

THIRTY-SECOND DAY

St. Paul, Minnesota, Thursday, April 5, 1973

The Senate met at 12:00 o'clock noon and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Davies	Keefe, S.	Moe	Renneke
Arnold	Doty	Kleinbaum	Olson, A. G.	Schrom
Bernhagen	Dunn	Larson	Olson, H. D.	Spear
Blatz	Gearty	Laufenburger	Olson, J. L.	Tennessee
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Chenoweth	Hanson, R.	Lord	Patton	Ueland
Coleman	Hughes	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Humphrey	Milton	Perpich, G.	Willet

The Sergeant-at-Arms was instructed to bring in the absent members.

Prayer by the Chaplain.

The roll being called, the following Senators answered to their names:

Anderson	Doty	Kirchner	Novak	Schrom
Arnold	Dunn	Kleinbaum	Ogdahl	Sillers
Ashbach	Fitzsimons	Knutson	Olhott	Solon
Bang	Frederick	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Laufenburger,	O'Neill	Tennessee
Borden	Hanson, R.	Lewis	Patton	Thorup
Brown	Hughes	Lord	Perpich, A. J.	Ueland
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Wegener
Chmielewski	Jensen	Milton	Pillsbury	Willet
Coleman	Josefson	Moe	Purfeerst	
Conzemius	Keefe, J.	Nelson	Renneke	
Davies	Keefe, S.	North	Schaaf	

Quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Mr. Lewis was excused from the Session of today, beginning at 5:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 3, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Mrs. Eunice Johnson, Rural Route, Butterfield, Watonwan County, has been appointed by me to the Higher Education Coordinating Commission, effective April 3, 1973, for a term expiring February 15, 1977.

Mrs. Mary Schertler, 875 Clear Avenue, St. Paul, Ramsey County, has been appointed by me to the Higher Education Coordinating Commission, effective April 3, 1973, for a term expiring February 15, 1977.

Carl Kroening, 3539 Vincent Avenue North, Minneapolis, Hennepin County, has been appointed by me to the Higher Education Coordinating Commission, effective April 3, 1973, for a term expiring February 15, 1977.

Emil A. Erickson, 1009 Third Street South, Virginia, St. Louis County, has been appointed by me to the Higher Education Coordinating Commission, effective April 3, 1973, for a term expiring February 15, 1977.

Mrs. Judy Hamilton, 11309 Timberline Road, Minnetonka, Hennepin County, has been appointed by me to the Higher Education Coordinating Commission, effective April 3, 1973, for a term expiring February 15, 1975.

Sincerely,

Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

April 3, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Louis V. Zelle, 1 Teal Island Road, North Oaks, Ramsey County, has been appointed by me to the State Arts Council, effective April 3, 1973, for a term expiring April 1, 1977.

Alvin Zelickson, M.D., 101 Ardmore Drive, Minneapolis, Hennepin County, has been appointed by me to the State Arts Council, effective April 3, 1973, for a term expiring April 1, 1977.

Kenneth Dayton, c/o Dayton-Hudson Corporation, 700 Nicollet Mall, Minneapolis, Hennepin County, has been appointed by me to the State Arts Council, effective April 3, 1973, for a term expiring April 1, 1977.

Phillip Von Blon, 2121 Dwight Lane, Minneapolis, Hennepin County, has been appointed by me to the State Arts Council, effective April 3, 1973, for a term expiring April 1, 1977.

Maxwell Oie, 2228 Waverly Avenue, Duluth, St. Louis County, has been appointed by me to the State Arts Council, effective April 3, 1973, for a term expiring April 1, 1977.

Sincerely,

Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

April 3, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Dr. Walter G. Prausnitz, 2614 South 11th Street, Moorhead, Clay County, has been appointed by me to the State Arts Council, effective April 3, 1973, for a term expiring April 1, 1977.

Miss Laura Jane Musser, 608 Highland, Little Falls, Morrison County, has been appointed by me to the State Arts Council, effective April 3, 1973, for a term expiring April 1, 1977.

Sincerely,

Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

April 4, 1973

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

Steve J. Gadler, 2120 Carter Avenue, St. Paul, Ramsey County, has been appointed by me to the Pollution Control Agency, effective April 2, 1973, for a term expiring February 15, 1977.

Burton Genis, 5941 29th Place North, Crystal, Hennepin County, has been appointed by me to the Pollution Control Agency, effective April 2, 1973, for a term expiring February 15, 1977.

Joseph Grinnell, 2901 Idylwood Drive, Edina, Hennepin County, has been appointed by me to the Pollution Control Agency, effective April 2, 1973, for a term expiring February 15, 1976.

Art Engelbrecht, Rural Route 4, Alexandria, Douglas County, has been appointed by me to the Pollution Control Agency, effective April 2, 1973, for a term expiring February 15, 1977.

Sincerely,
Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

INTRODUCTION OF BILLS

Messrs. Milton, Ashbach and Moe introduced—

S. F. No. 1760: A bill for an act relating to handicapped persons; establishing and prescribing duties of the Minnesota commission for the handicapped; transferring certain powers and duties to the commission; appropriating money.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Dunn, Wegener and Renneke introduced—

S. F. No. 1761: A bill for an act relating to sediment and erosion control; redefining public policy in connection with soil and water conservation; amending Minnesota Statutes 1971, Chapter 40, by adding a section; Sections 40.01, by adding a subdivision; 40.02; 40.07, by adding a subdivision; and 394.25, by adding a subdivision.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Jensen, Nelson and Knutson introduced—

S. F. No. 1762: A bill for an act relating to highway traffic regulations; violations; creating a rebuttable presumption that a motor vehicle involved in a violation was driven by the owner when the driver is not otherwise identified.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Perpich, A. J. and Kowalczyk introduced—

S. F. No. 1763: A bill for an act relating to insurance; regulating the student discount on automobile insurance; amending Minnesota Statutes 1971, Chapter 65B, by adding a section.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Borden, Humphrey and Olson, H. D. introduced—

S. F. No. 1764: A bill for an act relating to education, vocational rehabilitation; establishing a state board and a state department of vocational rehabilitation, and a committee to advise the board; providing and transferring certain powers, duties, functions, employees and appropriations.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Hansen, Mel; Humphrey and Keefe, S. introduced—

S. F. No. 1765: A bill for an act relating to voter registration; change of address of registered voters; amending Minnesota Statutes 1971, Section 201.10.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Conzemius, Blatz and Perpich, G. introduced—

S. F. No. 1766: A bill for an act relating to taxes on and measured by net income; filing time for claims for credits; amending Minnesota Statutes 1971, Sections 290.0604; 290.086, Subdivision 7; and 290.985.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Kleinbaum and O'Neill introduced—

S. F. No. 1767: A bill for an act relating to education; prohibiting preparation and sale of school assignments; providing a penalty.

Which was read the first time and referred to the Committee on Education.

Messrs. Milton, Nelson and Schaaf introduced—

S. F. No. 1768: A bill for an act relating to professions; laymen serving on boards of licensure; providing a penalty.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Laufenburger, Bang and Spear introduced—

S. F. No. 1769: A bill for an act relating to the practice of chiropractic; prescribing minimum academic requirements for licensure and renewal of licensure; amending Minnesota Statutes 1971, Section 148.06.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Dunn, Bernhagen and Pillsbury introduced—

S. F. No. 1770: A bill for an act authorizing the issuance of bonds by Independent School District No. 877.

Which was read the first time and referred to the Committee on Education.

Mr. Borden introduced—

S. F. No. 1771: A bill for an act relating to education; state aids for summer school or year-round classes; amending Minnesota Statutes 1971, Section 124.20.

Which was read the first time and referred to the Committee on Education.

Messrs. Hansen, Mel; Stokowski and Lewis introduced—

S. F. No. 1772: A bill for an act relating to hazardous buildings; amending Minnesota Statutes 1971, Chapter 463, by adding a section.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Stokowski, Knutson and Milton introduced—

S. F. No. 1773: A bill for an act relating to metropolitan mosquito control; amending Minnesota Statutes 1971, Sections 399.03, by adding a subdivision; and 399.07, Subdivision 2.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Milton, Kirchner and Ashbach introduced—

S. F. No. 1774: A bill for an act relating to metropolitan government; transportation and transit planning; amending Minnesota Statutes 1971, Sections 473A.06, Subdivision 1; and 473B.06, Subdivision 5.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Borden and Moe introduced—

S. F. No. 1775: A bill for an act prescribing policies and procedures for the selection, designation, planning, and regulation of areas of critical concern.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Tennessen, Coleman and Krieger introduced—

S. F. No. 1776: A bill for an act relating to crimes and criminals; repealing certain sumptuary laws; repealing Minnesota Statutes 1971, Sections 609.293, Subdivision 5; 609.294; 609.34; 609.36; 609.685; 617.28; 617.29; 624.47; 624.48; 624.49; 624.50; 624.51; 624.62; 624.65; and 624.66.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Willet, Chmielewski and Perpich, G. introduced—

S. F. No. 1777: A bill for an act relating to probate proceedings; authorizing the creation and prescribing the powers and duties of county probate counsels.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Nelson, Davies and O'Neill introduced—

S. F. No. 1778: A bill for an act relating to civil actions; regulating proceedings to recover personal property before judgment; amending Minnesota Statutes 1971, Sections 565.02 and 565.04.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Willet, Larson and Chmielewski introduced—

S. F. No. 1779: A bill for an act relating to local government; permitting the organization of lake improvement regions with various powers; appropriating money.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Gearty; Keefe, J. and Keefe, S. introduced—

S. F. No. 1780: A bill for an act relating to the Hennepin county conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivisions 1 and 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Gearty; Keefe, J. and Keefe, S. introduced—

S. F. No. 1781: A bill for an act relating to the Hennepin county municipal court; amending Minnesota Statutes 1971, Section 488A.01, Subdivision 6.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Renneke and Bernhagen introduced—

S. F. No. 1782: A bill for an act relating to the county of McLeod; tax levy for road and bridge purposes.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Moe, Bang and Olson, A. G. introduced—

S. F. No. 1783: A bill for an act relating to rates for publication of legal notices; amending Minnesota Statutes 1971, Sections 3.21 and 331.08.

Which was read the first time and referred to the Committee on Governmental Operations.

Mr. Solon introduced—

S. F. No. 1784: A bill for an act relating to time; providing for the year-round use of daylight savings time.

Which was read the first time and referred to the Committee on Transportation and General Legislation.

Messrs. Solon and Doty introduced—

S. F. No. 1785: A bill for an act relating to Independent School District No. 709; education; prohibition on special fees.

Which was read the first time and referred to the Committee on Education.

Messrs. Willet, Larson and Solon introduced—

S. F. No. 1786: A bill for an act relating to manpower services; regulating unemployment benefits; repealing Minnesota Statutes 1971, Section 268.08.

Which was read the first time and referred to the Committee on Labor and Commerce.

Messrs. Anderson, Dunn and Krieger introduced—

S. F. No. 1787: A bill for an act relating to public recreational use of publicly owned land; limiting the effects of such use with respect to liability for injury; amending Minnesota Statutes 1971, Sections 87.01; and 87.021, Subdivisions 2 and 3.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Kleinbaum, Patton and Kowalczyk introduced—

S. F. No. 1788: A bill for an act relating to the practice of chiropractic; prohibiting certain types and forms of advertising by chiropractors; prescribing grounds for revocation or suspension of chiropractic licenses; amending Minnesota Statutes 1971, Section 148.10, Subdivision 1.

Which was read the first time and referred to the Committee on Health, Welfare and Corrections.

Messrs. North, Conzemius and Dunn introduced—

S. F. No. 1789: A bill for an act relating to water well contractors; requiring compliance with Minnesota Statutes, Chapter 156A, by certain nonlicensees; providing for limited licenses; establishing procedures for examination and licensing of water well contractors; authorizing the department of health to coordinate a state water information system; prohibiting imposition of fees by political subdivisions; amending Minnesota Statutes 1971, Sections 156A.02, Subdivisions 2 and 3; 156A.03, Subdivision 2; 156A.06, Subdivision 1; 156A.07, Subdivisions 1 and 4; and by adding subdivisions; repealing Minnesota Statutes 1971 Sections 156A.06, Subdivision 2; and 156A.07, Subdivision 3.

Which was read the first time and referred to the Committee on Governmental Operations.

Messrs. Willet, Chmielewski and Moe introduced—

S. F. No. 1790: A bill for an act relating to education; regulating state aids for transportation; amending Minnesota Statutes 1971, Section 124.22, Subdivisions 1, 3, and 6.

Which was read the first time and referred to the Committee on Education.

Messrs. Wegener, Hanson, R. and Hansen, Baldy introduced—

S. F. No. 1791: A bill for an act relating to motor vehicles; prohibiting tampering with odometers and the altering of mileage measurements thereof; prescribing penalties.

Which was read the first time and referred to the Committee on Labor and Commerce.

Mr. Coleman introduced—

S. F. No. 1792: A bill for an act relating to the claim of James D. Hipkins; arising from an operation conducted under the authority of the department of welfare; appropriating money for the payment thereof.

Which was read the first time and referred to the Committee on Finance.

Messrs. Willet, Hanson, R. and Conzemius introduced—

S. F. No. 1793: A bill for an act relating to independent school district No. 309; providing for the detachment of certain territory and the reestablishment of independent school district No. 25.

Which was read the first time and referred to the Committee on Education.

Messrs. Solon and Doty introduced—

S. F. No. 1794: A bill for an act relating to taxation; exempting certain property from taxation; providing a revised method of assessment for certain property; amending Minnesota Statutes 1971, Section 272.01, Subdivision 3; and Chapter 273, by adding a section.

