

"(6) To the Minneapolis municipal employees retirement fund \$2,740,752;

(7) To the executive director of the Minnesota state retirement system for the purpose of paying increases to plan participants of the legislators' retirement plan pursuant to this act \$43,375;

(8) To the executive director of the Minnesota state retirement system for the purposes of paying increases to surviving

spouses of plan participants of the legislators' retirement plan pursuant to this act for the fiscal year ending July 1, 1977 \$783."

H. F. No. 2112, page 5, line 19 to page 6, line 8, contains the language:

"Sec. 9. Each retirement fund providing benefits or annuities to which the increases in this act apply shall calculate the amount of the increase in its accrued liability attributable to the implementation of this act based on census data as of June 30, 1976. The results of this calculation shall be transmitted and supporting data made available to the legislative commission on pensions and retirement, the chairman of the committee on appropriations of the house of representatives, the chairman of the committee on finance of the senate, and the commissioner of finance no later than November 1, 1976. Any amount appropriated by this act in excess of the amounts required as determined by the calculation made pursuant to this section shall be returned to the fund from which the appropriation was made, by the commissioner of finance.

In the event of such an excess appropriation to the highway patrolmen's retirement fund, the excess amount shall be returned to the general fund, the trunk highway fund, and the game and fish fund in proportion to the amounts appropriated from each fund pursuant to section 5, subdivision 1, clause (1); and section 5, subdivision 2 of this act."

Whereas S. F. No. 2014, page 6, after line 18 does not contain this language.

SUSPENSION OF RULES

Moe moved that the rules be so far suspended that S. F. No. 2014 be substituted for H. F. No. 2112 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. No. 2014 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Berglin, Clark and Rice introduced:

H. F. No. 2697, A bill for an act relating to public welfare; authorizing medical assistance for aged, blind and disabled persons who have real estate; amending Minnesota Statutes, 1975 Supplement, Section 256B.06, Subdivision 1.

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

Esau; Kempe, R.; Nelsen; Sherwood and DeGroat introduced:

H. F. No. 2698, A bill for an act relating to game and fish; providing for permits to shoot or hunt from a standing vehicle to be issued to temporarily disabled persons; amending Minnesota Statutes, 1975 Supplement, Section 98.48, Subdivision 12.

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

Samuelson introduced:

H. F. No. 2699, A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article IV; providing for referenda.

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

Samuelson, Corbid and Anderson, I., introduced:

H. F. No. 2700, A bill for an act relating to regional development; providing a method for withdrawal of government units from regional development commissions; amending Minnesota Statutes 1974, Section 462.385, by adding a subdivision.

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Pursuant to Joint Rule 13, Pehler reported on the progress of H. F. No. 525, now in Conference Committee.

Pursuant to Joint Rule 13, Fugina reported on the progress of H. F. No. 1382, now in Conference Committee.

Pursuant to Joint Rule 13, Berg reported on the progress of H. F. No. 1997, now in Conference Committee.

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

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. 1026, A bill for an act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency and the metropolitan council; appropriating money; amending Laws 1975, Chapter 13, Section 18, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sherwood moved that the House concur in the Senate amendments to H. F. No. 1026 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1026, A bill for an act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency; appropriating money.

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

The question being taken on the repassage of the bill and the roll being called, there were yeas 119, and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Eckstein Kaley Lemke

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

Mr. Speaker:

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

H. F. No. 718, A bill for an act relating to forcible entry and unlawful detainer; amending Minnesota Statutes 1974, Section 566.06.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Sieben, H., moved that the House concur in the Senate amendments to H. F. No. 718 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 718, A bill for an act relating to forcible entry and unlawful detainer; providing for stay of writ of restitution; amending Minnesota Statutes 1974, Sections 566.06; and 566.09.

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 122, and nays 0, as follows:

Those who voted in the affirmative were:

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

Smith
Smogard
Spanish
Stanton

Suss
Swanson
Ulland
Vanasek

Vento
Voss
Wenstrom
Wenzel

White
Wieser
Wigley
Zubay

Speaker Sabo

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

Mr. Speaker:

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

H. F. No. 1865, A bill for an act relating to crimes; providing increased sentences for persons convicted of certain second or subsequent violations of theft; prescribing penalties; amending Minnesota Statutes 1974, Section 609.52, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kempe, A., moved that the House concur in the Senate amendments to H. F. No. 1865 and that the bill be repassed as amended by the Senate.

A roll call was requested and properly seconded.

MOTION FOR RECONSIDERATION

Ketola moved that the vote on Tuesday, March 23, 1976, whereby the motion to refuse to concur in the Senate amendments to H. F. No. 1865 did not prevail, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion to reconsider and the roll being called, there were yeas 61, and nays 70, as follows:

Those who voted in the affirmative were:

Adams, L.
Anderson, I.
Arlandson
Beauchamp
Berg
Berglin
Braun
Brinkman
Byrne
Carlson, L.
Carlson, R.

Casserly
Clark
Clawson
Corbid
Dahl
Doty
Eckstein
Eken
George
Graba
Jaros

Johnson, C.
Kahn
Kalis
Kelly, W.
Ketola
Kostohryz
Kroening
Lindstrom
Luther
Mann
McCarron

Menning
Moe
Munger
Neisen
Nelson
Norton
Novak
Parish
Patton
Pehler
Rice

Samuelson
Schumacher
Setzepfandt
Sieben, H.
Sieben, M.
Skoglund
Smogard
Spanish
Stanton
Suss
Ulland

Vanasek	Voss	Wenstrom	Wenzel	Williamson
Volk				

Those who voted in the negative were:

Abeln	Faricy	Kaley	Metzen	Schulz
Adams, S.	Fjoslien	Kelly, R.	Nelsen	Searle
Albrecht	Forsythe	Kempe, A.	Niehaus	Sherwood
Anderson, G.	Friedrich	Kempe, R.	Osthoff	Sieloff
Begich	Fudro	Knickerbocker	Peterson	Simoneau
Biersdorf	Fugina	Knoll	Petrafeso	Smith
Carlson, A.	Hanson	Kvam	Philbrook	Swanson
Dean	Haugerud	Laidig	Pleasant	Tomlinson
DeGroat	Heinitz	Langseth	Prahl	Vento
Enebo	Hokanson	Lemke	Reding	White
Erickson	Jacobs	Mangan	St. Onge	Wieser
Esau	Jensen	McCauley	Sarna	Wigley
Evans	Johnson, D.	McCollar	Savelkoul	Zubay
Ewald	Jude	McEachern	Schreiber	Speaker Sabo

The motion did not prevail.

The question recurred on the Kempe, A., motion to concur in the Senate amendments to H. F. No. 1865 and the roll being called, there were yeas 73, and nays 60, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Jude	Metzen	Sieben, M.
Adams, S.	Erickson	Kaley	Nelsen	Sieloff
Albrecht	Esau	Kelly, R.	Niehaus	Simoneau
Anderson, G.	Evans	Kempe, A.	Novak	Smith
Anderson, I.	Ewald	Kempe, R.	Osthoff	Smogard
Begich	Faricy	Knickerbocker	Peterson	Swanson
Biersdorf	Fjoslien	Knoll	Petrafeso	Tomlinson
Braun	Forsythe	Kroening	Philbrook	Vento
Byrne	Friedrich	Laidig	Pleasant	Wenzel
Carlson, A.	George	Langseth	Prahl	White
Carlson, L.	Hanson	Luther	St. Onge	Wieser
Carlson, R.	Heinitz	McCarron	Sarna	Wigley
Dahl	Hokanson	McCauley	Savelkoul	Zubay
Dean	Jacobs	McEachern	Schreiber	
DeGroat	Jensen	Menning	Schulz	

Those who voted in the negative were:

Adams, L.	Eken	Kelly, W.	Nelson	Sieben, H.
Arlandson	Enebo	Ketola	Norton	Skoglund
Beauchamp	Fudro	Kostohryz	Parish	Spanish
Berg	Fugina	Kvam	Patton	Stanton
Berglin	Graba	Lemke	Pehler	Suss
Brinkman	Haugerud	Lindstrom	Reding	Ulland
Casserly	Jaros	Mangan	Rice	Vanasek
Clark	Johnson, C.	Mann	Samuelson	Volk
Clawson	Johnson, D.	McCollar	Schumacher	Voss
Corbid	Jopp	Moe	Searle	Wenstrom
Dieterich	Kahn	Munger	Setzepfandt	Williamson
Doty	Kalis	Neisen	Sherwood	Speaker Sabo

The motion prevailed.