Which was read the first time and referred to the Committee on Taxes and Tax Laws.

Messrs. Borden, Schaaf and Olhoft introduced—

S. F. No. 1795: A bill for an act relating to education; requiring state colleges and state junior colleges to accept at full value all college level credits earned at the university of Minnesota or at any other state college or state junior college; urging the university of Minnesota to so accept state college and state junior college credits.

Which was read the first time and referred to the Committee on Education.

Messrs. Novak, O'Neill and Coleman introduced—

S. F. No. 1796: A bill for an act relating to Ramsey county; providing for optional complete or partial county government.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Novak, Ashbach and Milton introduced—

S. F. No. 1797: A bill for an act relating to Ramsey county; establishing a commission for the study of local government; prescribing duties and obligations; providing for report by the commission to the legislature; appropriating money.

Which was read the first time and referred to the Committee on Metropolitan and Urban Affairs.

Mr. Willet introduced—

S. F. No. 1798: A bill for an act relating to Beltrami county; public welfare; Red Lake Indian Reservation; appropriating money.

Which was read the first time and referred to the Committee on Finance.

Mr. Willet introduced—

S. F. No. 1799: A bill for an act relating to game and fish; restrictions upon dark houses or fish houses; amending Minnesota Statutes 1971, Section 101.42, Subdivision 16.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Willet; Olson, J. L. and Chmielewski introduced—

S. F. No. 1800: A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Messrs. Willet; Olson, J. L. and Chmielewski introduced—

S. F. No. 1801: A bill for an act relating to wild animals; eliminating second tags on beaver and otter trapped by licensed trappers; amending Minnesota Statutes 1971, Section 98.46, Subdivision 21.

Which was read the first time and referred to the Committee on Natural Resources and Agriculture.

Mr. Arnold introduced—

S. F. No. 1802: A bill for an act relating to the town of Iron Range and Bass Brook; authorizing electors to fix monthly salaries of chairman and supervisor of town board.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Hansen, Baldy; Laufenburger and Jensen introduced—

S. F. No. 1803: A bill for an act relating to insurance; providing for assignment of interests of certificate holders under group life insurance policies; amending Minnesota Statutes 1971, Section 61A.09.

Which was read the first time and referred to the Committee on Labor and Commerce.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 3 and 787.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned April 4, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 23, 70, 178, 482, 458, 1056, 1102, 1123, 1186, 1187 and 221.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted April 4, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 23: A bill for an act relating to pharmacists; permitting price advertising of prescription drugs; restricting the content of such advertisements and requiring certain disclosure of prices; amending Minnesota Statutes 1971, Section 151.06, by adding a subdivision.

H. F. No. 70: A bill for an act relating to education; general powers of independent school districts; amending Minnesota Statutes 1971, Section 123.35, Subdivision 9.

H. F. No. 178: A bill for an act relating to peace officers; providing benefits to survivors of peace officers killed in the line of duty; establishing a peace officers' benefit account in the state treasury; providing an appropriation.

H. F. 482: A bill for an act relating to health; occupations in protection thereof; registration; suspension, revocation or denial thereof; amending Minnesota Statutes 1971, Section 148.75; repealing Minnesota Statutes 1971, Section 147.08.

H. F. No. 458: A bill for an act relating to education; reorganization of school districts; exempting certain unorganized territories from inclusion within independent or special districts; amending Minnesota Statutes 1971, Chapter 122, by adding a section.

H. F. No. 1102: A bill for an act relating to the port authority of Winona; amending Laws 1967, Chapter 541, Section 1, as amended.

H. F. No. 1123: A bill for an act relating to insurance; non-resident insurance agents; requiring a license to do business; amending Minnesota Statutes 1971, Section 60A.17, Subdivision 3.

H. F. No. 1186: A bill for an act relating to intoxicating liquor; sale and dispensing at the Minneapolis convention hall-auditorium.

H. F. No. 1187: A bill for an act relating to certain persons in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivision 1.

H. F. No. 221: A bill for an act relating to provisions of Minnesota Statutes; changing various legal provisions relating to age from 21 years of age to 18 years of age; granting 18, 19 and 20 year olds broad powers, duties, rights and obligations; redefining the terms minor, adult, minority, majority and legal or full age; revising certain penalties accordingly; amending Minnesota Statutes 1971, Sections 64A.24, Subdivision 3; 72B.04, Subdivision 2; 82.03, Subdivision 2; 97.83, Subdivision 1; 136.11, Subdivision 1; 144.175, Subdivision 2; 144.51; 144.52; 144.60, Subdivision 1; 144.953, Subdivision 1; 146.06, Subdivision 1; 146.09; 147.16; 147.26, Subdivision 2; 148.37; 148.57, Subdivision 1; 148.70; 148.81, Subdivision 1; 149.03, Subdivision 1; 151.10; 153.04; 156.02, Subdivision 1; 171.07, Subdivision 1; 171.27; 177.02, Subdivisions 6 and 7; 181.41; 183.51, Subdivisions 4, 5, 6, 7, 8, 9, 10 and 11; 184.26, Subdivision 3; 200.02, Subdivision 25; 201.14; 201.15; 202.04, Subdivision 1; 208.22; 242.44; 246.43, Subdivisions 1 and 2; 246.51; 256.871, Subdivision 1; 256B.06; 256B.14; 257.01; 257.05, Subdivision 1; 259.21, Subdivision 2; 260.015, Subdivision 9; 268.04, Subdivision 12; 290.-

23, Subdivision 11; 290.25, Subdivision 4; 292.04; 299F.77; 326.19, Subdivisions 1 and 2; 330.01, Subdivision 1; 332.36, Subdivision 1; 340.02, Subdivision 8; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.14, Subdivision 2; 340.403, Subdivision 3; 340.78; 340.81; 359.01; 471.61, Subdivisions 1, 1a, and 2a; 500.13, Subdivision 2; 517.02; 517.08, Subdivision 1; 518.54, Subdivision 2; 518.57; 525.092, Subdivision 2; 525.80; 527.01, Subdivisions 2 and 14; 527.04, Subdivision 4; 527.07, Subdivision 4; 541.15; 609.295 and 645.45; Chapters 501, by adding a section; and 525, by adding a section; repealing Minnesota Statutes 1971, Section 61A.12, Subdivision 3.

Which were read the first time and referred to the Committee on Rules and Administration.

H. F. No. 1056: A bill for an act relating to public welfare; raising the age limitation on licensure of foster care facilities; amending Minnesota Statutes 1971, Section 257.081, Subdivision 6.

Mr. Doty moved that H. F. No. 1056 be laid on the table. Which motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. Which motion prevailed.

Mr. Novak from the Committee on Finance, to which was referred

H. F. No. 308, A bill for an act relating to the organization and operation of the state government; creating a department of finance; a legislative audit commission and a legislative auditor; appropriating moneys; amending Minnesota Statutes 1971, Sections 6.21; 9.031; 11.10; 215.04; 215.05; 215.06; 215.07; 215.08 and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11, 12, 20 and 22; and 215.02.

Reports the same back with the recommendation that the printed bill be amended as follows:

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

"Section 1. [DEPARTMENT OF FINANCE; CREATION.]
Subdivision 1. The department of finance is hereby created under the control and supervision of the commissioner of finance, which office is hereby established. The commissioner is the chief accounting officer, the principal financial officer and the state controller.

Subd. 2. The commissioner of finance is appointed by the governor by and with the advice and consent of the senate. The commissioner shall serve at the pleasure of the governor. A vacancy in the office of the commissioner shall be filled by the governor, with the advice and consent of the senate.

Subd. 3. The commissioner may appoint two deputy commissioners, and a confidential secretary, each of whom shall serve at the pleasure of the commissioner in the unclassified service. Except as may be otherwise provided for by law, the commissioner shall fix the compensation of each deputy. A deputy may perform and exercise a power, duty, or responsibility imposed by law on the commissioner when authorized so to do by the commissioner.

Subd. 4. Subject to the provisions of this act and to other applicable laws governing a state department or agency, the commissioner shall organize the department and employ such other officers, employees, and agents as he may deem necessary to discharge the functions of his department, define the duties of such officers, employees, and agents and to delegate to them any of his powers, duties, and responsibilities subject to his control and under such conditions as he may prescribe. Personnel employed pursuant to this subdivision are in the classified service of the state civil service.

Sec. 2. [TRANSFER OF DUTIES FROM STATE AUDITOR.]
Subdivision 1. Except as otherwise provided for in this section, all the powers, duties, and responsibilities now vested in and imposed upon the state auditor are hereby transferred to, vested in, and imposed upon the department of finance.

Subd. 2. The state auditor shall continue to exercise the powers, duties, and responsibilities which heretofore have been or which may hereafter be by law vested in, and imposed upon him relating to certifying the state tax to the several county auditors, certifying the tax necessary to be levied in connection with the repayment of moneys borrowed by the state or its department and agencies or moneys loaned by the state as authorized by law; he shall also continue to exercise such powers, duties and responsibilities prescribed by the constitution and as a member of a governmental council, board or association.

Sec. 3. Minnesota Statutes 1971, Section 6.21, is amended to read:

6.21 [DUTIES.] ~~The state auditor~~ *commissioner of finance shall continue to exercise the rights, powers, and duties vested in and imposed upon his office. He shall have charge of the administration of the financial affairs of the state. He shall keep the general books of account of the state. The general books of account shall be on a double entry control basis, with such revenue, expenditure, asset and liability accounts as will give complete control over all financial and expenditure operations of the state and over all officials, departments, and agencies of the state government. Accounts shall be set both as to expenditures and revenue according to generally accepted practice in governmental accounting. The auditor, with the advice and assistance of the commissioner of administration and the public examiner, commissioner of finance shall formulate and prescribe for all departments and other state agencies a system of uniform records, accounts, statements, estimates, revenue receipt forms, vouchers, bills, and demands with suitable instructions governing the installation and use thereof. The accounting system and form so prescribed shall be adopted and employed by all officials, departments, and agencies of the state government. The*

auditor, with the assistance of the public examiner, commissioner of finance shall exercise constant supervision and control thereof. All accounting and financial records shall be kept on the fiscal year basis of 12 months ending at midnight between June 30 and July 1. The auditor commissioner of finance and his designated agents shall at all times have free access to the books, records, accounts, and papers of the several departments and agencies. The commissioner of administration and his designated employees shall have free access at all times to the books, records, accounts, and papers of the state auditor and the auditor shall allow the commissioner and his agents sufficient desk space for using and inspecting the same.

Sec. 4. [TRANSFER OF POWERS FROM DEPARTMENT OF ADMINISTRATION.] *Subdivision 1. The department of finance shall prepare a biennial budget in consultation with the commissioner of administration under the supervision of the governor; except in even numbered years immediately before the inauguration of a new governor, such budget shall be prepared under the supervision of the governor-elect.*

Subd. 2. All the powers, duties, and responsibilities now vested in and imposed upon the commissioner of administration by Minnesota Statutes, Sections 3.30, relating to the contingent fund; 16.027, relating to payrolls; 16.138, relating to reimbursements; 16.14, 16.15, and 16.155 relating to budgets and the budget, are transferred to, vested in and imposed upon the department of finance.

Subd. 3. All the powers, duties, and responsibilities now vested in and imposed upon the commissioner of administration by Minnesota Statutes, Sections 16.20, 16.245, 16.25, 16.62, 16.63, 16.64 and any other law relating to the supervision and control of accounts and expenditures of the state government, its departments and agencies including but not limited to fees, payroll deductions, tax withholding, compensation schedules, and the expenses of state officers and employees are hereby transferred to, vested in, and imposed upon the department of finance.

Subd. 4. The department of finance may make rules and regulations governing the powers, duties, and responsibilities transferred to it under the terms of this act.

Sec. 5. [TRANSFER OF CERTAIN APPROPRIATIONS.] *The moneys heretofore appropriated to the commissioner of administration in the payroll clearance revolving fund in the state treasury are hereby reappropriated to the department of finance for the same purposes and uses as set forth in Minnesota Statutes, Section 16.80, Subdivision 1, Clause (g). Any accumulation in said fund from profits or otherwise is also reappropriated to the department of finance for such purposes.*

Sec. 6. [DEPARTMENT OF FINANCE OTHER POWERS.] *The commissioner of finance:*

(1) *May require each department in the executive branch to prepare financial reports in such form, and to be made at such intervals, as he may prescribe which will permit administrative and legislative comparisons of spending plans in relation to appropriations for programs and activities;*

(2) *May formulate and prescribe a system of measuring the effect of fund expenditures which will permit the evaluation and comparisons of the cost of functions or programs;*

(3) *May require each department to state in writing objectives of each activity or function authorized against which performance may be measured. The objectives shall be specific as to amount and time and for a period including the current and the following biennium and reported at such times and in such form as the commissioner shall direct;*

(4) *May require the department of taxation and other departments in the executive branch to report at his designated intervals concerning estimates of income and receipts whether from taxes or otherwise, and use such information in evaluating the financial condition and affairs of the state;*

(5) *Shall make such reports to the governor concerning the financial affairs of the state as the governor or the commissioner of administration may direct in addition to such reporting as may be otherwise prescribed by law.*

(6) *May require such reports and other information of the state treasurer and other departments and agencies in the executive branch as will permit formulation of policy on all fiscal and financial matters of state government.*

Sec. 7. [TRANSFER OF POWERS FROM PUBLIC EXAMINER.] *Except as otherwise provided for in this act relating to the legislative auditor, all the powers, duties and responsibilities of the public examiner relating to cities of all classes, villages, counties, towns, school districts, and other governmental subdivisions or bodies corporate and politic as contained in Minnesota Statutes, Sections 215.10, 215.11, 215.12, 215.13, 215.14, 215.16, 215.17, 215.19, 215.20, 215.21, 215.22, 215.225, 215.23, 215.24, 215.25, 215.26, 215.261, 215.31, 215.32, 215.33, 215.34, 215.35, 215.36, 215.37, 215.38, or any other law are hereby transferred to, vested in, and imposed upon the state auditor.*

Sec. 8. Minnesota Statutes 1971, Section 9.031, is amended by adding a subdivision to read:

Subd. 13. [DEPOSIT OF FUNDS.] (a) *Deposit of state funds in depositories by the treasurer under section 9.031 is subject to regulation by the commissioner of finance. He may determine the amount of funds to deposit in a depository and any other matter which he deems in the public interest. The treasurer shall comply with such regulations.*

(b) Notwithstanding any provision in section 9.031 to the contrary, the commissioner of finance may agree to pay a depository a reasonable charge or keep appropriate compensating balances for handling state funds, for cashing state warrants, vouchers and the like. Such moneys as may be necessary for such purpose are hereby appropriated annually to the commissioner of finance.