H. F. No. 1865, A bill for an act relating to crimes and corrections; sentencing and post conviction disposition of criminal offenders; transferring the powers and duties of the Minnesota corrections authority to the commissioner of corrections; abolishing the Minnesota corrections authority; providing for determinate sentencing; providing for a mutual agreement program; amending Minnesota Statutes 1974, Sections 152.15; 401.13; 609.03; 609.10; 609.135; Subdivision 1; 609.145, Subdivision 1; 609.165; Subdivision 2; 609.17, Subdivision 4; 609.175, Subdivision 2; 609.19; 609.195; 609.20; 609.205; 609.21; 609.215; 609.225; 609.235; 609.24; 609.245; 609.25, Subdivision 2; 609.255; 609.26; 609.27, Subdivision 2; 609.293, Subdivisions 2, 3 and 4; 609.31; 609.32; 609.355, Subdivision 2; 609.365; 609.375, Subdivision 2; 609.39; 609.395; 609.405, Subdivision 2; 609.42, Subdivision 1; 609.425; 609.445; 609.455; 609.465; 609.48, Subdivisions 1 and 4; 609.485, Subdivision 4; 609.495, Subdivision 1; 609.52, Subdivision 3; 609.525, Subdivision 1; 609.53, Subdivisions 1 and 3; 609.54; 609.55, Subdivision 2; 609.56; 609.565; 609.58, Subdivision 2; 609.59; 609.595, Subdivision 1; 609.60; 609.61; 609.615; 609.62, Subdivision 2; 609.625; 609.63; 609.635; 609.64; 609.645; 609.65; 609.67, Subdivision 2; 609.71; 609.713; 609.785; 609.82; 609.825, Subdivision 2; 609.83; Minnesota Statutes, 1975 Supplement, Sections 609.185; 609.342; 609.343; 609.344; 609.345; 609.52, Subdivision 2; 609.521; and 609.551, Subdivision 1; repealing Minnesota Statutes 1974, Sections 241.045, as amended; 242.24; 243.06; 243.14; 243.18; 246.43; 609.11, as amended; 609.13, Subdivision 1; 609.155; and 609.16.

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 65, and nays 67, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Hokanson	Langseth	Prahl
Adams, S.	Eckstein	Jacobs	Luther	St. Onge
Anderson, G.	Enebo	Jensen	McCauley	Sarna
Anderson, I.	Erickson	Jude	McEachern	Savelkoul
Arlandson	Esau	Kaley	Menning	Schreiber
Begich	Ewald	Kelly, R.	Metzen	Sieben, M.
Biersdorf	Faricy	Kempe, A.	Nelsen	Sieloff
Braun	Fjoslien	Kempe, R.	Novak	Simoneau
Byrne	Forsythe	Knickerbocker	Osthoff	Swanson
Carlson, A.	Friedrich	Knoll	Peterson	Tomlinson
Carlson, L.	George	Kostohryz	Petrafoes	Vento
Dahl	Hanson	Kroening	Philbrook	White
Dean	Heinitz	Laidig	Pleasant	Zubay

Those who voted in the negative were:

Adams, L.	Berg	Carlson, R.	Clawson	Doty
Albrecht	Berglin	Casserly	Corbid	Eken
Beauchamp	Brinkman	Clark	Dieterich	Evans

Fudro	Ketola	Niehaus	Setzepfandt	Volk
Fugina	Kvam	Norton	Sherwood	Voss
Graba	Lemke	Parish	Sieben, H.	Wenstrom
Haugerud	Lindstrom	Patton	Skoglund	Wenzel
Jaros	Mangan	Pehler	Smith	Wieser
Johnson, C.	Mann	Reding	Smogard	Wigley
Johnson, D.	McCollar	Rice	Spanish	Williamson
Jopp	Moe	Samuelson	Stanton	Speaker Sabo
Kahn	Munger	Schulz	Suss	
Kalis	Neisen	Schumacher	Ulland	
Kelly, W.	Nelson	Searle	Vanasek	

The bill was not repassed, as amended by the Senate.

MOTION FOR RECONSIDERATION

Searle moved that the vote whereby H. F. No. 1865, as amended by the Senate, was not repassed be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion to reconsider and the roll being called, there were yeas 74, and nays 57, as follows:

Those who voted in the affirmative were:

Abeln	Erickson	Kelly, R.	Nelsen	Sieloff
Adams, S.	Esau	Kempe, A.	Niehaus	Simoneau
Albrecht	Ewald	Kempe, R.	Novak	Smogard
Anderson, G.	Faricy	Knickerbocker	Osthoff	Spanish
Anderson, I.	Fjoslien	Knoll	Peterson	Swanson
Begich	Forsythe	Kostohryz	Philbrook	Tomlinson
Biersdorf	Friedrich	Kroening	Pleasant	Vanasek
Braun	Hanson	Laidig	Prahl	Vento
Byrne	Heinitz	Langseth	Reding	Wenstrom
Carlson, A.	Hokanson	Luther	St. Onge	Wenzel
Carlson, L.	Jacobs	McCauley	Sarna	White
Dean	Jensen	McCollar	Savelkoul	Wieser
DeGroat	Jopp	McEachern	Schreiber	Williamson
Eckstein	Jude	Menning	Sieben, H.	Zubay
Enebo	Kaley	Metzen	Sieben, M.	

Those who voted in the negative were:

Adams, L.	Doty	Kalis	Norton	Skoglund
Arlandson	Eken	Kelly, W.	Parish	Smith
Beauchamp	Evans	Ketola	Patton	Stanton
Berg	Fudro	Kvam	Pehler	Suss
Berglin	Fugina	Lemke	Petrafeso	Ulland
Brinkman	George	Lindstrom	Rice	Volk
Carlson, R.	Graba	Mangan	Samuelson	Voss
Casserly	Haugerud	Mann	Schulz	Wigley
Clark	Jaros	Moe	Schumacher	Speaker Sabo
Clawson	Johnson, C.	Munger	Searle	
Corbid	Johnson, D.	Neisen	Setzepfandt	
Dieterich	Kahn	Nelson	Sherwood	

The motion prevailed.

H. F. No. 1865, as amended by the Senate, was reported to the House.

Savelkoul moved that the action whereby H. F. No. 1865 was given its third reading, as amended by the Senate, be now reconsidered. The motion prevailed.

Savelkoul moved that the vote whereby the House concurred in the Senate amendments to H. F. No. 1865 be now reconsidered. The motion prevailed.

Savelkoul moved that the House refuse to concur in the Senate amendments to H. F. No. 1865, 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.

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

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2274, A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

Reported the same back with the following amendments:

Page 1, delete lines 21 to 23 and insert:

"Sec. 2. Any unexpended balance remaining in the first year in Laws 1975, Chapter 434, Section 2, Subdivisions 3 and 5, shall not cancel but shall be available in the second year of the biennium and may be used for the purposes of this act."

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 2466, A bill for an act relating to historic sites; designating additional historic sites; amending Minnesota Statutes 1974, Sections 138.081, by adding a subdivision; 138.53, Subdivisions 7, 38, and by adding subdivisions; 138.58, by adding subdivisions; and 138.73, Subdivision 17.

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 486, A bill for an act relating to highway traffic regulations; requiring counties to establish presentence investigation and counseling alcohol safety programs and alcohol safety enforcement programs; requiring presentence investigation reports for certain driving offenses; appropriating money; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6; and Chapter 169, by adding sections.

Reported the same back with the following amendments:

Page 1, line 14, after "*county*" and before "*shall*" insert "*having a population of more than 10,000*".

Page 1, line 15, before "*establish*" insert "*and the county board of every county having a population of less than 10,000 may*".

Page 1, delete lines 19 to 25.

Page 2, delete line 1 and insert:

"Subd. 2. The presentence investigation shall be conducted under the direction of the court and by such persons or agencies as the court deems qualified to provide the investigation and report as described in section 4 of this act. The presentence investigation may be conducted by court services probation officers having the required knowledge and skills in the assessment of alcohol problems, by alcoholism counselors, by persons conducting court sponsored driver improvement clinics if in the judgment of the court such persons have the required knowledge and skills in the assessment of alcohol problems, by appropriate staff

members of public or private alcohol treatment programs and agencies or mental health clinics, by court approved volunteer workers such as members of Alcoholics Anonymous, or by such other qualified persons as the court may direct. The commissioner of public safety shall provide the courts with information and assistance in establishing presentence investigation programs suited to the needs of the area served by each court. The commissioner shall consult with the alcohol and other drug abuse section in the department of public welfare and with local community mental health boards in providing such information and assistance to the courts. The commissioner of public safety shall promulgate rules and standards, consistent with this subdivision, for reimbursement under the provisions of subdivision 3 of this section. The promulgation of such rules and standards shall not be subject to Minnesota Statutes, Chapter 15."

Page 2, line 7, after the period insert "Payments shall be made annually and prorated if insufficient funds are appropriated."

Page 2, delete lines 8 to 14.

Page 2, line 32, delete "Any agreement entered".

Page 3, delete lines 1 and 2.

Page 3, line 3, delete "471.59."

Page 3, line 8, after "conducted" insert "in counties of more than 10,000 population".

Page 3, after line 29, insert:

"Subd. 5. Whenever a person is convicted of a second or subsequent offense described in subdivision 1 and the court is either provided with an appropriate treatment or rehabilitation recommendation from sources other than the presentence investigation provided for in this section, or has sufficient knowledge both of the person's need for treatment and an appropriate treatment or rehabilitation plan, and the court finds that requiring a presentence investigation would not substantially aid the court in sentencing, such a presentence investigation need not be conducted."

Page 4, after line 1, insert:

"The commissioner of public safety is directed to seek funding for this program under the provisions of the national law enforcement assistance act and the national traffic and highway safety act and this appropriation shall be decreased to the extent that such federal funding is provided."

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 1615, A bill for an act relating to natural resources; prohibiting, except in national emergencies, certain activities in the boundary waters canoe area; prohibiting certain activities outside the boundary waters canoe area which cause degradation of a natural resource within the boundary waters canoe area.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. [84.523] [MANAGEMENT OF STATE MINERALS AND RELATED RESOURCES IN THE BOUNDARY WATERS CANOE AREA OF THE SUPERIOR NATIONAL FOREST.] Subdivision 1. [DEFINITION.] For the purposes of this section, the term "boundary waters canoe area" means that area of lands and waters included within the boundaries designated in federal regulation REG U-3, 36 Code of Federal Regulations 293.16, as that regulation provided on January 1, 1975.

Subd. 2. [LEGISLATIVE FINDINGS AND PURPOSE.] The legislature finds that a combination of state legislative and administrative actions and court decisions have established a public policy of primarily wilderness management for state lands and waters within the boundary waters canoe area. This state policy, together with a similar federal policy and international actions consistent with these state and federal policies, has created an area of hundreds of thousands of acres of land and water containing myriad lakes and streams, wooded shores, virgin forests, and other natural attractions of surpassing scenic beauty and solitude, free from substantially all commercial activities and artificial development such as hydroelectric dams and power lines, resorts, roads, sawmills, and timber harvesting in no-cut zones.

Subd. 3. [MINING, AND USE OF STATE NATURAL RESOURCES FOR MINING, PROHIBITED IN B.W.C.A.] Except with the prior approval of the legislature in those cases of national emergency which have been declared by the Congress and which direct the need for exploration and mining of federal lands within the boundary waters canoe area, no state owned or administered land may be leased for exploration or mining of

minerals, and no state permits, licenses or leases shall be issued to use any other state natural resources for any mineral exploration or mining operations in the boundary waters canoe area.

Subd. 4. [PEAT HARVESTING PROHIBITED IN BOUNDARY WATERS CANOE AREA.] Except with prior approval of the legislature in those cases of national emergency which have been declared by the Congress and which direct the need for exploitation of peat deposits on federal land within the boundary waters canoe area, no state owned or administered land may be leased for the purpose of harvesting peat, and no state permits, licenses or leases shall be issued to use any other state natural resources for the purpose of harvesting peat in the boundary waters canoe area.

Subd. 5. (a) No timber harvesting is permitted on state owned or administered land within the interior zone of the boundary waters canoe area, as described on the map relating thereto as established by the secretary of agriculture on January 12, 1965, and as the boundaries have been added to by the chief of the United States forest service through December 31, 1975.

(b) Timber harvesting on state owned or administered land in the area not included in the interior zone of the boundary waters canoe area, commonly referred to as the portal zone, is permitted in accordance with a management plan prepared by the commissioner of natural resources which shall include but not be limited to the following guidelines:

(1) In addition to the limitations on logging prescribed by Minnesota Statutes, Section 92.45, and the Shipstead Nolan Act, Public Law 539, Seventy first Congress, July 10, 1930; 46 Stat. 1020, the management plan shall provide for adequate protection of the forest vegetation along lakes, watercourses, and permanent roadways where necessary to protect the aesthetic qualities of the area;

(2) Significant stands of large specimens of virgin forest vegetation shall be preserved where, in the opinion of the commissioner, such stands will enhance the aesthetic or recreational qualities, or both, of the area;

(3) All access points to timber harvesting operations on state owned or administered land in the portal zone shall be closed off upon completion of the harvest; and

(4) The management plan shall be submitted by the commissioner to the house environment and natural resources committee and to the senate natural resources and agriculture committee on or before January 15, 1977, for their review. However, before

January 15, 1977, the commissioner may, in his discretion, authorize timber harvesting on state owned or administered land in the portal zone in accordance with the management plan.

Subd. 6. [RESOURCE DEGRADATION PROHIBITED.] No agency or political subdivision shall grant approval or issue any rule, regulation, permit or license authorizing or allowing the commercial development, exploitation or removal of a natural resource located outside the boundary waters canoe area by mining, peat harvesting or related activities which would result in degradation of a natural resource within the boundary waters canoe area. For the purpose of this subdivision degradation shall mean a significant effect upon air and water which creates a substantial likelihood of significant damage to plant or animal life.

Sec. 2. [APPROPRIATION.] The sum of \$50,000 is appropriated to the department of natural resources for the implementation of subdivision 5 of this act for the period ending June 30, 1977.

Sec. 3. [EFFECTIVE DATE.] This act is effective the day after its final enactment."

Further delete the title in its entirety and insert:

"A bill for an act relating to natural resources; prohibiting, except in national emergencies, the leasing of state minerals and the use of state natural resources in connection with mining in the boundary waters canoe area; appropriating money."

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

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 2241, A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. [MIGRATORY WATERFOWL STAMPS.] Subdivision 1. [DEFINITIONS.] As used in this section:

(1) "Migratory waterfowl" means any wild goose, brant, or wild duck.

(2) "Department" means department of natural resources.

(3) "Stamp" means the state migratory waterfowl stamp furnished by the department.

(4) "Development" includes, but is not limited to, the construction of dikes, water control structures and impoundments, nest cover, rough fish barriers, acquisition for sites of development and any and all facilities for the management of existing waterfowl habitat and the creation of waterfowl management lakes.

Subd. 2. [STAMP REQUIRED.] No person required to possess a Minnesota small game license shall hunt or take any migratory waterfowl within this state without first procuring a state migratory waterfowl stamp and having such stamp in his possession while hunting or taking any migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across the face of such stamp. The department shall determine the form of the stamp and shall furnish the stamps to the county auditors and their designated agents for issuance or sale in the same manner as hunting licenses are issued or sold under Minnesota Statutes, Chapter 98.

Subd. 3. [FEE.] A stamp shall be issued to each hunting license applicant upon written application on forms furnished by the department containing the name and address of the purchaser, upon the payment of a fee of \$3. Each stamp shall expire on December 31 following its issuance. Receipts shall be deposited in the game and fish fund.

Subd. 4. [USE OF REVENUE.] All revenue shall be used for projects approved by the department for the purpose of development of state wetland and designated waterfowl management lakes for maximum waterfowl production, protecting and propagating migratory waterfowl and for the development, restoration, maintenance or preservation of wetlands.

Subd. 5. There is hereby appropriated from the game and fish fund the sum of \$400,000 for the purpose of this act for fiscal year ending July 1, 1977, provided that the commissioner of finance shall not permit the allotment, encumbrance, or expenditure of any funds appropriated in this section in excess of the anticipated annual revenue.

Subd. 6. This act shall expire on March 1, 1982, unless renewed by the legislature."

Further delete the title in its entirety and insert:

"A bill for an act relating to game and fish; requiring a migratory waterfowl stamp; providing for disposition of proceeds of sale; appropriating money."

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

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 37, A house resolution relating to the house leadership scholarship fund.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 2688, A resolution urging Congress and the President to establish the Solar Energy Research Institute in Minnesota.

Reported the same back with the following amendment:

Page 3, line 7, after "Senate," insert "the Energy, Research and Development Administration,".

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

The report was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

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.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2274, 2466 and 2688 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 486, 1615, 2241 and 2436 were read for the second time.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 1530, A bill for an act relating to land planning in the metropolitan area; requiring local adoption of minimum plans and controls; providing for limited council review and acceptance prior to the adoption of such plans and controls; providing for an advisory metropolitan land planning committee; providing for the enforcement of adopted local plans and controls; including certain expenses in the definition of special levy; providing for interim zoning; amending Minnesota Statutes 1974, Section 462.355, by adding a subdivision; and Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivision 1; and 473.175.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

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.

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce 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. 2203, A bill for an act relating to medical assistance for the needy; establishing guidelines for reimbursement of medical services furnished by nursing homes; prescribing certain responsibilities for the department of public welfare.

PATRICK E. FLAHAVEN, Secretary of the Senate

Petrafeso moved that the House refuse to concur in the Senate amendments to H. F. No. 2203, 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.

CALENDAR

There being no objection, the Calendar for today was continued until Friday, March 26, 1976.

CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Kelly, W., requested immediate consideration of H. F. No. 2546, and S. F. Nos. 2210 and 1928.

H. F. No. 2546, A bill for an act relating to taxation; providing for certain limitations on real property valuation; amending Minnesota Statutes, 1975 Supplement, Sections 273.11, Subdivision 2 and 273.17, Subdivision 1; repealing Minnesota Statutes 1974, Section 273.11, 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 0, as follows:

Those who voted in the affirmative were:

Abeln	Arlandson	Braun	Casseri	DeGroat
Adams, L.	Beauchamp	Brinkman	Clark	Dieterich
Adams, S.	Begich	Byrne	Clawson	Doty
Albrecht	Berg	Carlson, A.	Corbid	Eckstein
Anderson, G.	Berglin	Carlson, L.	Dahl	Eken
Anderson, I.	Biersdorf	Carlson, R.	Dean	Enebo

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

The bill was passed and its title agreed to.

S. F. No. 2210, A bill for an act relating to Red River watershed; authorizing watershed districts which are members of the lower Red River watershed management board to levy a tax; authorizing the management board to institute certain projects; allowing the board to enter certain intergovernmental agreements.

The bill was read for the 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 121, and nays 5, as follows:

Those who voted in the affirmative were:

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

Vanasek	Voss	White	Zubay	Speaker Sabo
Vento	Wenstrom	Wieser		
Volk	Wenzel	Wigley		

Those who voted in the negative were:

Anderson, I.	DeGroat	Kempe, A.	Ketola	Sherwood
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The bill was passed and its title agreed to.

S. F. No. 1928, A bill for an act relating to the city of Maplewood; paramedic service; authorizing the collection of taxes in excess of the levy limits for purposes of the paramedic program.

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 120, and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

DeGroat	Ewald	Niehaus	Saveikoul	Schreiber
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The bill was passed and its title agreed to.

The following conference committee report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 943

A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 2, 6, 7, 12, and by adding a subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 375.164; repealing Minnesota Statutes 1974, Sections 238.05, Subdivisions 8 and 16; and 238.09, Subdivision 2.