Sec. 9. Minnesota Statutes 1971, Section 11.10, Subdivision 1, is amended to read:

11.10 [INVESTMENT OF MONEY IN STATE TREASURY NOT CURRENTLY NEEDED.] Subdivision 1. **[INVESTMENT OF TREASURY FUND.]** *The state treasurer shall make a report to the commissioner of finance daily or at such other times as the commissioner of finance shall determine of the moneys in the state treasury together with such other information which the commissioner may prescribe. When there shall be any is money in the state treasury that over and above the amount that the commissioner of finance has advised the treasurer is not currently needed, the state treasurer shall certify to the state board of investment the amount thereof. The board of investment may then invest said amount, or any part thereof, in the following:*

(a) Treasury bonds, certificates of indebtedness, bonds or notes of the United States of America or bonds, notes or certificates of indebtedness of the state of Minnesota, all of which must mature not later than three years from date of purchase.

(b) Bonds, notes, debentures or other obligations issued by any agency or instrumentality of the United States or any securities guaranteed by the United States government, or for which the credit of the United States is pledged for the payment of the principal and interest thereof, all of which must mature not later than three years from date of purchase.

(c) Commercial paper of prime quality, or rated among the top third of the quality categories, not applicable to defaulted paper, as defined by a nationally recognized organization which rates such securities as eligible for investment in the state employees retirement fund except that any non-banking issuing corporation, or parent company in the case of paper issued by operating utility or finance subsidiaries, must have total assets exceeding \$500,000,000. Such commercial paper may constitute no more than 30 percent of the book value of the fund at the time of purchase, and the commercial paper of any one corporation shall not constitute more than four percent of the book value of the fund at the time of such investment.

(d) Any securities eligible under the preceding provisions, purchased with simultaneous repurchase agreement under which the securities will be sold to the particular dealer on a specified date at a predetermined price. In such instances, all maturities of United States government securities, or securities issued or guaranteed by the United States government or an agency thereof, may be purchased so long as any such securities which mature later than three years from the date of purchase have a current market value exceeding the purchase price by at last five percent

on the date of purchase, and so long as such repurchase agreement involving securities extending beyond three years in maturity be limited to a period not exceeding 45 days.

Sec. 10. Minnesota Statutes 1971, Section 11.10, Subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER OF FINANCE TO CERTIFY.] When it shall appear to the ~~state auditor~~ *commissioner of finance* that any invested funds are needed for current purposes before the maturity dates of the securities held, he shall so certify and it shall then be the duty of the board of investment to order the sale or conversion into cash of securities of the amount so certified.

Sec. 11. [COMMISSIONER OF ADMINISTRATION; ADDITIONAL POWERS.] *Subdivision 1. In addition to the other powers, duties and responsibilities of the commissioner of administration, he may appoint two deputy commissioners, and a confidential secretary, each of whom shall serve at the pleasure of the commissioner in the unclassified service.*

Subd. 2. *The governor, unless otherwise provided by law, may delegate to the commissioner of administration the administration of such programs and projects of the office of the governor directed by either state or federal law, or which may be made available to the state under a grant of funds either public or private.*

Sec. 12. [AUDIT POLICY.] *Subdivision 1. The public interest requires continuous legislative review of the spending of public funds at all levels of government.*

Subd. 2. [LEGISLATIVE AUDIT COMMISSION CREATION.] *A legislative commission to be known as the legislative audit commission, designated herein as "the commission" is hereby created. The commission shall consist of the chairman of the senate finance committee or his designee, who shall be a member of the senate finance committee; a member of the senate appointed by the leader of the majority; two members of the senate appointed by the leader of the minority; the chairman of the house appropriations committee or his designee, who shall be a member of the house appropriations committee; a member of the house appointed by the speaker; and two members of the house appointed by the minority leader. The appointed members of the commission shall serve for a term commencing upon appointment and expiring at the opening of the next regular session of the legislature in the odd numbered year and until a successor is appointed. A vacancy in the membership of the commission shall be filled for the unexpired term in such a manner as to preserve the representation established by this subdivision.*

The commission shall elect its chairman and such other officers as it may determine necessary. It shall meet at the call of the chairman or at the call of its executive secretary. All meetings of the commission shall be open to the public and to the press except that the commission may hold an executive session when requested by any six of its members on a roll call vote.

Subd. 3. The department of public examiner is transferred from the executive to the legislative branch.

Subd. 4. Until the expiration of his term the incumbent public examiner upon the effective date of this section shall continue in the legislative branch but as the legislative auditor. Thereafter, the commission shall appoint a legislative auditor. The legislative auditor is the executive secretary of the commission. After the expiration of the term of the incumbent public examiner the legislative auditor shall serve at the pleasure of the commission. He shall serve in the unclassified service. He shall not at any time while in office hold any other public office.

Subd. 5. The legislative auditor may appoint a deputy legislative auditor and a confidential secretary each of whom shall serve at his pleasure in the unclassified service. Except as may be otherwise provided for by law the legislative auditor shall fix their salaries. The deputy may perform and exercise the powers, duties and responsibilities imposed by law on the legislative auditor and is authorized so to do by the legislative auditor. All other officers and employees of the legislative auditor shall continue to be in the classified civil service.

Subd. 6. All the powers, duties and responsibilities of the department of public examiner relating to the state of Minnesota, its departments and agencies as described in Minnesota Statutes 1971, Section 215.03, and any other law concerning powers, duties and responsibilities of the public examiner not otherwise dealt with by this act are hereby transferred to the legislative auditor. Nothing in this subdivision shall be deemed to supersede the powers conferred upon the commissioner of finance under Minnesota Statutes, Section 6.21.

Subd. 7. In addition to the legislative auditing duties concerning state financial matters, the legislative auditor shall also exercise and perform such duties as may be prescribed by rule or regulation of the legislature or either body thereof or by the commission. The legislative auditor shall review department policies and evaluate projects or programs requested by the commission. Any standing legislative committee having legislative jurisdiction may request the commission to review projects or programs.

Subd. 8. The legislature may provide by rule or regulation such testimonial powers as are conferred by law on legislative standing commissions or committees on the legislative auditor.

Sec. 13. [EFFECT OF TRANSFER OF FUNCTIONS.] *Subdivision 1. With reference to the powers, duties, and responsibilities which by this act have been transferred to the department of finance, the department of finance is deemed to be the successor of the state auditor, and the commissioner of administration and the matters within the jurisdiction of such former offices shall not be deemed to be a new authority.*

Subd. 2. Any proceeding, court action, prosecution, or other business or matter undertaken or commenced prior to the passage of this act with reference to powers, duties, and responsibilities of

the state auditor, or the commissioner of administration which by this act are transferred to the commissioner of finance are hereby assigned to the department of finance, and such pending matters may be continued and completed by the department of finance in the same manner and under the same terms and conditions and with the same effect as if such matters were undertaken, commenced and completed prior to the time of such transfer.

Subd. 3. With reference to the powers, duties, and responsibilities transferred by this act from the state auditor, and the department of administration to the department of finance, the state auditor, the state treasurer and the commissioner of administration shall transfer and deliver to the department of finance all contracts, books, maps, papers, notes, bonds, cash, securities, money, records, and other property of every description within their jurisdiction or control relating thereto. The commissioner of finance is directed to take possession of such matters which have been transferred to his department. The commissioner of finance may require the public examiner to make such audits as he may deem necessary in addition to those required by law in connection with this section.

Subd. 4. Whenever in any other general law, heretofore or hereafter adopted, or any document, record, or proceeding authorized by the same, any word or phrase is used in reference to or descriptive of any power, duty, or responsibility which by this act is transferred from the state auditor, or the commissioner of administration to the department of finance, such word, phrase, or reference shall hereafter, unless the context or provision of this act otherwise requires, be deemed to refer to, include, or describe the department of finance.

Subd. 5. All unexpended funds appropriated to the state auditor, or the commissioner of administration for the purposes of any of the powers, duties, and responsibilities which by this act are transferred to the department of finance are hereby transferred and reappropriated to such department. Where unexpended funds appropriated to the state auditor or the department of administration include funds for powers, duties, and responsibilities which are not transferred, the governor shall allocate the appropriation between the state auditor, and the department of finance and the commissioner of administration and the department of finance, and the money so allocated is hereby reappropriated to the department of finance.

Subd. 6. Except as otherwise provided in this act, all persons in the classified service of the state and employed by the state auditor or the department of administration for the purposes of any of the powers, duties or responsibilities which are transferred by this act to the department of finance are hereby transferred to the department of finance.

Subd. 7. The state auditor is the successor of the public examiner as to such powers, duties, and responsibilities as have been transferred to him from the public examiner and not a new authority. The legislative auditor is the public examiner as to such powers, duties, and responsibilities which the public examiner will continue to perform but as the legislative auditor.

Subd. 8. All persons in the classified service of the state and employed by the public examiner in performing the duties transferred to the state auditor are transferred to the state auditor without loss of any right or privilege. All persons in the classified service of the state and employed by the public examiner in performing duties which will be performed by the public examiner as legislative auditor will continue in the classified service without loss of right or privilege.

Subd. 9. All unexpended funds appropriated to the public examiner shall be allocated by the governor between the state auditor and the legislative auditor to carry out the divisions of authority prescribed by this act governing such officers and such reallocated funds are appropriated accordingly.

Sec. 14. [INSTRUCTIONS TO REVISOR.] In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make such changes in terminology so as to record the powers, duties, and responsibilities which are transferred by this act.

Sec. 15. [APPROPRIATION.] The sum of \$50,000 is appropriated to the department of finance from the general fund of the state treasury for the purpose of organizing the department of finance, to be available for expenditure as soon as a commissioner of finance is appointed. Notwithstanding the provisions of any other law, such appropriation is for salaries, supplies and expenses, shall not cancel and shall be available until expended.

Sec. 16. [OFFICE FACILITIES.] The commissioner of administration if necessary shall rearrange the offices and space allotted therefor to the state auditor, the state treasurer and the commissioner of administration in order to provide the department of finance with adequate and proper offices, and to that end may move the office facilities.

Sec. 17. Minnesota Statutes 1971, Section 16.141, Subdivision 2, is amended to read:

Subd. 2. [ESTABLISHMENT OF PROGRAM.] The commissioner of administration in consultation with the commissioner of finance shall develop and implement a system of program budgeting the budget process to accomplish the policy as stated in subdivision 1 for state departments and agencies; , provided, that such program budgets process need not comply with other provisions of law relating to the setting forth of expenditures by funds, organizational units, character and objects of expenditure. The commissioner of finance shall promulgate regulations and instructions applicable to program budget preparation governing the classification of expenditures and the content, preparation, and submission of budget requests and appropriation measures. In order to assure an orderly development of sound budgeting methods, the commissioner of administration may continue to select agencies and departments to implement the program budget system. The commissioner of administration finance shall make recommendations to the legislature on the subject of any legislation or special appropriations which may be required for implementation of the program budgeting system for all state departments and agencies. Such program

budget system shall, to the greatest extent practicable, emphasize alternative approaches in the program development and criteria for performance evaluation and measurement. All state departments and agencies shall cooperate with the ~~commissioner~~ *commissioners of administration and finance* to assure implementation of ~~program~~ budgets which meet the requirements of the *commissioner of administration* and which give due regard to the requirements of the various departments and agencies involved. No state agency shall begin or install any system of program or programmatic budgeting until they have first secured the explicit permission of the *commissioner of administration*.

Sec. 18. Minnesota Statutes 1971, Section 16.141, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding any other law to the contrary, the *commissioner of administration and finance* may waive the requirement for submitting a budget by object of expenditure for ~~not more than three~~ agencies and departments which are requesting programmatic appropriation.

Sec. 19. Minnesota Statutes 1971, Section 16.16, Subdivision 1, is amended to read:

16.16 [ALLOTMENT AND ENCUMBRANCE.] Subdivision 1. [ALLOTMENT PERIOD.] For the purposes of *operation of the quarterly allotment system*, each fiscal year shall be ~~divided into four quarterly allotment periods, beginning, respectively, on the first days of July, October, January, and April, one fiscal year of 12 months which shall end at midnight between each June 30 and July 1, provided, that in any case where the quarterly allotment period is impracticable, the commissioner of finance may prescribe a different period suited to the circumstances, not exceeding 12 months nor extending beyond the end of the fiscal year. This provision does not apply to allotments made with respect to appropriations made for constructions or permanent improvement.~~

Sec. 20. Minnesota Statutes 1971, Section 16.16, Subdivision 3, is amended to read:

Subd. 3. [APPROPRIATIONS AVAILABLE FOR ALLOTMENT; SPENDING PLANS.] No appropriation to any agency shall become available for expenditure thereby during any allotment period until such agency shall have submitted to the *commissioner of administration* ~~an estimate a spending plan~~ in advance, in such form as the *commissioner of finance* shall prescribe, for such allotment period next ensuing, of the amount required for each activity to be carried on and each purpose for which money is to be expended during that period, and until such ~~estimate spending plan~~ shall have been approved, increased, or decreased by the *commissioner of administration* and funds allotted therefor ; as provided in Laws 1930, Chapter 431.