March 22, 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. 943 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. 943 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 238.02, Subdivision 11, is amended to read:

Subd. 11. "Person" shall mean any individual, trustee, partnership, *municipality*, association, corporation or other legal entity.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 238.04, Subdivision 1, is amended to read:

238.04 [COMMISSION CREATED.] Subdivision 1. A state commission on cable communication is hereby created within the department of administration and shall consist of seven members. (THE COMMISSION SHALL RESIDE WITHIN THE DEPARTMENT OF ADMINISTRATION FOR A PERIOD NOT TO EXCEED FOUR YEARS FROM MAY 24, 1973.)

The members of the commission shall be representative of the broad range of interests related to telecommunication needs and concerns.

Sec. 3. Minnesota Statutes 1974, Section 238.05, Subdivision 2, is amended to read:

Subd. 2. The commission shall, to the extent permitted by, and not contrary to, applicable federal and state law, rules and regulations:

(a) prescribe procedures and practices which municipalities shall follow in granting franchises, including those providing for issuance of a public invitation to compete for the franchise, said invitation containing the outlines for the municipality's cable system and the desired services as well as the criteria and priorities (WHICH SHALL BE APPLIED) *the municipality has developed to review franchise applications;*

(b) prescribe minimum standards for inclusion in franchises, including maximum initial, renegotiation and renewal periods; length of residential subscriber contracts; provisions for municipal purchase; *prohibition against the invasion of privacy through a cable communications system; provisions covering the construction, operation and abandonment of cable communications systems;* and a requirement that no such franchise may be exclusive. Taking into account the size of the cable communications system, the commission shall also prescribe minimum standards for performance bond requirements; for channel capacity; for two-way capability; for access to, and facilities to make use of, channels for education, government, *and* the general public; and for construction and operation of the cable communication system;

((C) PRESCRIBE A LIST OF ITEMS FOR INCLUSION IN FRANCHISES;)

((D)) (c) prescribe standards for: franchises awarded in the twin cities metropolitan area which designate a uniform regional channel (RESERVED FOR PUBLIC USE); the interconnection of all cable systems within this area; and the designation of a single entity to schedule programs and facilitate use of this channel;

(d) *designate the entity referred to in clause (c) and prescribe rules for its operation and practice which rules shall insure that priority is given to public use of the uniform regional channel.*

Sec. 4. Minnesota Statutes 1974, Section 238.05, Subdivision 6, is amended to read:

Subd. 6. The commission shall adopt, after consulting with either the metropolitan council or regional development commissions of the state as appropriate, a set of minimum standards for the establishment of cable territories within which a franchise may be awarded, and procedures to be followed for alteration of cable service territory boundaries (**BY MUNICIPALITIES IN THE TWIN CITIES METROPOLITAN AREA AS DESIGNATED IN MINNESOTA STATUTES 1971, SECTION 473B.01, AND OTHER DESIGNATED STANDARD METROPOLITAN STATISTICAL AREAS**).

Sec. 5. Minnesota Statutes 1974, Section 238.05, Subdivision 7, is amended to read:

Subd. 7. The commission shall approve (**MODIFY**) or reject boundaries for specific territories upon receipt of proposals from municipalities or cable communications operator applicants, after consultation with the metropolitan council or the affected regional planning commission. *If the proposed boundaries, in whole or part, are within the seven county metropolitan area, the metropolitan council shall be allowed 90 days to review and comment on the proposed boundaries.*

Sec. 6. Minnesota Statutes 1974, Section 238.05, is amended by adding a subdivision to read:

Subd. 17. The commission shall also promulgate rules pertaining to cable transmission line extension by cable communications companies.

Sec. 7. Minnesota Statutes 1974, Section 238.06, Subdivision 1, is amended to read:

238.06 [POWERS OF COMMISSION.] Subdivision 1. The commission may promulgate, issue, amend, rescind, and provide for the enforcement of such (**ORDERS,**) rules and regulations as it may find necessary or appropriate to carry out the provisions of (**LAWS 1973, CHAPTER 568**) *chapter 238* in accordance with (**MINNESOTA STATUTES 1971,**) *chapter 15*. *The commission may also issue any necessary and appropriate orders.* Such orders, rules and regulations may classify persons and matters within the jurisdiction of the commission and prescribe different requirements for different classes of persons or matters. A copy of any order, rule or regulation promulgated hereunder shall be subject to public inspection during reasonable business hours.

Sec. 8. Minnesota Statutes 1974, Section 238.06, is amended by adding a subdivision to read:

Subd. 5. The commission may, upon a suitable showing of need in individual instances, order the interconnection of cable communications systems.

Sec. 9. Minnesota Statutes 1974, Section 238.06, is amended by adding a subdivision to read:

Subd. 6. The commission may require from any cable communications system granted a certificate of confirmation information and supporting documentation in the form and at the times the commission may deem appropriate.

Sec. 10. Minnesota Statutes 1974, Section 238.08, Subdivision 1, is amended to read:

238.08 [FRANCHISE REQUIREMENT.] Subdivision 1. A municipality shall (HAVE THE POWER TO) require a franchise of any cable communications system providing service within the municipality.

Sec. 11. Minnesota Statutes 1974, Section 238.08, Subdivision 2, is amended to read:

Subd. 2. Nothing in (THE PROVISIONS OF LAWS 1973, CHAPTER 568) *chapter 238* shall be construed to prevent franchise requirements in excess of those prescribed by the commission, unless such requirement is inconsistent with (THE PROVISIONS OF LAWS 1973, CHAPTER 568) *chapter 238* or any regulation (, POLICY OR PROCEDURE) of the commission.

Sec. 12. Minnesota Statutes 1974, Section 238.08, Subdivision 3, is amended to read:

Subd. 3. Nothing in (LAWS 1973, CHAPTER 568) *chapter 238* shall be construed to limit any municipality from the right to construct, purchase, and operate a cable communications system. *Any municipal system shall be subject to the laws, rules and regulations of the commission to the same extent as would any nonpublic cable communications system.*

Sec. 13. Minnesota Statutes 1974, Section 238.09, Subdivision 6, is amended to read:

Subd. 6. (ANY CABLE COMMUNICATIONS COMPANY GRANTED A FRANCHISE AFTER APRIL 1, 1973,) *Except as provided in subdivision 3, every cable communications company shall be required to secure a certificate of confirmation from the commission before becoming operational. Except as provided in subdivisions 3, 4, 5 and 9, such certificate may be granted after full commission proceedings and shall be for a period of ten years.*

Sec. 14. Minnesota Statutes 1974, Section 238.09, Subdivision 7, is amended to read:

Subd. 7. Any renewal of a certificate of confirmation shall be for a period of (FIVE) *ten years. A renewal certificate of*

confirmation may be issued prior to the expiration of any existing certificate.

Sec. 15. Minnesota Statutes 1974, Section 238.13, is amended to read:

238.13 [POLES, DUCTS AND CONDUITS.] The commission (SHALL WITHIN TWO YEARS FROM MAY 24, 1973,) *may* adopt appropriate rules specifying necessary regulations for contractual agreements between cable communications operators and any public utilities with respect to the use of poles, ducts, conduits, and other appurtenances related to the cable communications transmission lines.

Sec. 16. Minnesota Statutes 1974, Section 238.15, is amended to read:

238.15 [FINANCIAL INTEREST OF MEMBERS AND EMPLOYEES.] No member of the commission (AND NO EMPLOYEE OF THE COMMISSION) or person appointed pursuant to section 238.04, subdivision 7 shall be employed by, or shall knowingly have any financial interest in any cable communications company (HOLDING A FRANCHISE IN THE STATE, THEIR) or its subsidiaries, major equipment or programming suppliers, or in any broadcasting company holding an operating license issued by the federal communications commission (, THEIR) or its subsidiaries (, MAJOR EQUIPMENT OR PROGRAMMING SUPPLIERS). Members of any elected body granting franchises and employees of any franchising body who would be directly involved in the granting or administration of franchises for cable communications and who are employed *by or who knowingly* have any financial interest in any cable communications company (HOLDING A FRANCHISE IN THE STATE), *bidding on such franchise, or the cable communications company granted the franchise, or their* subsidiaries, major equipment or program suppliers shall abstain from participation in the franchising of a cable communications (COMPANIES) company or the administration of such franchise.

Sec. 17. Notwithstanding the provisions of Minnesota Statutes, Section 375.164, or any other law to the contrary, the county board of any county owning, operating or maintaining a translator system on the effective date of this act may singly or jointly with contiguous counties appropriate from the general revenue fund an amount necessary to fund the construction, acquisition, improvement maintenance and operations of a translator system either within or without the county for the purpose of receiving and transmitting television broadcasting signals. The county may singly or jointly with contiguous counties acquire, by gift, lease or purchase, any real estate or interest therein upon such terms or conditions, including contracts for fees, as it shall determine, either within or without the county, for the purpose

of establishing, improving or operating a television translator system. No real estate located in another county may be acquired unless the county board of the county in which the real estate is located approves the proposed acquisition. The county may issue bonds in accordance with the provisions of Minnesota Statutes, Chapter 475, for the acquisition, construction or improvement of television translator systems and the acquisition of real estate therefor.

Sec. 18. [REPEALER.] *Minnesota Statutes 1974, Section 238.09, Subdivision 2, is repealed.*

Sec. 19. [EFFECTIVE DATE.] *This act is effective on the day following its final enactment."*

Further delete the title in its entirety and insert:

"A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting certain counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.05, Subdivisions 2, 6, 7, and by adding a subdivision; 238.06, Subdivision 1, and by adding subdivisions; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 238.15; and Minnesota Statutes, 1975 Supplement, Section 238.04, Subdivision 1; repealing Minnesota Statutes 1974, Section 238.09, Subdivision 2."

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

House Conferees: PAUL MCCARRON, WILLIAM N. KELLY and C. THOMAS OSTHOFF.

Senate Conferees: GENE MERRIAM, JOHN B. KEEFE and WINSTON W. BORDEN.

McCarron moved that the report of the Conference Committee on H. F. No. 943 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 943, A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 2, 6, 7, 12; and by adding a

subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 375.164; repealing Minnesota Statutes 1974, Sections 238.05, Subdivisions 8 and 16; and 238.09, 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 120, and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin	Eckstein	Erickson	Kalis	Kroening
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The bill was repassed, as amended by Conference, and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to Rule 1.10, Norton requested immediate consideration of S. F. No. 2375; H. F. Nos. 2531 and 2564; S. F. Nos. 2288 and 2581.

S. F. No. 2375 was reported to the House.

Sieben, M. moved to amend S. F. No. 2375 as follows:

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

"Section 1. There is hereby appropriated to the state department of education from the general fund or any other fund designated for the purposes herein the sum of \$290,000 for the fiscal year ending June 30, 1977, to be used to continue the right to read program at a declining level of state financial contribution. The funds in this appropriation shall be expended by the department to provide technical assistance on a regional basis to school districts and nonpublic schools participating in reading programs.

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

Further, amend the title by striking it in its entirety and inserting in lieu thereof the following:

A bill for an act relating to education; reading program; appropriating money.

The motion prevailed and the amendment was adopted.

S. F. No. 2375, A bill for an act relating to education; right to read program; appropriating money.

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 130, and nays 0, as follows:

Those who voted in the affirmative were:

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

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

H. F. No. 2531, A bill for an act relating to appropriations; converting certain open appropriations for retirement to direct appropriations; abolishing other open appropriations for retirement; appropriating money; amending Minnesota Statutes 1974, Sections 3A.04, Subdivisions 3 and 4; 136.81, Subdivision 1; 352.04, Subdivision 5; 352B.25; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 490.123, Subdivision 1; Chapter 16A, by adding a section; Minnesota Statutes, 1975 Supplement, Sections 3A.03, Subdivision 2; and 354A.12; repealing Minnesota Statutes 1974, Sections 3A.11, Subdivision 3; 352.73, Subdivision 4; 354.43, Subdivision 2; and 490.025, Subdivision 8.

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

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

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2564, A bill for an act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1974, Sections 16.023; 16A.27; 84B.07; 176.183, Subdivision 2; 192.52; 268.06, Subdivision 25; 299D.03, Subdivision

1; 351.11; 352E.02; 355.46, Subdivision 3; 355.50; 481.15, Subdivision 2; Minnesota Statutes, 1975 Supplement, Section 136A.08, Subdivisions 1 and 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1974, Sections 124.23; 136.508; 352E.05; 355.31 to 355.39; Minnesota Statutes, 1975 Supplement, Section 261.233.

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

The bill was passed and its title agreed to.

S. F. No. 2288 was reported to the House.

St. Onge moved to amend S. F. No. 2288 the unofficial engrossment as follows:

Page 1, line 21, insert a comma after the word "place".

Page 2, line 19, delete all of the new language.

Page 2, line 21, after "representatives," insert the word "and".

Page 2, line 23, after "senate" delete the semi-colon and insert a period and add "Voting members of the board shall be:".

The motion prevailed and the amendment was adopted.

Fugina and Anderson, I., moved to amend S. F. No. 2288, the unofficial engrossment, as follows:

Page 7, line 29, delete "\$139,546" and insert "\$155,550".

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 87, and nays 35, as follows:

Those who voted in the affirmative were:

Abeln	DeGroat	Kempe, A.	Novak	Sieloff
Anderson, G.	Dieterich	Ketola	Osthoff	Skoglund
Anderson, I.	Doty	Knickerbocker	Patton	Smith
Arlandson	Eken	Knoll	Pehler	Smogard
Beauchamp	Enebo	Kroening	Peterson	Spanish
Begich	Erickson	Kvam	Philbrook	Stanton
Berglin	Esau	Laidig	Pleasant	Suss
Biersdorf	Evans	Mangan	Prahl	Swanson
Braun	Fjoslien	Mann	Reding	Tomlinson
Brinkman	Fudro	McCauley	Rice	Ulland
Byrne	Fugina	McCollar	St. Onge	Vento
Carlson, A.	George	McEachern	Samuelson	Volk
Carlson, L.	Hokanson	Metzen	Sarna	Wenstrom
Carlson, R.	Jacobs	Moe	Schulz	Wenzel
Clawson	Jaros	Neisen	Schumacher	Williamson
Corbid	Johnson, C.	Nelsen	Searle	
Dahl	Johnson, D.	Nelson	Sherwood	
Dean	Kelly, W.	Niehaus	Sieben, M.	

Those who voted in the negative were:

Adams, S.	Haugerud	Langseth	Parish	Vanasek
Albrecht	Heinitz	Lemke	Petraleso	Voss
Clark	Jensen	Lindstrom	Savelkoul	White
Eckstein	Jopp	Luther	Schreiber	Wieser
Ewald	Jude	McCarron	Setzepfandt	Wigley
Forsythe	Kaley	Munger	Sieben, H.	Zubay
Friedrich	Kalis	Norton	Simoneau	Speaker Sabo

The motion prevailed and the amendment was adopted.

S. F. No. 2288, A bill for an act relating to Indian affairs; renaming the board on Indian affairs; providing a change in membership for the board; creating an advisory council; changing the duties of the board; appropriating money; amending Minnesota Statutes 1974, Section 3.922, as amended.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 106, and nays 17, as follows:

Those who voted in the affirmative were:

Abeln	Eckstein	Kempe, A.	Norton	Sieloff
Adams, L.	Eken	Kempe, R.	Novak	Simoneau
Adams, S.	Erickson	Ketola	Osthoff	Smith
Anderson, G.	Esau	Knickerbocker	Parish	Smogard
Anderson, I.	Evans	Kroening	Patton	Spanish
Arlandson	Ewald	Kvam	Pehler	Stanton
Beauchamp	Fjoslien	Laidig	Peterson	Suss
Begich	Friedrich	Langseth	Philbrook	Swanson
Biersdorf	Fudro	Lindstrom	Pleasant	Tomlinson
Braun	Fugina	Luther	Prahl	Ulland
Brinkman	George	Mangan	Reding	Vento
Byrne	Heinitz	Mann	St. Onge	Volk
Carlson, A.	Hokanson	McCarron	Samuelson	Wenstrom
Carlson, L.	Jacobs	McCauley	Sarna	Wenzel
Carlson, R.	Jaros	McCollar	Savelkoul	White
Clawson	Jensen	McEachern	Schreiber	Wieser
Corbid	Johnson, D.	Menning	Schulz	Williamson
Dahl	Jopp	Metzen	Schumacher	Zubay
Dean	Jude	Munger	Setzepfandt	
DeGroat	Kaley	Neisen	Sherwood	
Dieterich	Kelly, R.	Nelsen	Sieben, H.	
Doty	Kelly, W.	Niehaus	Sieben, M.	

Those who voted in the negative were:

Albrecht	Enebo	Moe	Skoglund	Speaker Sabo
Berglin	Faricy	Nelson	Vanasek	
Casserly	Kahn	Petrafeso	Voss	
Clark	Kalis	Rice	Wigley	

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

S. F. No. 2581 was reported to the House.

Norton moved to amend S. F. No. 2581, as follows:

Strike everything after the enacting clause and insert the following:

Section 1. [STATE GOVERNMENT APPROPRIATIONS.]
 Except as herein otherwise specifically provided the sums herein-after set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated, for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1976" and "1977" wherever used in this act, shall mean that the appropriations listed thereunder shall be available for the year ending June 30, 1976 and June 30, 1977, respectively.

APPROPRIATIONS
Available for the Year
Ending June 30,

	1976	1977
	\$	\$
Sec. 2. ATTORNEY GENERAL	95,000	

For moving, remodeling, furnishings, and related costs involved in the consolidation of offices in the highway, veterans service, and capitol square buildings.

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Sec. 3. ADMINISTRATION

Subdivision 1. Utility Services	322,250	322,250
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These sums shall be added to the amounts appropriated in Laws 1975, Chapter 204, Section 18, Subdivision 1.

Subd. 2. Statewide licensing system development	113,000
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Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

Subd. 3. The commissioner of administration is authorized to pay the sum of \$3,085 to the national governors conference from the funds appropriated to the commissioner by Laws 1975, Chapter 204, Section 18, Subdivision 1, for the fiscal year ending June 30, 1977. The amount originally scheduled to be paid from this appropriation to the council of state governments shall be reduced by \$3,085.

Subd. 4. Interstate Co-op Commission	5,000
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This sum shall be added to the appropriation made in Laws 1975, Chapter 204, Section 18, subdivision 1.

1976 1977

\$ \$

Sec. 4. PUBLIC SAFETY

Subdivision 1. Crime Victims Reparation Board	100,000	100,000
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This is in addition to the appropriation made in Laws 1975, Chapter 204, Section 31, Subdivision 8.

Subd. 2. MINCIS

Of the amount appropriated to the commissioner of public safety by Laws 1975, Chapter 204, Section 31, Subdivision 2, for fiscal year 1977, \$170,000 is hereby transferred and reappropriated to the same account for fiscal year 1976 to convert computer hardware for the Minnesota crime information system.