Sec. 21. Minnesota Statutes 1971, Section 16.16, Subdivision 4, is amended to read:

Subd. 4. [SPENDING PLANS WITHIN APPROPRIATION:

APPROVAL; PROCEDURE.] If the ~~estimate~~ *spending plan* is within the terms of the appropriation as to amount and purposes, having due regard for the probable further needs of the agency for the remainder of the fiscal year or other term for which the appropriation was made, and if there is a need for such appropriation for the next ensuing allotment period, the commissioner of *administration* shall approve ~~after consultation with the commissioner of finance the same and allot~~ the estimated amount for expenditure. Otherwise the commissioner of *administration* shall modify the ~~estimate~~ *spending plan* so as to conform with the terms of the appropriation and the prospective needs of the agency, and shall reduce the amount allotted accordingly. The commissioner of *administration* shall act promptly upon all ~~estimates~~ *spending plans*, and shall notify every agency of its allotments at least five days before the beginning of each allotment period, and shall notify the ~~state auditor~~ *commissioner of finance*. The total amount allotted to any agency for the fiscal year or other terms for which the appropriation was made shall not exceed the amount appropriated for such year or term.

Sec. 22. Minnesota Statutes 1971, Section 16.16, Subdivision 5, is amended to read:

Subd. 5. [MODIFICATION.] The commissioner of *administration* shall also have authority at any time to modify or amend any ~~allotment~~ *spending plan* previously ~~made approved~~ by him, upon application of or upon notice to the agency concerned, and upon a showing of emergency or other cause; provided, no deficit or undue reduction of funds to meet future needs of such agency will result therefrom.

Sec. 23. Minnesota Statutes 1971, Section 16.16, Subdivision 6, is amended to read:

Subd. 6. [REDUCTION.] In case the commssioner of *finance* shall discover at any time that the probable receipts from taxes or other sources for any appropriation, fund, or item will be less than was anticipated, and that consequently the amount available for the remainder of the term of the appropriation or for any allotment period will be less than the amount estimated or allotted therefor, he shall ; *notify the commissioner of administration who shall, with the approval of the governor, and after notice to the agency concerned, request the commissioner of finance to reduce the amount allotted or to be allotted so as to prevent a deficit. In like manner he shall reduce request reduction of the amount allotted or to be allotted to any agency by the amount of any saving which can be effected upon previous estimates spending plans through a reduction in prices or other cause.*

Sec. 24. Minnesota Statutes 1971, Section 16.16, Subdivision 7, is amended to read:

Subd. 7. [COMMISSIONER OF FINANCE; ACCOUNTING SYSTEM.] There shall be kept in the office of the ~~state auditor~~ *commissioner of finance* an accounting system showing at all times, by funds and items, the amounts appropriated for and the estimated revenues of such agency, the amounts allotted and available

for expenditure, the amounts of expenditures or obligations authorized to be incurred, actual receipts and disbursements, actual balances on hand, and the unencumbered balances after deduction of all actual and authorized expenditures.

Sec. 25. Minnesota Statutes 1971, Section 16.16, Subdivision 8, is amended to read:

Subd. 8. [PAYMENT WITHIN ALLOTMENT AND ENCUMBRANCE; EXCEPTIONS.] No payment shall be made and no obligation shall be incurred against any fund, allotment, or appropriation unless the ~~state auditor~~ *commissioner of finance* shall first certify that there is a sufficient unencumbered balance in such fund, allotment, or appropriation to meet the same. Every expenditure or obligation authorized or incurred in violation of the provisions of Laws 1939, Chapter 431, shall be presumed invalid and shall be ineligible for payment until its validity is established as hereinafter provided. Every payment made in violation of the provisions of Laws 1939, Chapter 431, shall be deemed illegal, and every official authorizing or making such payment, or taking part therein, and every person receiving such payment, or any part thereof, shall be jointly and severally liable to the state for the full amount so paid or received. If any appointive officer or employee of the state shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of Laws 1939, Chapter 431, or take part therein, it shall be grounds for his removal by the officer appointing him, and, if the appointing officer be other than the governor and shall fail to remove such officer or employee, the governor may exercise such power of removal, after giving notice of the charges and opportunity for hearing thereon to the accused officer or employee and to the officer appointing him. Claims presented against existing appropriations without prior allotment or encumbrance may, upon investigation, review, and approval by the commissioner of ~~administration~~ *finance* be determined valid where the services, materials, and supplies for which payment is claimed have been actually rendered or furnished to the state in good faith without collusion and without intent to defraud. Thereafter the ~~state auditor~~ *commissioner of finance* may draw his warrant in payment of such claims in the same manner in which other claims, properly allotted and encumbered prior to inception thereof, are paid.

Sec. 26. Minnesota Statutes 1971, Section 16.16, Subdivision 8a, is amended to read:

Subd. 8a. [PERIODIC ALLOTMENT.] In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, repair, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the commissioner of ~~administration~~ *finance* may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 27. Minnesota Statutes 1971, Section 215.04, is amended to read:

215.04 [POWERS AND DUTIES OF LEGISLATIVE AUDITOR.] The public examiner shall keep such books of account as shall be necessary to properly carry out the provisions of this chapter and formulate and prescribe for all departments a system of uniform records, accounts, statements, estimates, vouchers, bills, and demands, with suitable books of instruction covering the installation and use thereof. The accounting system and forms so prescribed shall be adopted and employed in all such departments. The public examiner *legislative auditor* shall post-audit and make a complete examination and verification of all accounts, records, inventories, vouchers, receipts, funds, securities, and other assets of all state departments, boards, commissions, and other state agencies at least once a year, if funds and personnel permit, and oftener if deemed necessary or as directed by the governor or by the legislature or the legislative audit commission. Audits may include detailed checking of every transaction or test checking as the public examiner *legislative auditor* deems best. The books of the state treasurer and state auditor *commissioner of finance* may be examined monthly. The public examiner *legislative auditor* shall see that all provisions of law respecting the installation and use of accounting systems, books, records, and forms appropriate and economic use of public funds are complied with by all departments and agencies of the state government.

The powers and duties of the board of audit and of the former public examiner heretofore transferred to, vested in, and imposed upon the comptroller, are hereby transferred to, vested in, and imposed upon the public examiner.

Sec. 28. Minnesota Statutes 1971, Section 215.05, is amended to read:

215.05 [DUTIES AS TO STATE AGENCIES AND SEMI-STATE AGENCIES.] The public examiner *legislative auditor* shall exercise make a constant audit supervision over the books and accounts of the several public offices, institutions, properties, industries, and improvements of all financial affairs of all departments and agencies of the state, and over the financial records and transactions of public boards, associations, and societies supported, wholly or in part, by state funds. In all offices where the records of such public affairs are kept and the finances thereof handled, he shall enforce correct methods of accountancy and, in his discretion, prescribe and install systems of accounts and financial reports. Once in each year, if funds and personnel permit, without previous notice, he shall visit each of such offices, institutions, and industries state departments and agencies, associations or societies and, so far as practicable, inspect such properties and improvements agencies, thoroughly examine the books and accounts thereof, verifying the funds, securities and other assets, check the items of receipts and disbursements with the voucher records thereof, ascertain the character of the official bonds for the officers thereof and the financial ability of the bondsmen, inspect the sources of revenue thereof, the use and disposition of state appro-

priations and property, investigate the methods of purchase and sale, the character of contracts on public account, ~~enforce a ascertain~~ proper custody and depository for the funds and securities thereof, verify the inventory of public property and other assets held in trust, and ascertain that all financial transactions and operations involving the public funds and property of the state comply with the spirit and purpose of the law, ~~and are sound by modern standards of financial management and are for the best~~ protection of the public interest.

Sec. 29. Minnesota Statutes 1971, Section 215.06, is amended to read:

215.06 [TO FILE WRITTEN REPORTS.] The ~~public examiner~~ legislative auditor shall file a written report covering his audits with the department, agency, society, or association concerned, the governor, and the legislature; and, if he deems necessary, ~~present special reports to the legislative advisory committee and the legislative audit commission for its consideration and action.~~

Such audit reports shall set forth:

(1) Whether all funds have been expended for the purposes authorized in the appropriations therefor;

(2) Whether all receipts have been accounted for and paid into the state treasury as required by law;

(3) All illegal and unbusinesslike practices, if any;

(4) ~~Recommendations for greater simplicity, accuracy, efficiency, and economy; and Assessment of the financial control practices used in the agency, measurement of performance and recommendations for improved effectiveness; and~~

(5) Such other data, information, and recommendations as the ~~public examiner~~ legislative auditor may deem advisable and necessary.

Sec. 30. Minnesota Statutes 1971, Section 215.07, is amended to read:

215.07 [DUTIES WHEN VIOLATIONS ARE DISCOVERED.] If any such ~~public examiner's~~ legislative auditor's examinations shall disclose malfeasance, misfeasance, or non-feasance in office on the part of any officer or employee, a copy of such report shall be signed and verified, and it shall be the duty of the ~~public examiner~~ legislative auditor to file such report with the ~~secretary of the legislative advisory committee audit commission and the attorney general.~~ It shall be the duty of the attorney general to institute and prosecute such civil proceedings against such delinquent officer or employee, or upon his official bond, or both, as may be appropriate to secure to the state the recovery of any funds or other assets misappropriated, and he shall cause such criminal proceedings to be instituted by the proper authorities as the evidence may warrant.

Sec. 31. Minnesota Statutes 1971, Section 215.08, is amended to read:

215.08 [INFORMATION COLLECTED FROM LOCAL GOVERNMENTS.] The ~~public examiner~~ *state auditor*, or his designated agent, shall collect annually from all city, village, county, and other local units of government, ~~except towns~~, information as to the assessment of property, collection of taxes, receipts from licenses and other sources, the expenditure of public funds for all purposes, borrowing, debts, principal and interest payments on debts, and such other information as may be needful. The data shall be supplied upon blanks prescribed by the ~~public examiner~~ *state auditor*, and all public officials so called upon shall fill out properly and return promptly all blanks so transmitted. The ~~public examiner, state auditor~~ or his assistants, may examine local records in order to complete or verify the information. *Copies of all reports so received shall be forwarded by the state auditor to the legislative auditor.*

Sec. 32. Minnesota Statutes 1971, Section 215.09, is amended to read:

215.09 [ANNUAL REPORT.] The ~~public examiner~~ *state auditor* shall make and file, annually, in his office a summary report of the information collected, with such compilations and analyses and interpretations as may be deemed helpful. Copies of such report may be made and distributed to interested persons and governmental units. *A copy of the report shall be forwarded to the legislative auditor.*

Sec. 33. [REPEALER.] *Minnesota Statutes 1971, Sections 16.02, Subdivisions 11 and 12; 215.02 and 215.18 are hereby repealed.*

Sec. 34. [EFFECTIVE DATE.] *Except as otherwise provided herein, this act is in effect upon the appointment by the governor of a commissioner of finance. The transfer of powers, duties, and responsibilities from the state auditor, the state treasurer or the commissioner of administration, shall be accomplished as soon as the commissioner of finance advises the secretary of state in writing that his department is organized and ready to begin functioning. Until then the state auditor, the state treasurer and the commissioner of administration shall continue to exercise the powers, duties, and responsibilities which by this act are transferred to the department of finance. The sections creating a legislative audit commission, a legislative auditor and transferring powers of the public examiner to the state auditor are in effect September 1, 1973."*

Amend the title of the printed bill as follows:

Second line of the title, strike everything after "finance;" through the end of the title and insert in lieu thereof:

"transferring the powers of the public examiner to the state auditor; creating a legislative audit commission and legislative auditor; appropriating money; amending Minnesota Statutes 1971, Sections 6.21; 9.081, by adding a subdivision; 11.10, Subdivisions 1 and 2; 16.141, Subdivisions 2 and 3; 16.16, Subdivisions 1, 3, 4, 5, 6, 7, 8, and 8a; 215.04; 215.05; 215.06; 215.07; 215.08; and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11 and 12; 215.02; and 215.18."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Gearty from the Committee on Governmental Operations, to which was referred

S. F. No. 381: A bill for an act relating to examining and licensing boards; requiring such boards to have a substantial minority of nonprofessional members.

Reports the same back with the recommendation that the bill be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 144.01, is amended to read:

144.01 [MEMBERSHIP.] The department of health as created and constituted under Laws of Minnesota 1925, Chapter 426, is hereby continued under the supervision and control of the state board of health. The state board of health shall consist of ~~nine~~ 15 members, ~~learned in sanitary science, who nine of whom shall be broadly representative of the licensed health professions and six of whom shall be public members as defined for purposes of this act.~~ The licensed health professionals shall be appointed by the governor for such periods that the terms of three members will end on the first Monday of January in each year so that the initial terms of three members will end the first Monday in January of each second year. Thereafter the terms shall be four years. The public members shall be appointed by the governor for like terms. Vacancies therein on the board shall be filled by like appointment for the unexpired term. Each member shall serve until his successor qualifies.