Subd. 3. Fire Services— advisory council	4,500
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Sec. 5. REVENUE

Subdivision 1. Administrative costs—circuit breaker	400,000
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This amount shall be added to the appropriations made in Laws 1975, Chapter 437, Article XIV, Section 1.

Subd. 2. State board of assessors	28,865	28,865
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Sec. 6. ENERGY

Subdivision 1. Salaries	7,911	37,517
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Subd. 2. Supplies and expense	85,991	119,181
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It is the intent of the legislature that none of the Energy Agency's funding shall be used to prepare environmental reports and that the Energy Agency is not required to comply with the EIS section of the Minnesota Environmental Policy Act.

1976 1977

\$ \$

Sec. 7. NATURAL RESOURCES

Subdivision 1. Water resources
management

a. Hydrologic studies 192,000 183,750

b. Supplies and expense 87,000

Subd. 2. Field services support—
real estate taxes 75,000 150,000

Of the amounts provided herein, \$18,750
for the first year and \$37,500 in the second
year are appropriated from the game and
fish fund.

Subd. 3. Environmental impact state—
reserve mining disposal sites 1,300,141

The amounts in Section 7 shall be added
to the appropriations made in Laws 1975,
Chapter 204, Section 51, Subdivision 3.
That portion of the rider in Section 51,
Subdivision 3 which states "should this ap-
propriation prove to be insufficient, the
commissioner shall inform the commission-
er of administration and request that ad-
ditional moneys be available from what-
ever sources are appropriate" is hereby
repealed.

Subd. 4. Peat information
program 25,000 75,000

Sec. 8. STATE PLANNING AGENCY

Subdivision 1. Copper Nickel
Environmental Impact Statement 1,300,000Subd. 2. Study of local government fis-
cal problems, debts, and fiscal
management 50,000

The appropriation in Subdivision 2 shall
not cancel but shall be available until June
30, 1977.

	1976	1977
	\$	\$
Sec. 9. PERSONNEL—State Labor		
Negotiation and Contract Administration	13,938	84,476

Notwithstanding the provisions of Laws 1975, Chapter 204, Section 20, the complement shall be 94.

Sec. 10. INDIAN AFFAIRS BOARD 12,138

Sec. 11. LABOR AND INDUSTRY

Subdivision 1. Salaries 92,211

Subd. 2. Supplies and expense 5,988

Notwithstanding the approved complement provisions of Laws 1975, Chapter 204, Section 41, Subdivision 1, the approved complement shall be 238. The appropriation made in this section shall be added to the appropriation made in Laws 1975, Chapter 204, Section 41.

Sec. 12. COMMERCE

Hearings costs, postage and instate travel expenses 102,102

The appropriation made in this section shall be added to the appropriation made in Laws 1975, Chapter 204, Section 32.

Sec. 13. BOARD OF HEALTH

Subdivision 1. Preventive and personal health services 123,344 126,482

Water conditioners and installers licensing 9,631 9,967

Plumbers licensing 113,713 116,515

Notwithstanding the approved complement provision of Laws 1975, Chapter 434, Section 5, Subdivision 1, the approved complement shall be 188.5.

	1976	1977
	\$	\$
Subd. 2. Health systems quality assurance	79,006	85,296
Mortuary science	59,724	65,520
Hospital administrators registration	19,282	19,776

Notwithstanding the approved complement provision of Laws 1975, Chapter 434, Section 5, Subdivision 2, the approved complement shall be 58.75.

The appropriations made in this section shall be added to the appropriation made in Laws 1975, Chapter 434, Section 5.

Sec. 14. BOARD OF DENTISTRY \$37,000

The appropriations made in this section shall be added to the appropriations made in Laws 1975, Chapter 434, Section 4, Subdivision 8.

Sec. 15. Notwithstanding the provisions of Laws 1975, Chapter 434, Section 2, the appropriation for centralized disbursement in Laws 1975, Chapter 434, Section 2, Subdivision 2, for 1976 shall not be reduced unless the federal reimbursement is less than \$3,560,000.

Sec. 16. Notwithstanding the provisions of Minnesota Laws 1975, Chapter 434, Section 2, federal funds budgeted to be earned in the Community Based Residential Services for the Chemically Dependent (Subdivision 4) activity shall be earned by the Day-time Activity Center Grant-in-aid (Subdivision 13) activity.

Sec. 17. Notwithstanding any law to the contrary, the commissioner of finance may, upon the request of the commissioner of health, transfer amounts between appropriations for purposes of reflecting changes in the account structure of the department of health. Such transfer shall be reported to the committee on finance of the Senate and the committee on appropriations in the House of Representatives.

Sec. 18. In the event the income from parking lots and facilities under the jurisdiction of the commissioner of administration are inadequate to make the annual payment of \$203,200 in November, 1975 and 1976, as required by Laws 1973, Chapter 778, Section 21, these payments may be wholly or partially deferred. To the extent these payments are deferred, the commissioner shall, from time to time, make such additional payments so as to pay to the Minnesota state building account in the state bond fund the total sum of \$4,064,000.

Sec. 19. All moneys appropriated for fiscal year 1977 in Laws 1975, Chapter 433, as shown on the worksheets of the con-

ferces of the Senate and the House of Representatives to the University of Minnesota, state university system, community college system and department of education for the purpose of providing funding for the use of and communications costs for the Minnesota educational computing consortium (MECC) managed Univac 1110 single installation, multipurpose, instructional interactive time sharing system, shall not be expended. No moneys appropriated to the above named state systems or agencies for other purposes shall be transferred or used for this purpose.

It is the legislature's policy and specific intent to discontinue the single installation, interactive time sharing system of MECC and to provide funds for the different purpose of establishing a several systems, multi-installation decentralized program with emphasis on educational and geographic special needs.

There is hereby appropriated to support a multi-installation program for fiscal year 1977:

\$ 54,000 University of Minnesota

\$700,000 State Department of Education

\$285,100 State University

\$ 90,230 Community colleges

This section is effective upon final passage.

Sec. 20. The sum of \$20,000 is appropriated from the state airport fund to the department of aeronautics for the operation and maintenance of the state airport at Orr in the fiscal year ending June 30, 1977. All income received from the operation of the airport after June 30, 1976, and before July 1, 1977, is appropriated to the department of aeronautics for the operation and maintenance of the airport. The airport shall be transferred to its community, county, or region before July 1, 1977, notwithstanding Laws 1976, Chapter 204, Section 45, Subdivision 8. This is the final appropriation.

Sec. 21

Subdivision 1. Minnesota Statutes 238.04 is amended by adding a subdivision 5a as follows: The chairman and the other members of the commission shall also receive their ordinary and necessary expenses in the same amount and manner as state employees.

Subd. 2. Subdivision 1 is effective January 1, 1976.

Sec. 22

Subdivision 1. The unencumbered balance of \$205,694.73 remaining in the appropriation made in Laws 1971, Chapter 963, Section 7, Subdivision 1 (1), relocate computer facilities and install inverter is cancelled to the general fund.

Subd. 2. The commissioner of finance is directed to transfer from the general fund to the computer services revolving fund the sum of \$205,694.73 to adjust the cost to the computer services revolving fund to the actual cost of relocation of computer facilities.

Sec. 23. Minnesota Statutes 177.44, Subdivision 3 is amended to read: The department of labor and industry shall conduct investigations and hold public hearings *subject to the provisions of Chapter 15* necessary to define classes of laborers and mechanics and to inform itself as to the hours of labor and wage rates prevailing in all areas of the state for all classes of labor and mechanics commonly employed in highway construction work, with a view to ascertaining and determining prevailing hours of labor, prevailing wage rates and hourly basic rates of pay accordingly.

The department shall inform itself of the nature of the equipment furnished by truck drivers who own and operate trucks on such contract work, with a view to ascertaining and determining minimum rates for the equipment, and shall establish by regulation such minimum rates to be computed into the prevailing wage rate in accordance with the definition thereof in section 177.42.

The sum of \$200,000 is appropriated to the department of labor for the purposes of this section for the biennium ending June 30, 1977.

Sec. 24. Minnesota Statutes 1974, Section 179.74, is amended by adding a subdivision to read:

"Subd. 6. If complete agreement between the state and exclusive representatives of state employes is not reached by October 1 of even numbered years, each party shall notify the director who shall forthwith schedule mediation between the parties. If complete agreement is not reached by November 1, the director shall declare an impasse and each party shall submit its final position to the director by November 10, who shall immediately forward the final positions to the board. The board shall submit the names of seven arbitrators to the parties by November 15, who shall select an arbitrator or arbitrators pursuant to Section 179.72. Arbitration proceedings shall begin as soon as possible, in no event later than December 1, and the decision of the arbitrators shall be made by December 25."

Sec. 25. This act is effective upon enactment except for Section 21 which is effective January 1, 1976.

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

"A bill for an act relating to the organization, operation and financing of state government; appropriating money; amending

Minnesota Statutes Section 177.44, Subdivision 3; Section 179.74 by adding a subdivision; and Section 238.04 by adding a subdivision.”.

The motion prevailed and the amendment was adopted.

Haugerud moved to amend S. F. No. 2581, as amended, as follows:

Page 8, delete Sec. 24 and insert:

“Sec. 24. Minnesota Statutes 1974, Section 43.324, Subdivision 1, is amended to read:

43.324 [COMPENSATION PLAN.] Subdivision 1. On or before December (1) 31 of each even numbered year, the commissioner of personnel shall after consultation with the commissioner of finance submit to the governor, or if a governor has been elected in that year to the governor-elect, his recommendations concerning compensation to be paid all employees in the classified and unclassified civil service in the executive branch with the exception of salaries for positions exempted from the commissioner's salary setting authority in section 43.064. The recommendations so submitted shall be in bill form, drafted in conformity with the rules of the senate and house of representatives and may contain proposals concerning salaries, paid holidays, health and life insurance benefits, and other items of compensation for all employees in the executive branch. The recommendations shall also include any agreements reached through collective bargaining, or ordered by arbitrators, or which may be the results of any negotiations conducted under a public employment labor relations law applicable to state employees to the extent that such agreements pertain to issues or items included in the commissioner's compensation recommendations described in this subdivision.

Sec. 25. Minnesota Statutes 1974, Section 179.69, Subdivision 5, is amended to read:

Subd. 5. In the event the employer and exclusive representative fail to execute a contract pursuant to subdivision 4, they shall each submit their respective final positions on those terms and conditions of employment not agreed upon by the parties to the director at least 75 days prior to the last date the employer is required to submit its tax levy or budget, or certify the taxes voted to the appropriate public officer, agency, public body or office, or by October 1, whichever date is earlier, except in the case of the executive branch of state government, (WHERE THE FINAL DATE FOR SUBMISSION OF FINAL POSITIONS SHALL BE NOVEMBER 15 OF EVEN NUMBERED YEARS) *which shall be governed by the provisions of section 26 of this act.* Either or both parties except for essential employees may after this time petition the director for binding arbitration

stating that an impasse has been reached and the director has determined that further mediation efforts under subdivision 1 would serve no purpose. If the employer has petitioned for binding arbitration said proceedings shall begin within 15 days thereof and be binding on both parties. The director shall determine the matters not agreed upon based upon his efforts to mediate the dispute. If the employee representative has petitioned for binding arbitration the employer shall have 15 days after the director of mediation has determined that an impasse has been reached to reject the request or agree to submit matters not agreed upon to binding arbitration. If the employer does not respond within 15 days it shall be regarded as a rejection and said rejection shall be a refusal by the employer within the meaning of section 179.64, subdivision 7. Under a petition by either party the parties may stipulate those agreed upon items to be excluded from arbitration. Notwithstanding a failure to comply with subdivisions 3, 4, and 5, the director may maintain jurisdiction under section 179.71, subdivision 2.

Sec. 26. Minnesota Statutes 1974, Section 179.74, is amended by adding a subdivision to read:

Subd. 6. If complete agreement between the state and exclusive representatives of state employees is not reached by October 1 of even numbered years, each party shall notify the director who shall forthwith schedule mediation between the parties. If complete agreement is not reached by November 1, the director shall declare an impasse and each party shall submit its final position to the director by November 10, who shall immediately forward the final positions to the board. Subject to the employer's right to reject arbitration under section 179.69, subdivision 5, the board shall submit the names of seven arbitrators to the parties by November 15, who shall select an arbitrator or arbitrators pursuant to section 179.72. Arbitration proceedings shall begin as soon as possible, in no event later than December 1, and the decision of the arbitrators shall be made by December 25."

Renumber the remaining section.

Further, amend the title by deleting lines 3, 4, and 5 and inserting "Statutes 1974, Sections 43.324, Subdivision 1; 177.44, Subdivision 3; 179.69, Subdivision 5; 179.74, by adding a subdivision; and 238.04, by adding a subdivision."

Osthoff moved to amend the Haugerud amendment, as follows:

Page 3, line 30, after "December 25" insert "the state shall honor all contracts negotiated prior to January 30, 1976".

POINT OF ORDER

Savelkoul raised a point of order pursuant to Rule 3.9 that the Osthoff amendment to the Haugerud amendment was out of order. The Speaker ruled the point of order not well taken.

A roll call on the Osthoff amendment to the Haugerud amendment was requested and properly seconded.

The question was taken on the adoption of the Osthoff amendment to the Haugerud amendment and the roll being called, there were yeas 62, and nays 65, as follows:

Those who voted in the affirmative were:

Abeln	Ewald	Ketola	Novak	Schumacher
Anderson, I.	Fudro	Kostohryz	Osthoff	Sieben, H.
Arlandson	Fugina	Kroening	Parish	Sieloff
Begich	George	Laidig	Patton	Simoneau
Berglin	Heinitz	Lindstrom	Pehler	Spanish
Carlson, A.	Hokanson	Luther	Petrafeso	Vento
Carlson, L.	Jacobs	Mangan	Philbrook	Volk
Carlson, R.	Jensen	McCarron	Prahl	Wenstrom
Casserly	Johnson, D.	McCollar	Reding	White
Clawson	Jude	McEachern	Rice	Williamson
Corbid	Kelly, R.	Menning	St. Onge	
Dahl	Kempe, A.	Metzen	Sarna	
Enebo	Kempe, R.	Neisen	Schreiber	

Those who voted in the negative were:

Adams, S.	Doty	Jopp	Nelsen	Smith
Albrecht	Eckstein	Kahn	Nelson	Smogard
Anderson, G.	Eken	Kaley	Niehaus	Stanton
Beauchamp	Erickson	Kalis	Norton	Swanson
Berg	Esau	Kelly, W.	Peterson	Tomlinson
Biersdorf	Evans	Knickerbocker	Pleasant	Ulland
Braun	Faricy	Knoll	Samuelson	Vanasek
Brinkman	Fjoslien	Kvam	Savelkoul	Voss
Byrne	Forsythe	Langseth	Schulz	Wenzel
Clark	Friedrich	Lemke	Searle	Wieser
Dean	Hanson	Mann	Setzepfandt	Wigley
DeGroat	Haugerud	Moe	Sieben, M.	Zubay
Dieterich	Jaros	Munger	Skoglund	Speaker Sabo

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

Enebo moved to amend the Haugerud amendment, as follows:

Page 3, lines 13 to 30, delete Section 26.

A roll call was requested and properly seconded.

The question was taken on the adoption of the Enebo amendment to the Haugerud amendment and the roll being taken, there were yeas 43, and nays 75, as follows:

Those who voted in the affirmative were:

Abeln	Byrne	Casserly	Fudro	Hokanson
Begich	Carlson, L.	Dieterich	Fugina	Jacobs
Berglin	Carlson, R.	Enebo	Hanson	Jaros

Jensen	McCarron	Parish	Rice	Spanish
Johnson, D.	McCollar	Patton	Samuelson	Swanson
Kempe, A.	Metzen	Pehler	Sarna	Volk
Kostohryz	Nelson	Philbrook	Sieben, H.	Williamson
Kroening	Novak	Prahl	Sieben, M.	
Mangan	Osthoff	Reding	Skoglund	

Those who voted in the negative were:

Adams, S.	DeGroat	Kaley	Munger	Sieloff
Albrecht	Doty	Kalis	Neisen	Simoneau
Anderson, G.	Eckstein	Kelly, W.	Nelsen	Smogard
Anderson, I.	Eken	Kempe, R.	Niehaus	Stanton
Arlandson	Erickson	Ketola	Norton	Suss
Beauchamp	Esau	Knickerbocker	Peterson	Tomlinson
Berg	Evans	Kvam	Petrafeso	Ulland
Biersdorf	Ewald	Laidig	Pleasant	Voss
Braun	Faricy	Langseth	Savekoul	Wenstrom
Brinkman	Fjoslien	Lemke	Schreiber	Wenzel
Carlson, A.	Friedrich	Lindstrom	Schulz	White
Clark	Haugerud	Luther	Schumacher	Wieser
Clawson	Jopp	Mann	Searle	Wigley
Corbid	Jude	McCauley	Setzepfandt	Zubay
Dean	Kahn	Moe	Sherwood	Speaker Sabo

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

The question recurred on the adoption of the Haugerud amendment. The motion prevailed and the amendment was adopted.

Biersdorf and Kvam were excused for the remainder of today's session.

Kahn, Norton, Voss, Faricy, McCarron, Dean and Forsythe moved to amend S. F. No. 2581, as amended, as follows:

Page 6, strike Section 19 in its entirety and insert the following:

"Section 19. Subdivision 1. All moneys appropriated for fiscal year 1977 in Laws of Minnesota, 1975, Chapter 433, as shown in the worksheets of the conferees of the Senate and House of Representatives to the University of Minnesota, State University System, Community College System and Department of Education for the purpose of providing funding for the use of and communications costs for the Minnesota educational computing consortium (MECC) managed Univac 1110 instructional time sharing system, and which are unencumbered after completion of the system acceptance test period commencing April 15, 1976, shall not be expended except under the conditions of Subdivision 3, unless Univac meets the acceptance test criteria as defined in the contract between MECC and Univac, including the requirements that;

1. The criteria that the system be available to users for productive operational use an average of 90 percent or more of the

principal period of maintenance for a period of thirty consecutive days shall include unavailability from failure of hardware, software and Univac related communications capability and compatibility and shall not exclude unavailability due to any class of problem users.

2. *The MECC Acceptance Test Guide* shall be used by MECC as the governing document for acceptance test procedures except that it shall not conflict with or lessen any of the performance requirements of the MECC/Univac contract itself.

3. The systems acceptance criteria shall require all time sharing processing to have a performance reasonably equivalent to that required by the final recommendation in the Executive Summary of the Report of the Benchmark Evaluation Committee, (relating to response times) adopted by the MECC Board of Directors on December 18, 1974.

Provided, however, that if any portion of the successful thirty (30) continuous day performance period occurs after May 28, 1976, Univac shall be required to again successfully perform the acceptance test during the period beginning October 1, 1976 and continuing through December 22, 1976. If the acceptance test is not successfully performed within ninety (90) days of April 15, 1976 or by December 22, 1976, if the second acceptance period is utilized, MECC shall terminate the agreement without further extension. Utilization of the second acceptance test period shall not relieve the contracting parties of any of the contract provisions relating to delivery of required features at the conclusion of the first acceptance period.