Sec. 2. Minnesota Statutes 1971, Section 144.04, is amended to read:

144.04 [EXPENSES.] The members of the board shall receive no compensation as such, but the necessary expenses of their attendance upon its meetings shall be reimbursed compensation of the sum of \$35 per day for attendance at board meetings and ordinary and necessary expenses in the same amount and manner as state employees. Subject to the provisions of Laws 1939, Chapter 441, the board may employ, and at pleasure dismiss, such agents, experts, and other assistants as it may deem necessary and fix their compensation, prescribe their duties, and allow their necessary expenses. All such salaries, compensation, and expenses shall be paid by the state upon vouchers approved by at least two members of the board; but the total for any year shall not exceed the appropriation of the year therefor.

Sec. 3. Minnesota Statutes 1971, Section 144.952, is amended to read:

144.952 [COMPOSITION OF THE BOARD.] Subdivision 1. There is hereby created the state board of examiners for nursing

home administrators which shall consist of the following members:

(a) A designee of the state board of health who shall be a non-voting member;

(b) the commissioner of public welfare, or his designee who shall be a non-voting member; and the following members appointed by the governor;

(c) two members actively engaged in the management, operation, or ownership of proprietary nursing homes;

(d) two members actively engaged in the management or operation of nonprofit nursing homes or hospitals caring for chronically ill or infirm-aged patients;

(e) one member actively engaged in the practice of medicine;

(f) one member actively engaged in the practice of professional nursing; and

(g) ~~three members from the general public who are not engaged in the management, ownership, operation or supervision of any nursing home or hospital~~ *public members as defined for purposes of this act.*

Subd. 2. The three *public* members appointed from the general public shall serve until July 1, 1974 or until their successors shall be appointed and qualify; the two members appointed from those actively engaged in the management, operation or ownership of nursing homes shall serve until July 1, 1973 or until their successors are appointed and qualify; the two members appointed from those actively engaged in the management or operation of hospitals or nursing homes caring for the chronically ill or infirmed, aged patients, shall serve until July 1, 1972, or until their successors are appointed and qualify; the member appointed from those actively engaged in the practice of medicine shall serve until July 1, 1971 or until his successor is appointed and qualifies; the member appointed from those actively engaged in the profession of nursing shall serve until July 1, 1970 or until her successor is appointed and qualifies. Thereafter, any appointment to fill a vacancy shall be for a term of five years. Any vacancy occurring in the position of any appointed member shall be filled by the governor for the unexpired term. Appointed members may be removed by the governor for misconduct, incapacity, incompetence or negligence of duty after being served with a written statement of charges and after the completion of a hearing on such charges.

Sec. 4. Minnesota Statutes 1971, Chapter 144, is amended by adding a section to read:

[144.9555] [COMPENSATION OF BOARD MEMBERS.]

Members of the board shall receive as compensation \$35 per day for attendance at board meetings and they shall also receive their ordinary and necessary expenses in the same amount and manner as state employees; provided that the nonvoting members of the board, the designee of the state board of health and the commis-

sioner of public welfare or his designee, shall receive no per diem payment.

Sec. 5. Minnesota Statutes 1971, Section 146.11, is amended to read:

146.11 [FEES; DISPOSITION; REPORTS.] All fees received by the state board of examiners in the basic sciences under this chapter shall be paid to the secretary-treasurer thereof, who shall forthwith deposit the same with the state treasurer to be kept in a separate fund, which shall be under the control, and for the use, of the board. All expenditures of the board and all expenses necessarily paid or incurred thereby in the exercise of its powers or the performance of its duties under this chapter shall be paid out of this fund. Payments out of this fund shall be made only upon written orders issued and signed by the president and secretary-treasurer of the board credited to the general fund in the state treasury and the unexpended balance of any special fund of the board as of July 1, 1973 shall also be credited to the general fund. Such secretary-treasurer shall give a bond to the state of Minnesota in such sum as the board shall determine, with sureties approved by the board, conditioned upon the faithful performance by him of the duties of his office and his accounting for all moneys of the board in his custody or under his control as such secretary-treasurer. No expense shall be incurred by the board in excess of the revenue derived from such fees. On or before October 1 in each even numbered year the board shall report to the governor concerning its receipts and disbursements and proceedings for the two preceding fiscal years. The expenses of administering sections 146.01 to 146.22 shall be paid from the appropriations made to the state board of examiners in the basic sciences.

Sec. 6. Minnesota Statutes 1971, Section 147.01, is amended to read:

147.01 [BOARD OF MEDICAL EXAMINERS.] The Minnesota state board of medical examiners shall consist of ~~eight~~ 13 members, residents of the state of Minnesota, appointed by the governor as hereinafter provided (a) seven of whom shall hold a degree of doctor of medicine and be licensed to practice medicine under chapter 147, and (b) one of whom shall hold a degree of doctor of osteopathy and either be licensed to practice osteopathy under Minnesota Statutes 1961, Sections 148.11 to 148.16; prior to May 1, 1963, or be licensed to practice medicine under chapter 147 and (c) five of whom shall be public members as defined for purposes of this act. The term of office of each of the seven members who shall be serving on the board on May 1, 1963, shall continue for the term for which each was appointed and until his successor shall qualify, one such member's term continuing until May 1, 1963; one such member's term continuing until May 1, 1964; one such member's term continuing until May 1, 1965; one such member's term continuing until May 1, 1966; one such member's term continuing until May 1, 1967; one such member's term continuing until May 1, 1968; and one such member's term continuing until May 1, 1969. The term of the initial member of the board appointed pursuant to clause (b) of

the first sentence of this section shall expire on May 1, 1970. *The terms of the initial member of the board appointed pursuant to clause (c) shall expire as follows: two on May 1, 1977; two, on May 1, 1978; and one on May 1, 1981, from the date of appointment.* The term of office of each member appointed to the board on the expiration of each of the foregoing terms shall commence as of May 1 and shall continue for a period of eight years and until his successor shall qualify. Upon the expiration of the term of any member, the governor shall appoint a successor to the member whose term expires. Each year the council of the Minnesota state medical association, at least 30 days prior to May first, shall recommend to the governor three doctors of medicine qualified to serve on the board with respect to each membership which is then filled by a doctor of medicine and the term of which shall expire on May 1 of such year. Each year in which the term of a doctor of osteopathy expires, the Minnesota state osteopathic association shall recommend to the governor three doctors of osteopathy qualified to serve on the board. From the list of persons so recommended the governor may appoint one member to the board for the above prescribed term of eight years. Within 60 days after the occurrence of any vacancy in the board, the council of the Minnesota state medical association, if the vacancy be with respect to a membership vacated by a doctor of medicine, or the Minnesota state osteopathic association, if the vacancy be with respect to a membership vacated by a doctor of osteopathy, shall recommend to the governor three doctors of medicine qualified to serve on the board if the recommendation be by the Minnesota state medical association or three doctors of osteopathy qualified to serve on the board if the recommendation be by the Minnesota state osteopathic association. From the list of persons so recommended the governor, within 30 days after receiving such recommendation, may appoint one member to the board for the unexpired term occasioned by such vacancy and any appointment thereto to fill a vacancy shall be made within 90 days after the occurrence of such vacancy for the balance of the unexpired term. The board shall elect from among its number a president, a vice-president, and a secretary-treasurer, who shall each serve for one year, or until his successor is elected and qualifies. The board shall have authority to adopt such rules and regulations as may be found necessary to carry out the purposes of chapter 147. The members of the board shall have authority to administer oaths and the board, in session, to take testimony as to matters pertaining to the duties of the board. In the administration of this chapter the board shall have the power to compel the attendance of witnesses and the production of documents by subpoena, to investigate complaints of violations of this chapter or the rules and regulations of the board, and to institute injunctive proceedings to restrain violations upon a showing of injury or potential injury to the public health or welfare. Six members of the board shall constitute a quorum for the transaction of business. The board shall have a common seal, which shall be kept by the secretary, whose duty it shall be to keep a record of all proceedings of the board, including a register of all applicants for license under this chapter, giving their names, addresses, ages, educational qualifications, and the result of their examination. These

books and registers shall be prima facie evidence of all the matters therein recorded. All communications or information received by or disclosed to the board relating to any person or matter subject to its regulatory jurisdiction, and all records of any action or proceedings thereon, except only a final decision of the board, which shall state the specific reason therefor shall be confidential and privileged within the meaning of section 595.02, clause 5, and shall not be public records within the meaning of section 15.17, subdivision 4; provided that upon application of a party in a proceeding before the board pursuant to section 147.02, subdivision 3, the board shall produce and permit the inspection and copying, by or on behalf of the moving party, of any designated documents or papers relevant to the proceedings, in accordance with the provisions of rule 34, Minnesota rules civil procedure. The board shall hold examinations at least once each year.

Sec. 7. Minnesota Statutes 1971, Section 147.05, is amended to read:

147.05 [SUPPLIES; SECRETARY, EXECUTIVE SECRETARY, BOND, COMPENSATION; BOARD MEMBER'S COMPENSATION.] The state board of medical examiners shall provide blanks, books, certificates, and such stationery and assistance as is necessary for the transaction of the business pertaining to the duties of such board and all money received by the secretary shall be paid into the state treasury ~~as provided for by law, to be kept in a separate fund which shall be under the control, and for the use, of the board and credited to the general fund and the unexpended balance in any special account of the board in the state treasury as of July 1, 1973 shall also be credited to the general fund. The expenses of administering sections 147.01 to 147.29 shall be paid from the appropriations made to the Minnesota state board of medical examiners.~~ The board may employ, discharge, and fix the compensation of an executive secretary, in the unclassified service, to perform duties prescribed by the board. The secretary and executive secretary of the board shall each give a bond in the sum of \$10,000 to the state of Minnesota for the faithful performance of his duties. Each member of the board shall receive as compensation for his services the sum of \$50 per day, to be fixed by the board for each day spent in the execution of duties imposed on the board by chapter 147, and rules and regulations adopted pursuant thereto, including attendance at meetings of the Federation of State Medical Boards, and, regular and special meetings of the board, and the secretary and other members of the board shall receive all expenses actually and necessarily incurred by them in connection therewith, subject to the regulations of the department of administration adopted pursuant to section 16.02, subdivision 20. The secretary shall receive a salary of not to exceed \$9,600 per annum, the amount thereof to be fixed by the board. The salary and expenses of the members of the board shall be paid as determined by the board by the state treasurer on warrants signed by the president or secretary, or other authorized person, drawn by the state auditor on the state treasurer on the funds ~~of appropriated~~ to said board.

Sec. 8. Minnesota Statutes 1971, Section 148.03, is amended to read:

148.03 [APPOINTMENT.] The governor shall appoint a state board of chiropractic examiners consisting of *two public members as defined for purposes of this act* and five resident chiropractors who shall have practiced chiropractic in this state for at least three years immediately prior to the time of appointment, all of whom shall be graduates of a course of chiropractic, but no more than two of whom shall be graduates of the same school or college of chiropractic; one *resident chiropractor* to be appointed each year to serve five years and until his successor is appointed and qualifies to the end that each member shall serve five years after the first appointment. *The terms of the initial public members shall be for three and five years from the date of appointment respectively.* The board shall have the authority to prescribe rules and regulations relative to the examination of applicants for license to practice chiropractic and for the annual renewal of licenses. Vacancies caused by death or otherwise shall be filled by the governor within 60 days. No member of the board shall be financially interested in any chiropractic school or college or be in any way affiliated with the practice of other methods of healing as are now regulated by law in this state.

Sec. 9. Minnesota Statutes 1971, Section 148.07, Subdivision 2, is amended to read:

Subd. 2. [MANAGEMENT OF FUNDS.] All fees received by the board under sections 148.01 to 148.10 shall be paid to the secretary-treasurer, who shall forthwith deposit the same with the state treasurer in a separate fund of the state board of chiropractic examiners for their use, and shall pay the same out only upon written orders issued and signed by the secretary treasurer and president of the board. All expenses incurred and authorized by the board in carrying out the provisions of sections 148.01 to 148.10 shall be paid out of this fund and not otherwise to be credited along with any outstanding balance in the special fund of the board as of July 1, 1973 to the general revenue. *The expenses of administering sections 148.01 to 148.101 shall be paid from the appropriation made to the state board of chiropractic examiners .*

Sec. 10. Minnesota Statutes 1971, Section 148.07, Subdivision 3, is amended to read:

Subd. 3. [REPORT.] The secretary-treasurer shall, on the first Tuesday of October of each even numbered year, file with the governor a report of all receipts and disbursements and proceedings of the board for the preceding two years. He shall give bond in such sum and with such sureties as the board shall deem necessary. Each member of the board shall receive a fee of \$25 \$35 per day and mileage at the rate of seven and one half cents per mile, and other necessary incidentals ordinary and necessary expenses in the same amount and manner as state employees , in attending the meetings of the board and for such other times as he may actually be engaged in business of the board.

Sec. 11. Minnesota Statutes 1971, Section 148.181, is amended to read:

148.181 [BOARD OF NURSING; MEMBERSHIP, APPOINTMENTS, VACANCIES, REMOVALS.] Subdivision 1. The Minnesota board of nursing shall consist of ~~eight~~ 11 members appointed by the governor, each of whom shall be a resident of this state. Seven members shall be nurses who shall have completed at least an approved four-year high school course of study or its equivalent; shall have graduated from an accredited school of nursing; shall be licensed as a registered nurse in this state; shall have had at least five years experience in nursing following graduation, and four of whom shall have at least two years executive or teaching experience in nursing education and shall have been actively engaged in the practice of nursing within two years of her appointment. ~~The eighth member remaining members shall be a layman public members as defined for purposes of this act who shall serve a five-year term terms; provided that of the initial public members appointed, two shall serve a four-year term and two shall serve a five-year term beginning July 1, 1973 . The first lay member shall be appointed for a term beginning on July 1, 1971.~~ Each member of the board shall file with the department of state, the constitutional oath of office before beginning his or her term of office. Provided, however, that the present members of the Minnesota state board holding office under the provisions of the Minnesota nurse practice act shall serve as members of said board until the expiration of their respective terms or until their successors have been appointed and qualified.