Subdivision 2. The Governor shall, using the procedures of M.S. 3.30, obtain the services of a consultant to monitor the contract and acceptance test and shall, again using the procedures of M.S. 3.30, determine whether the Univac 1110 has successfully passed the acceptance test. The Governor's decision shall be binding on MECC. There is appropriated to the general contingent account the sum of \$100,000 which may be expended to accomplish the purposes of this subdivision.

Subdivision 3. In the event that the Univac 1110 fails the acceptance test as defined in Subdivision 1, or in the event that Univac removes the 1110 prior to the completion of the test the unencumbered funds may be expended and shall be used to provide back up computer service to the MECC users. There is appropriated to the general contingent account the sum of \$500,000 which may be expended to provide additional back up service in the event the unencumbered funds are not sufficient."

Renumber the remaining sections.

Sieloff moved to amend the Kahn amendment, as follows:

Page 1, Section 19, paragraph 2, after "itself" insert "or mutual modification thereof".

A roll call was requested and properly seconded.

The question was taken on the adoption of the Sieloff amendment to the Kahn amendment and the roll being called, there were yeas 19, and nays 87, as follows:

Those who voted in the affirmative were:

Adams, S.	DeGroat	Kempe, R.	Niehaus	Savelkoul
Albrecht	Eckstein	Laidig	Novak	Sieloff
Braun	Eken	Lindstrom	Patton	Ulland
Carlson, A.	Erickson	McCauley	Philbrook	

Those who voted in the negative were:

Abeln	Doty	Jude	Metzen	Smogard
Anderson, G.	Enebo	Kahn	Moe	Spanish
Anderson, I.	Evans	Kaley	Nelsen	Stanton
Beauchamp	Ewald	Kalis	Norton	Suss
Begich	Faricy	Kelly, R.	Osthoff	Swanson
Berg	Fjoslien	Kelly, W.	Parish	Tomlinson
Berglin	Forsythe	Ketola	Pehler	Vanasek
Brinkman	Friedrich	Knickerbocker	Peterson	Volk
Byrne	Fudro	Knoll	Prahl	Voss
Carlson, L.	Fugina	Kostohryz	St. Onge	Wenstrom
Carlson, R.	George	Kroening	Samuelson	Wenzel
Casserly	Hanson	Langseth	Schreiber	White
Clark	Haugerud	Luther	Schumacher	Wieser
Clawson	Heinitz	Mann	Setzepfandt	Williamson
Corbid	Hokanson	McCarron	Sherwood	Speaker Sabo
Dahl	Jacobs	McCollar	Sieben, H.	
Dean	Jensen	McEachern	Simoneau	
Dieterich	Johnson, D.	Menning	Skoglund	

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

Faricy moved to amend the Kahn amendment, as follows:

Page 1, section 19, paragraph 3, delete "equivalent" and insert "close".

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Kahn, Norton, Voss, Faricy, McCarron, Dean and Forsythe amendment as amended.

The motion prevailed and the amendment as amended was adopted.

Norton moved to amend S. F. No. 2581, as amended, as follows:

Page 2, after line 15, insert:

"Subd. 4. To the commissioner of administration for acquisition of the Mechanic Arts High School

\$2,000,000

Notwithstanding any other law to the contrary, the commissioner of administration is authorized to negotiate and proceed with the acquisition of the Mechanic Arts High School and adjacent athletic fields owned by the St. Paul School District.

Notwithstanding the provisions of Minnesota Statutes Section 117.52, no relocation assistance, services, payments or benefits shall be provided by the commissioner of administration in connection with such acquisition."

The motion prevailed and the amendment was adopted.

Menning moved to amend S. F. No. 2581, as amended, as follows:

Page 8, before "Sec. 22." insert the following:

"Sec. 22. There is appropriated from the general fund to the Minnesota American Revolution Bicentennial Commission the sum of \$495,000. No more than 80 percent of the appropriation may be expended in grants to state agencies or political subdivisions as defined in section 15.162, subdivisions 5 and 7. No more than 20 percent of the appropriation may be expended for state-wide bicentennial commission programs."

Renumber subsequent sections accordingly.

Further amend the title accordingly:

Page 1, line 7, after "abolishing the state claims commission;" insert "appropriating money to the Minnesota American Bicentennial Commission;"

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 18, and nays 94, as follows:

Those who voted in the affirmative were:

Albrecht	Fjoslien	Kroening	Novak	Ulland
Carlson, R.	Kempe, R.	Langseth	St. Onge	Wenstrom
DeGroat	Ketola	McCauley	Smogard	
Esau	Kostohryz	Menning	Spanish	

Those who voted in the negative were:

Abeln	Dieterich	Kahn	Nelson	Sieben, M.
Anderson, G.	Doty	Kalis	Niehaus	Sieloff
Anderson, I.	Eckstein	Kelly, R.	Norton	Simoneau
Arlandson	Eken	Kelly, W.	Osthoff	Skoglund
Beauchamp	Enebo	Kempe, A.	Parish	Stanton
Begich	Erickson	Knickerbocker	Patton	Suss
Berg	Ewald	Knoll	Pehler	Swanson
Berglin	Faricy	Laidig	Petrafeso	Tomlinson
Braun	Fugina	Lemke	Prahl	Vanasek
Brinkman	George	Lindstrom	Reding	Vento
Byrne	Hanson	Luther	Rice	Volk
Carlson, A.	Haugerud	Mangan	Samuelson	Voss
Carlson, L.	Heinitz	Mann	Sarna	Wenzel
Casserly	Hokanson	McCarron	Savelkoul	White
Clark	Jacobs	McCollar	Schreiber	Wieser
Clawson	Jaros	McEachern	Schulz	Williamson
Corbid	Jensen	Munger	Schumacher	Zubay
Dahl	Johnson, D.	Neisen	Setzepfandt	Speaker Sabo
Dean	Jude	Nelsen	Sieben, H.	

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

S. F. No. 2581, A bill for an act relating to the organization and operation of state government; appropriating and reappropriating money for the general administrative expenses of state government and limiting the use thereof; providing for payment of claims against the state; abolishing the state claims commission; amending Minnesota Statutes 1974, Sections 3.732, Subdivisions 1, 2, and 5; 3.751, Subdivision 1; 176.011, Subdivision 9; 192.38; 238.04, by adding a subdivision; 345.48, Subdivision 2; and Chapter 3, by adding a section; Minnesota Statutes, 1975 Supplement, Section 4.19; repealing Minnesota Statutes 1974, Sections 3.66 to 3.7311; 3.735; 3.752; 3.753; 3.76 to 3.83; and 15.315.

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

The question being taken on the passage of the bill and the roll being called, there were yeas 115, and nays 3, as follows:

Those who voted in the affirmative were:

Abeln	Anderson, I.	Begich	Brinkman	Carlson, L.
Albrecht	Arlandson	Berg	Byrne	Carlson, R.
Anderson, G.	Beauchamp	Braun	Carlson, A.	Casserly

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

Those who voted in the negative were:

Berglin Dieterich Enebo

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

SPECIAL ORDERS

Anderson, I., moved that the bills on Special Orders for today be continued on Special Orders for Friday, March 26, 1976, immediately following the Calendar. The motion prevailed.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

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

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

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

H. F. No. 1323, A bill for an act relating to health; setting standards for contract emergency ambulance services; amending Minnesota Statutes 1974, Section 144.804, Subdivision 3.

H. F. No. 1372, A bill for an act relating to waters and drainage; drainage systems; authorizing reconsideration of engineers' and viewers' reports in certain instances; allowing consideration of changed circumstances due to inflation; amending Minnesota Statutes 1974, Section 106.241.

H. F. No. 2442, A bill for an act relating to Minnesota Statutes; restoring certain erroneously omitted language; amending Laws 1975, Chapter 347, Section 3.

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. 746, A bill for an act relating to commerce; requiring prices on certain retail food packages.

PATRICK E. FLAHAVEN, Secretary of the Senate

Jacobs moved that the House refuse to concur in the Senate amendments to H. F. No. 746, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

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

H. F. No. 2043, A bill for an act relating to elections; providing for uniform reporting dates for campaign disclosure forms; providing for disclosure of campaign contributions and expenditures of political committees and candidates for local office; amending Minnesota Statutes 1974, Chapters 123, 373, and 471, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 210A.01, Subdivisions 1, 5, 6, 8, 9, and by adding subdivisions; 210A.05, Subdivision 1; 210A.16; 210A.23; 210A.24; 210A.25; 210A.26; 210A.27, Subdivision 1; 210A.29; 210A.32; 210A.33; Chapter 210A, by adding sections; repealing Minnesota

Statutes, 1975 Supplement, Sections 123.015; 210A.01, Subdivisions 4 and 7; 210A.22; 210A.28; and 210A.31.

PATRICK E. FLAHAVEN, Secretary of the Senate

Vento moved that the House refuse to concur in the Senate amendments to H. F. No. 2043, 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.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2203:

Petrafeso, Samuelson and Swanson.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 746:

Jacobs, Hokanson and Adams, L.

The Speaker announced the appointment of the following members of the House to the Conference Committee on H. F. No. 2043:

Vento, Sarna and Biersdorf.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 11:00 a.m., Friday, March 26, 1976. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed and the Speaker declared the House adjourned until 11:00 a.m., Friday, March 26, 1976.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