Subd. 2. On expiration of the term of a member who is a nurse, the governor may appoint, from a list of members submitted by the Minnesota nurses' association, a nurse to hold office for a term of five years. Such list should contain names of persons in number at least twice the number of places to be filled. Vacancies occurring on the board, when the member is a nurse, may be filled for the unexpired terms by appointments to be made by the governor from nominations submitted by the Minnesota nurses' association in the manner aforesaid, within a period of 90 days. ~~In the case of the lay member of the board, the governor shall appoint a new lay member to fill any vacancy that may occur.~~

Subd. 3. The governor may remove any member from the board for neglect of any duty required by law or for incompetency or unprofessional or dishonorable conduct.

Sec. 12. Minnesota Statutes 1971, Section 148.201, is amended to read:

148.201 [COMPENSATION AND EXPENSES.] Each member of the board shall receive , in addition to necessary traveling and hotel expenses, \$20 \$35 per day for each day actually engaged in the discharge of her duties, including travel time and a reasonable number of days for the preparation of examination questions and grading examination papers; in addition to the time actually spent in conducting examinations and surveys and ordinary and necessary expenses in the same amount and manner as state employees.

Sec. 13. Minnesota Statutes 1971, Section 148.241, is amended to read:

148.241 [DEPOSIT OF MONEYS.] Subdivision 1. All moneys received by the board collected under sections 148.171 to 148.285 shall be paid to the treasurer of the board who shall deposit the same each month, with the state treasurer. The state treasurer shall ~~place the money to the credit of the Minnesota Board of Nursing fund deposit the money, together with any outstanding balance in any special fund of the board as of July 1, 1973, in the general fund. The expenses of administering sections 148.171 to 148.285 shall be paid from the appropriation made to the Minnesota board of nursing.~~

Subd. 2. All amounts ~~paid into this fund appropriated to the board~~ shall be held subject to the order of the board to be used only for the purpose of meeting necessary expenses incurred in the performance of the purposes of sections 148.171 to 148.285, and the duties imposed thereby as well as the promotion of nursing education and standards of nursing care in this state.

Sec. 14. Minnesota Statutes 1971, Section 148.29, Subdivision 2, is amended to read:

Subd. 2. "Board" means "Minnesota Board of Nursing," *provided that one registered nurse who is a member of the Minnesota board of nursing, chosen by lot, shall not be a member of the licensed practical nurses board for purposes of this definition*, and for the purposes of sections 148.29 to 148.297 and Laws 1971, Chapter 418 only, five additional members shall be appointed by the governor, one of whom shall be a doctor of medicine duly licensed and registered in this state, one of whom shall be an administrator or superintendent of a licensed hospital located outside of a city of the first class, and three of whom shall be duly licensed and registered practical nurses.

Upon May 21, 1971, the governor shall appoint one of the new members for a two year term and one of the new members for a one year term; thereafter each new appointment shall be for a three year term. Members shall hold office until a successor is appointed and qualifies.

Sec. 15. Minnesota Statutes 1971, Section 148.296, Subdivision 2, is amended to read:

Subd. 2. Each member of the board shall receive; ~~in addition to necessary traveling and hotel expenses, \$20 \$35 per day for each day actually engaged in the discharge of board duties ; including travel time and ordinary and necessary expenses in the same amount and manner as state employees.~~

Sec. 16. Minnesota Statutes 1971, Section 148.45, is amended to read:

148.45 [FEES PLACED IN FUND.] All fees and moneys payable under the provisions of sections 148.33 to 148.51 shall be paid to the secretary-treasurer of the state board of medical examiners and he shall forthwith deposit the same with the state treasurer as provided in section 147.05; ~~which shall be under the control and for the use of the board in the administration of sections 148.33 to 148.51. The amount of such fund is hereby annually appropriated~~

to the board for the purpose of defraying its expenses in carrying out the provisions of sections 148.33 to 148.51. The expenses of administering sections 148.33 to 148.51 shall be paid from the appropriation made to the state board of medical examiners.

Sec. 17. Minnesota Statutes 1971, Section 148.52, is amended to read:

148.52 [STATE BOARD OF OPTOMETRY.] The state board of optometry shall consist of *two public members as defined for purposes of this act* and five qualified optometrists appointed by the governor, each for a term of three years and until his successor qualifies. Vacancies in the board shall be filled by like appointments for unexpired terms. *The terms of the initial public members shall expire two and three years from the date of appointment respectively.*

Sec. 18. Minnesota Statutes 1971, Section 148.60, is amended to read:

148.60 [DISPOSAL OF FEES; REPORT.] All fees collected under sections 148.52 to 148.62 shall be received and held by the secretary and devoted to the uses of the state board of optometry and deposited together with any unexpended balance in a special fund of the board as of July 1, 1973 in the general fund. The secretary shall give such bond as the board shall from time to time require. *The expenses of administering sections 148.52 to 148.62 shall be paid from appropriations made to the state board of optometry.* On or before October 1 in each even numbered year, the board shall make a biennial report to the governor of its proceedings, receipts and disbursements for the preceding two fiscal years.

Sec. 19. Minnesota Statutes 1971, Section 148.79, is amended to read:

148.79 [BOARD OF EXAMINERS.] There is hereby created a state board of examiners of psychologists to be appointed by the governor, consisting of *four public members as defined for purposes of this act* and seven resident psychologists whose qualifications shall be not less than those specified in section 148.81. Of the members of the board first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, and one for a term of seven years; thereafter each member shall be appointed for a term of seven years. *The terms of the initial public members appointed to the board shall commence September 1, 1973 and terminate as follows: one on May 1, 1974, one on May 1, 1975, one on May 1, 1976, and one on May 1, 1977.* Each such term of office expires on May 1. Each member shall hold office until his successor is appointed and qualifies. If a vacancy occurs it shall be filled by appointment for the unexpired portion of the term. Upon the passage of Laws 1951, Chapter 672, the executive council of the Minnesota psychological association shall recommend to the governor 12 psychologists, and the state commissioner of education and the state commissioner of mental health one psychologist each, qualified to serve on the board of examiners. From this list the governor may appoint the

board of examiners. Not later than April 1 each year the executive council of the Minnesota psychological association shall recommend to the governor three psychologists qualified to serve on such board. From the list of persons so recommended the governor may appoint one member to the board. The board shall designate its officers, and may prescribe such rules and regulations as may be necessary to enable it to carry into effect the provisions of sections 148.79 to 148.86. The members of the board may administer oaths pertaining to the business of the board.

Sec. 20. Minnesota Statutes 1971, Section 148.85, is amended to read:

148.85 [FEES APPROPRIATED TO USE OF BOARD.] All fees charged and collected by the board shall be deposited by it in the state treasury to the credit of the board. All such moneys are hereby appropriated to be used by the board in carrying out the provisions of sections 148.79 to 148.86, including the payment of the salaries of the members of the board and its secretary, clerks, and assistants and the money credited to the board shall remain therein. The state auditor shall draw his warrant on such moneys from time to time in favor of the board for the amounts expended or lawfully incurred by the board of its duly authorized agents, and the state treasurer shall pay the same. The expenditures of the board may be paid only from such moneys. Semiannually the secretary of the board shall certify to the state treasurer the total amounts of the receipts and the expenditures of the board for the six months preceding to be credited along with any unexpended balance in the special fund of the board as of July 1, 1973 to the general fund. The expenses of administering sections 148.79 to 148.86 shall be paid from appropriations made to the state board of examiners of psychologists.

Sec. 21. Minnesota Statutes 1971, Chapter 148, is amended by adding a section to read:

[148.85] [COMPENSATION.] All members of the board shall receive as compensation \$35 per day for attendance at board meetings and shall also receive their necessary expenses in the same manner and amount as state employees.

Sec. 22. Minnesota Statutes 1971, Section 150A.02, is amended to read:

150A.02 [STATE BOARD OF DENTISTRY.] Subdivision 1. There is hereby created a state board of dentistry whose duty it shall be to carry out the purposes and enforce the provisions of sections 150A.01 to 150A.12. The board shall consist of *two public members as defined for purposes of this act* and five qualified resident dentists appointed by the governor. The terms of office of the members shall be five years; provided, however, board members shall serve until their successor is appointed and qualifies, but such successor term shall be for a period ending five years from the expiration of the previous term, so that one vacancy occurs every year. Each board member *who is a dentist* shall have been lawfully in active practice in this state for five years immediately preceding his appointment; and no board member shall

be eligible for appointment to more than two consecutive five year terms, and members serving on the board at the time of the enactment hereof shall be eligible to reappointment provided they shall not have served more than ten consecutive years at the expiration of the term to which they are to be appointed. The governor shall appoint a successor to the member whose term expires, for a term of five years and until his successor qualifies. Each year the Minnesota state dental association, at least 90 days prior to the expiration of the term of a dentist expiring in such year, shall recommend to the governor not less than two dentists for the term qualified to serve on the board, and from the list of dentists so recommended the governor may appoint one member to the board for the term of five years, the appointment to be made within 30 days after the expiration of the term. Within 60 days after the occurrence of any a dental vacancy, prior to the expiration of the term, in the board, the Minnesota state dental association shall recommend to the governor not less than two dentists qualified to serve on the board and from the list of dentists so recommended the governor, within 30 days after receiving such list of dentists, may appoint one member to the board for the unexpired term occasioned by such vacancy. Any appointment to fill a vacancy shall be made within 90 days after the occurrence of such vacancy. The present members of the board now in existence shall continue to serve the balance of the term to which they were appointed and until their successors have been appointed and qualified.

Subd. 2. Notwithstanding the provisions of subdivision 1, and in order to establish the five year term provided for in sections 150A.01 to 150A.12, with one member to be appointed each year, the first five appointments following the enactment of sections 150A.01 to 150A.12 shall be made for terms expiring each year in the following order: 1971, 1972, 1973, 1974, and 1975, respectively, and thereafter the terms shall be for five years. *The terms of the initial public members of the board shall expire four and five years respectively from the date of appointment, and thereafter each term shall be for five years.* In the event of more than one appointment at one time, the governor shall designate the order of expiration dates of the terms.

Sec. 23. Minnesota Statutes 1971, Section 150A.03, Subdivision 2, is amended to read:

Subd. 2. Out of the funds coming into the possession of the board, the members thereof shall receive as compensation a sum of \$50 per day and necessary traveling expenses for each day actually engaged in the duties of their offices. The secretary-treasurer shall, in addition thereto, be paid a salary in the amount to be set by the board, not to exceed \$4,000 per year. The board may expend funds for administrative, consultant, secretarial, clerical, and stenographic services for the board, the amount of such expenditures to be set by the board after consultation with the civil service commission. The board may accept any funds which may be made available to the board from any source. All funds received by the board under sections 150A.01 to 150A.12 shall be paid to the secretary-treasurer thereof, who shall deposit

the same each month with the state treasurer, the funds to be kept in a separate fund for the sole use and under the sole control of the board carrying out the purposes of sections 150A.01 to 150A.12. Payments out of this fund shall be made only upon written orders issued and signed by the president of the board and the secretary-treasurer thereof. No expense shall be incurred by the board in excess of the revenue derived from all sources credited to the general fund together with any unexpended balance in the special account of the board as of July 1, 1973. The expenses of administering sections 150A.01 to 150A.12 shall be paid from the appropriation made to the state board of dentistry.

Sec. 24. Minnesota Statutes 1971, Section 151.02, is amended to read:

151.02 [STATE BOARD OF PHARMACY.] The Minnesota state board of pharmacy shall consist of *two public members as defined for purposes of this act* and five pharmacists actively engaged in the practice of pharmacy in this state ; . Each of ~~whom~~ *said pharmacists* shall have had at least five consecutive years of practical experience as a pharmacist immediately preceding his appointment.

Sec. 25. Minnesota Statutes 1971, Section 151.03, is amended to read:

151.03 [APPOINTMENT OF MEMBERS.] The members of the state board of pharmacy shall be appointed by the governor, ~~one in each year~~, each to serve for a term of five years and until his successor shall have been appointed and has qualified , *provided that the initial public members shall serve terms of four and five years respectively* . Vacancies shall be filled by the appointment for the unexpired term. Any ~~member of pharmacist~~ on the board who, during his incumbency, ceases to be actively engaged in the practice of pharmacy in this state shall be automatically disqualified from membership. Any member may be removed from office by the governor upon proof of malfeasance or misfeasance in office. The members of the board heretofore appointed and now holding office shall continue until their respective terms expire.

Sec. 26. Minnesota Statutes 1971, Section 151.04, is amended to read:

151.04 [RECOMMENDED NAMES.] The Minnesota state pharmaceutical association ~~shall may~~ recommend five names for each ~~appointment pharmacist~~ to be ~~made~~, from which list the ~~governor may select~~ *appointed* .

Sec. 27. Minnesota Statutes 1971, Section 151.27, is amended to read:

151.27 [DEPOSIT OF FEES.] All fees received by the board under this chapter shall be forthwith deposited with the state treasurer to be kept in a separate fund, which shall be ~~under the control and for the use of the board~~ *deposited in the general fund in the state treasury together with any unexpended balance in the special fund of the board as of July 1, 1973* . All expenditures of the board and all expenses necessarily paid or incurred thereby, in

the exercise of its powers or the performance of its duties under this chapter, shall be paid out of this fund. Payments out of the fund shall be made only upon written orders issued and signed by the secretary of the board. ~~No expense shall be incurred by the board in excess of the revenue derived from such fees~~ *The expenses of administering sections 151.01 to 151.40 shall be paid from the appropriations made to the state board of pharmacy .*

Sec. 28. Minnesota Statutes 1971, Section 153.02, is amended to read:

153.02 [GOVERNOR TO APPOINT MEMBERS.] The governor shall appoint a state board of podiatry examiners and registration consisting of *two public members as defined for purposes of this act and five members who shall be resident podiatrists of good standing in their profession; each member shall serve five years and until his successor is appointed and has qualified , provided that the initial two public members shall serve four and five year terms respectively .*

Sec. 29. Minnesota Statutes 1971, Section 153.03, is amended to read:

153.03 [APPLICATION FOR REGISTRATION; FEES.] Application for registration shall be made upon blanks furnished by the board and signed and sworn to by the applicant.

All fees received by the board shall once a month be paid by its secretary into the state treasury *and credited to the general fund together with any unexpended balance in the special fund of the board as of July 1, 1973. The expenses of administering sections 153.01 to 153.15 shall be paid from the appropriations made to the state board of podiatry .*

Sec. 30. Minnesota Statutes 1971, Section 153.12, is amended to read:

153.12 [COMPENSATION AND EXPENSES.] Each member of the board shall receive ~~\$25~~ \$35 for every day actually spent in the performance of his duties in connection with the provisions of this chapter and the *ordinary and necessary traveling expenses actually incurred, not exceeding five cents per mile each way in the same amount and manner as state employees.* Such compensation and ~~traveling~~ expenses and any incidental expenses necessarily incurred by the board or any members thereof shall, if approved by the board, be paid from the ~~state treasury~~, but only from the fees received under the provisions of this chapter and paid into the ~~state treasury by the board appropriated funds.~~

Sec. 31. Minnesota Statutes 1971, Section 154.22, is amended to read:

154.22 [BOARD OF BARBER EXAMINERS CREATED; TERMS.] A board, to be known as the board of barber examiners, is established to consist of ~~three~~ four members appointed by the governor. ~~Each member~~ *Three of such members shall be a practical barber barbers who has have followed the occupation of a barber in this state for at least five years immediately prior to his their*

appointment ; Each member shall be a graduate graduates from the eighth grade of a grammar school, or have an equivalent education ; ; and ~~must shall~~ have knowledge of the matters to be taught in approved schools of barbering, as set forth in section 154.07 ; and ~~shall be qualified and competent to pass upon all matters likely to come before the board .~~ *The remaining member of the board shall be a public member as defined for purposes of this act.* One of the members shall be a member of, or recommended by, a union of journeymen barbers which shall have existed at least two years, and one shall be a member of, or recommended by, the master barbers association of Minnesota.

The members of the board shall serve for three years. The governor may remove a member for cause.

Members appointed to fill vacancies caused by death, resignation, or removal shall serve during the unexpired term of their predecessors. The present members of the board of barber examiners shall remain in office until the completion of their respective terms.

Sec. 32. Minnesota Statutes 1971, Section 154.23, is amended to read:

154.23 [OFFICERS; COMPENSATION; REPORTS.] The board of barber examiners shall elect a chairman and secretary. It shall adopt and use a common seal for the authentication of its orders and records.

The secretary shall keep a record of all proceedings of the board and turn over to the state treasurer all moneys ~~collected at least once a month~~ *and fees collected pursuant to this chapter which shall be credited to the general fund in the state treasury together with the unexpended balance in any special account of the board as of July 1, 1973. The expenses of administering sections 154.01 to 154.26 shall be paid from the appropriations made to the state board of barber examiners .*

Each member of the board shall give a bond in the sum of \$5,000, with sureties to be approved by the secretary of state, conditioned for the faithful performance of his duties and take the oath provided by law for public officers.

A majority of the board, in meeting duly assembled, may perform and exercise all the duties and powers devolving upon the board.

The secretary shall receive as compensation \$9,000 per annum and the other members of the board shall receive a compensation of \$35 per day for each day of actual service, but not to exceed 20 days in any calendar month nor 100 days in any calendar year, in discharge of their duties as such. All members of the board shall receive necessary traveling expenses incurred in the discharge of their duties. ~~Salaries and expenses are to be paid out of the fund created by fees collected in the administration of this chapter.~~ Each member of the board of barber examiners is entitled to sick leave and vacation leave with pay to be computed in the manner prescribed by the civil service rules. Each member shall file monthly with the secretary a complete report showing his activities dur-

ing the preceding month, stating in detail the places, shops, or schools visited or inspected by the member. On or before October 1 in each even numbered year the board shall make a biennial report to the governor containing a full statement of the receipts and disbursements of the board and a full statement of its doings and proceedings during the preceding two fiscal years, with such recommendations as it may deem expedient.

The board shall have authority to employ such inspectors, clerks, deputies, and other assistants as it may deem necessary to carry out the provisions of this chapter.

~~Any funds in the state treasury to the credit of the present board of barber examiners shall be transferred to, and made available for use by, the board established under the provisions of this chapter.~~

Sec. 33. Minnesota Statutes 1971, Section 155.04, is amended to read:

155.04 [BOARD OF EXAMINERS.] For the purposes of this chapter, there is hereby created and established a board, to be known by the name and style of the Minnesota state board of cosmetology, which shall consist of ~~three~~ four members, *one of whom shall be a public member as defined for purposes of this act*, not more than two of whom shall reside in cities of the first class and all of whom shall reside in the state ; ~~and have an official seal .~~

Sec. 34. Minnesota Statutes 1971, Section 155.05, is amended to read:

155.05 [MEMBERS OF BOARD.] The governor shall appoint the members of the Minnesota state board of cosmetology ; ~~each . Three of whom~~ *such members shall have an official seal*, shall have had five years of experience within the last seven years and practice in this state in the occupation and practices as named within this chapter, and ~~who is a~~ *shall be* senior instructor instructors or ~~has have~~ the qualifications to take the examination therefor, prior to the first appointment, one to serve one year, one to serve two years, and one to serve three years, or until their successors are duly appointed and have qualified, and thereafter the term of each *such* member shall be three years. The governor may remove any member of the board with or without cause. The board members shall be citizens of this state and not members of, nor affiliated with, any school duly approved and teaching the practices, as defined herein, while a member of the board, nor shall any two members of the board be graduates of the same school, or system of schools, teaching the practices, as defined herein. Each member of the board shall take the oath provided by law for public officers.

Sec. 35. Minnesota Statutes 1971, Section 155.18, Subdivision 1, is amended to read:

155.18 [DISPOSAL OF FEES.] Subdivision 1. All fees, as provided in this chapter, shall be paid in advance to the board and deposited in the state treasury and credited to the ~~board~~ *general fund together with the unexpended balance in any special account*

of the board as of July 1, 1973. The expenses of administering sections 155.01 to 155.21 shall be paid from the appropriations made to the Minnesota state board of cosmetology . These funds shall be disbursed by the board only on the order of the president of the board and in payment of expenses lawfully incurred and approved by the board and with the approval of the department of administration in these cases set forth heretofore where such approval is required. On the failure to pass an examination for license the fee paid shall not be returned to the applicant, but any time within one year after such failure such applicant may present himself and take a second examination without the payment of any additional license fee.

Sec. 36. Minnesota Statutes 1971, Section 156.01, Subdivision 1, is amended to read:

156.01 [STATE VETERINARY EXAMINING BOARD.] Subdivision 1. There is hereby created a state veterinary examining board which shall consist of *two public members as defined for purposes of this act and* five qualified veterinarians appointed by the governor. Each appointee shall be a resident of the state of Minnesota, *and the veterinarian members of the board shall have practiced veterinary medicine in this state for at least five years prior to his their appointment ; and shall be a graduate graduates* of a reputable veterinary college. Each member of the board shall be appointed for a term of five years and until his successor is appointed and qualifies; provided, that the first board appointed by the governor pursuant to this chapter shall consist of five members, who shall hold office for one, two, three, four, and five years, respectively. *The initial public members of the board shall be appointed for four and five year terms respectively.* Vacancies occurring during an appointed term shall be filled by the governor for the unexpired term.

Sec. 37. Minnesota Statutes 1971, Section 156.01, Subdivision 2, is amended to read:

Subd. 2. Whenever the occasion arises pursuant to this chapter for the appointment of a *veterinarian* member of the board by the governor the board of trustees of the Minnesota state veterinary medical society ~~shall may~~ recommend to the governor, at least 30 day in advance of the date that the appointment is to be made, three veterinarians qualified to serve on the board for each appointment so to be made ~~and the governor may appoint one of these persons so recommended to fill the vacancy .~~

Sec. 38. Minnesota Statutes 1971, Section 156.14, is amended to read:

156.14 [FUNDS PAID TO STATE TREASURER.] All fees collected on behalf of the veterinary examining board, as provided by this chapter, and all receipts of every kind or nature received by the board shall be collected by the treasurer of the board and by him deposited in the state treasury and credited to the ~~board~~ *general fund, together with the unexpended balance in any special account of the board as of July 1, 1973. The expenses of administering sections 156.001 to 156.14 shall be paid from the appro-*

priations made to the state veterinary examining board. Such fund shall be known as the state veterinary examining board fund and shall be under the sole and exclusive jurisdiction of the board for the purposes of carrying out the provisions of this chapter. All money in the state treasury credited to the state veterinary examining board fund is annually appropriated to the board for the purposes of carrying out the provisions of Minnesota Statutes, Chapter 156.

Sec. 39. Minnesota Statutes 1971, Section 326.04, is amended to read:

326.04 [STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND SURVEYORS.] To carry out the provisions of sections 326.02 to 326.15 there is hereby created a state board of registration for architects, engineers, and land surveyors (hereinafter called the board) consisting of ~~nine~~ fifteen members, who shall be appointed by the governor. Three members shall be registered architects, five members shall be registered engineers and, one member shall be a registered land surveyor and six members shall be public members as defined for purposes of this act. Not more than one member of said board shall be from the same branch of the profession of engineering. The members of the first board shall be appointed to serve for the following terms: two members for one year; two members for two years; two members for three years; and one member for four years, said term ending on the first day of January of the succeeding years. On the expiration of each of said terms the term of office of each newly appointed or reappointed member of the board shall be for a period of four years and shall terminate on the first day of January; except that each member shall hold over after the expiration of his term until his successor shall have been duly appointed and qualified. The two engineering members of the board added by this amendment shall be appointed for the following term: one for a term ending on the first day of January of the next succeeding year, and one for a term ending on the first day of January of the second succeeding year following his appointment. Thereafter their successors shall be appointed for a term of four years as provided for the other members of the board. *Each public member of the board shall be appointed for a term of four years, provided that of the initial public members appointed two shall serve for a term of one year, two shall serve for a term of two years, and two shall serve for a term of three years.* The governor may remove any member of the board for misconduct, incompetency or neglect of duty. Vacancies in the membership of the board, however created, shall be filled by appointment by the governor for the unexpired term.

Sec. 40. Minnesota Statutes 1971, Section 326.05, is amended to read:

326.05 [QUALIFICATIONS OF BOARD MEMBERS.] Each member of the board shall be a citizen of the United States and a resident of this state at the time of his appointment. *He* Each member except the public members shall have been engaged in the practice of his profession for at least ten years and shall have

been in responsible charge of work for at least five years. *He Each such member* shall be a member in good standing of a recognized society of architects, engineers, or land surveyors; and, except as provided in section 326.06, shall be a registered architect, registered engineer, or registered land surveyor.

Sec. 41. Minnesota Statutes 1971, Section 326.08, Subdivision 1, is amended to read:

326.08 [FEES, DISPOSAL OF; PAY OF BOARD MEMBERS; BONDS.] Subdivision 1. All fees and other moneys accruing from the operation of sections 326.02 to 326.15 shall be paid to the board and shall be ~~used for the purposes of sections 326.02 to 326.16~~ credited to the general fund in the state treasury together with any unexpended balance in a special fund of the board as of July 1, 1973. *The expenses of administering sections 326.02 to 326.16 shall be paid from the appropriation made to the state board of registration for architects, engineers and surveyors .* The expenses of the board shall be paid by voucher made by the secretary-treasurer and approved by the chairman. Each member of the board shall receive \$35 for each day or portion thereof that he attends a meeting of the board or is otherwise engaged in performing official business of the board. The members of the board shall be reimbursed for *ordinary and* actual expenses ~~incurred in travel to and from meetings and for expenditures for hotel bills, meals, stationery, postage, printing, typewriting, and the like necessary expenses incurred in the performance of their duties in the same amount and manner as state employees .~~

Sec. 42. Minnesota Statutes 1971, Section 326.17 is amended to read:

326.17 [STATE BOARD OF ACCOUNTANCY.] A board of examiners, to be known as the state board of accountancy, is hereby created to carry out the purposes and enforce the provisions of sections 326.17 to 326.23. It shall consist of ~~five~~ seven citizens of this state to be appointed by the governor, *two of whom shall be public members as defined for purposes of this act and who* ~~five of whom~~ shall be the holders of certificates issued under the provisions of sections 326.17 to 326.23 ; ~~and~~ . *Each member* shall hold office until the expiration of their respective terms and until their successors are appointed and have qualified. The members of the state board of accountancy in office on June 30, 1962, shall continue in office for the remainder of their respective unexpired terms, which terms expire on December 31 of successive years. If a member is unable or unwilling to complete the term for which he was appointed, the governor shall appoint a member for the remainder of his term. *The initial terms of the public members of the board shall be for four and five years respectively.* Upon the expiration of any term, the governor shall appoint a member of the board for a term of five years.

Sec. 43. Minnesota Statutes 1971, Section 326.18, is amended to read:

326.18 [BOARD, DUTIES, OFFICERS, EXAMINATIONS, REPORT.] A majority of the board shall constitute a quorum. The

board shall elect one of its number as chairman, another as vice chairman, and another as secretary and treasurer, who shall hold their respective offices for a term of one year and until their successors are elected. The affirmative vote of ~~three~~ *four* members of the board shall be considered as the action of the board. The board shall enforce the standard of general education; the standard of special education in the science and art of accounting; the standard of moral character and general public experience, as prescribed in sections 326.17 to 326.23, in all examination conducted thereunder. The board shall make rules and regulations for the conduct of applicants' examinations and the character and scope of such examinations, the method and time of filing applications for examinations and their form and contents, and all other rules and regulations proper to carry into effect the purposes of sections 326.17 to 326.23. All such examinations shall be conducted by the state board of accountancy. The time and place of holding examinations shall be advertised for not less than three consecutive days in one daily newspaper published in each of the counties where the examinations are to be held, and not less than 20 days prior to the date of each examination. The examinations shall take place as often as may be convenient in the opinion of the board, but not less than once in each year. The board may make further rules and regulations, including but not limited to rules of professional conduct, pertaining to corporations practicing public accounting which it deems consistent with or required by the public welfare.

The board shall keep records of its proceedings, an accurate list of all applications made, certificates issued, certificates registered, and certificates revoked, and shall keep proper financial records in which there shall be entered a complete statement of the cash receipts and disbursements. It shall adopt and provide itself with a seal with a band inscribed "Certified Public Accountant, State of Minnesota," with the coat of arms of Minnesota in the center, which seal shall be affixed to each certificate issued or registered under sections 326.17 to 326.23. All records of the board shall be open to the inspection of the public at the office of its secretary. It shall report biennially, on or before October 1 in each even numbered year to the governor for the two preceding fiscal years, as follows:

- (1) Its receipts and disbursements;
- (2) Names of persons to whom certificates have been issued;
- (3) Names of all persons whose certificates have been revoked;
- (4) Recommendations, if any, for new legislation; and
- (5) Such other matters as the board may deem proper.

Sec. 44. Minnesota Statutes 1971, Section 326.22, Subdivision 3, is amended to read:

Subd. 3. [EXPENSES OF ADMINISTRATION.] ~~From the fees collected under sections 326.17 to 326.23~~ The board shall pay all *ordinary and necessary* expenses incident to the examinations, hearings, and expense of issuing certificates, traveling expenses of

the board while performing their duties in the same amount and manner as state employees. The fees collected under sections 326.17 to 326.23 shall be paid into the state treasury and credited to the general fund together with the unexpended balance in any special fund of the board as of July 1, 1973. The expenses of administering sections 326.17 to 326.23 shall be paid from appropriations made to the state board of accountancy. The members of the board of accountancy shall be paid \$35 per day spent in the performance of their duties and all necessary expenses incurred in the performance of their duties.

Sec. 45. Minnesota Statutes 1971, Section 326.241, Subdivision 1, is amended to read:

326.241 [STATE BOARD OF ELECTRICITY.] Subdivision 1. [COMPOSITION.] The state board of electricity shall consist of ~~seven~~ nine members, residents of the state, appointed by the governor with the advice and consent of the senate, each for a term of five years, *except that the initial public members shall serve four and five year terms respectively* and until his successor qualifies, of whom at least two shall be representatives of the electrical suppliers in the rural areas of the state, two shall be master electricians, who shall be contractors, two journeyman electricians, and one a registered consulting electrical engineer and two public members as defined for purposes of this act.

Sec. 46. Minnesota Statutes 1971, Section 326.241, Subdivision 3, is amended to read:

Subd. 3. [COMPENSATION AND FINANCES.] Each member of the board shall be paid compensation of \$35 per day for each day spent in performance of his duties, plus *actual ordinary and necessary expenses in the same amount and manner as state employees*. Compensation and expenses shall not be paid for more than twenty-four days in any calendar year, exclusive of days spent in actual attendance at required public hearings on matters before the board in regard to rules and regulations, appeals, or license proceedings. All fees collected under the provisions of Laws 1967, Chapter 602 are ~~annually appropriated to the board for its use and, on or before October 1 of each year, the board shall report, in writing, to the governor and the commissioner of administration its receipts and disbursements for the preceding twelve months~~ to be credited to the general fund in the state treasury along with any unexpended balance in a special fund of the board as of July 1, 1973. The expenses of administering sections 326.241 to 326.339 shall be paid from appropriations made to the state board of electricity.

Sec. 47. Minnesota Statutes 1971, Section 326.541, is amended to read:

326.541 [BOARD OF EXAMINERS IN WATCHMAKING.]

(1) There is created a board to be known as the "Minnesota Board of Examiners in Watchmaking," whose duties it shall be to administer the provisions of Laws 1943, Chapter 474. Such board shall consist of ~~five~~ seven members, appointed by the governor ~~within 60 days after the effective date of Laws 1943, Chapter 474~~. All persons so appointed shall have been resident of this state and

five such members shall have actually engaged in watchmaking, as defined in section 326.01, subdivision 20, for at least five years immediately preceding the time of their appointment. The remaining members shall be public members as defined for purposes of this act. Each member of the board shall hold office for four years and until his successor shall be appointed, and qualifies, except that in the first appointments three members shall be appointed for four years, two for two years, and the term of office in such case shall be designated by the governor at the time of the appointment. The board of five seven to shall consist of not have at least less than two employees as members. The initial public members shall serve terms of three and four years respectively.

(2) The board shall choose annually, one of its members as president and one as secretary, who shall severally have power to administer oaths and take affidavits certifying thereto under the seal of the board. The board shall meet at such times and places as the officers may direct. A majority of the board shall constitute a quorum. The secretary shall give such bond as the board shall determine to be proper. The secretary shall keep a full record of its proceedings, which shall be open to inspection at all reasonable times. The members and officers of the board shall be paid a per diem of ~~\$25~~ \$35 for time spent in the performance of ~~his~~ *their* duties but not to exceed in one year the total sum of ~~\$750~~ \$950 ; ~~also they shall be paid mileage of 7½ cents per mile, and actual and necessary expenses for lodging and meals and they shall receive ordinary and necessary expenses in the same amount and manner as state employees.~~ The secretary, in addition to such per diem and expenses, may be paid an annual salary not to exceed \$2,500. All expenses connected with the operation of the board shall be defrayed from the revenue derived from the licenses, renewals, and examination fees.

(3) The board shall establish suitable and proper uniform apprenticeship regulations; may retain administrative or legal counsel, if it deems needed or proper; and to appoint one clerk or assistant to the secretary, exempt from civil service, and to fix the salary therefor.

(4) The secretary shall collect the fees and shall pay the same into the state treasury, to be ~~kept by the state treasurer in a fund entitled "Watchmakers' fund."~~ *credited to the general fund together with any unexpended balance in a special fund of the board as of July 1, 1973. The secretary shall draw by warrant for necessary expenses which shall be paid from said fund. The expenses of administering sections 326.54 to 326.546 shall be paid from appropriations made to the Minnesota board of examiners in watchmaking.*

Sec. 48. Minnesota Statutes 1971, Section 341.01, is amended to read:

341.01 [CREATION.] There is hereby created the state ~~athletic boxing~~ commission, to consist of ~~five seven~~ commissioners, citizens of this state, ~~two of whom shall be public members as defined for purposes of this act,~~ who shall be appointed by the governor and hold office for a term of three years, except as hereinafter

provided, and until their successors are appointed and have qualified.

Sec. 49. Minnesota Statutes 1971, Section 341.02, is amended to read:

341.02 [GOVERNOR TO APPOINT.] The governor shall appoint as members of this commission one commissioner for a term of one year, two commissioners for a term of two years, and two commissioners for a term of three years such term to commence on the first day of the month following such appointments. *The initial public members appointed to the board shall serve two and three year terms respectively, such terms to commence on the first day of the month following such appointment.* Any vacancy in office shall be filled by appointment by the governor for the unexpired portion of the term. No commissioner shall directly or indirectly promote any boxing or sparring exhibition or directly or indirectly engage in the managing of any boxer or be interested in any manner in any proceeds from any boxing match.

Sec. 50. Minnesota Statutes 1971, Section 341.03, is amended to read:

341.03 [COMPENSATION; EXPENSES.] Each commissioner shall receive \$25 \$35 for each meeting of the commission he attends, plus mileage, ~~also expenses actually and necessarily incurred in the performance of his duties ordinary and necessary expenses in the same amount and manner as state employees~~, but he shall not be paid for attending more than 22 such meetings in any calendar year.

Sec. 51. Minnesota Statutes 1971, Section 341.06, is amended to read:

341.06 [MONEYS PAID INTO STATE TREASURY.] The commission shall pay into the state treasury all moneys collected by it. ~~The sum of \$20,000 is appropriated to the commission annually for the purposes of chapter 341~~ *The expenses of administering sections 341.01 to 341.15 shall be paid for from appropriations made to the state boxing commission.*

Sec. 52. Minnesota Statutes 1971, Section 386.63, Subdivision 1, is amended to read:

386.63 [MINNESOTA ABSTRACTERS BOARD OF EXAMINERS.] Subdivision 1. There is hereby created a board to be known as the "Minnesota Abstracters Board of Examiners," whose duties it shall be to administer the provisions of sections 386.61 to 386.76. The board shall consist of ~~five~~ *seven* members to be appointed by the governor ~~of the state within 60 days after July 1, 1957~~. Four persons so appointed shall be residents of this state and actually engaged in the business of making abstracts of title to real estate for at least five years immediately preceding the time of their appointment, but no more than one such member shall be from a county containing a city of the first class. The fifth member of the board shall be an attorney at law admitted to practice in the state of Minnesota. *The remaining members shall be public members as defined for purposes of this act.* Each member of the board

shall qualify by taking the oath provided by law for public officers and shall hold office for six years until his successor shall be appointed and qualified, except that for the first five appointments, two members shall be appointed for two years, two for four years, and one for six years, and the term of office in such case shall be designated by the governor at the time of the appointment. *The initial two public members shall serve terms of five and six years respectively.* Vacancies caused by death, resignation, expiration of the term of public office to which a board member has been appointed or elected, or otherwise shall be filled by the governor for the unexpired term of such member, proceedings, which shall be open to inspection at all reasonable times.

Sec. 53. Minnesota Statutes 1971, Section 386.63, Subdivision 5, is amended to read:

Subd. 5. Each member of the board shall be paid a per diem of \$5 \$35 for attendance of meetings and other service rendered while ~~absent from home~~ upon business connected with and authorized by the board, and in addition mileage not to exceed seven cents for each mile traveled and actual expenses not to exceed \$5 per day, as determined by the board ordinary and necessary expenses in the same amount and manner as state employees .

Sec. 54. Minnesota Statutes 1971, Section 386.64, is amended to read:

386.64 [MINNESOTA ABSTRACTERS BOARD OF EXAMINERS REVOLVING FUND.] Subdivision 1. There is hereby created the Minnesota Abstracters Board of Examiners Revolving Fund, and all moneys therein are hereby appropriated to the Minnesota Abstracters Board of Examiners for the administration and enforcement of sections 386.61 to 386.76. All receipts derived from the administration of sections 386.61 to 386.76 shall be deposited in the general fund together with any unexpended balance of any special fund of the board as of July 1, 1973. The expenses of administering sections 386.61 to 386.76 shall be paid from appropriations made to the Minnesota abstracters board of examiners.

Subd. 2. Such fund shall consist of any amount appropriated thereto by the legislature from the general fund, together with all receipts derived from the administration of sections 386.61 to 386.76, which the board is hereby directed to deposit in the state treasury to the credit of such fund.

Subd. 3. Such fund shall be in the state treasury and the moneys therein shall be paid out in the manner prescribed by law for moneys in the state treasury.

Subd. 4. If at any time in the future there is a sum in the said revolving fund an amount sufficient to reimburse the general fund of any amounts previously appropriated therefrom in accordance with sections 386.61 to 386.76 over and above any liabilities or encumbered funds, there shall be transferred from such revolving fund an amount sufficient to reimburse the general fund and the state auditor and state treasurer are authorized and directed to make the necessary entries upon their books.

Subd. 5. After the repayment to the general fund referred to in subdivision 4, at the end of any fiscal year thereafter on June 30, there shall be transferred to the general fund from said revolving fund an amount equal to the amount of the unencumbered balance of said revolving fund at midnight of the preceding April 30.

Sec. 55. Minnesota Statutes 1971, Section 481.01, is amended to read:

481.01 [BOARD OF LAW EXAMINERS; EXAMINATIONS.] The supreme court shall, by rule from time to time, prescribe the qualifications of all applicants for admission to practice law in this state, and shall appoint a state board of law examiners, which shall be charged with the administration of such rules and regulations and with the examination of all applicants for admission to practice law. The board shall consist of not less than three, nor more than seven, attorneys at law, who shall be appointed each for the term of three years and until his successor qualifies. The supreme court may fill any vacancy in the board for the unexpired term and in its discretion may remove any member thereof. The board shall have a seal and shall keep a record of its proceedings, of all applications for admission to practice, and of persons admitted to practice upon its recommendation. At least two times a year the board shall hold examinations and report the result thereof, with its recommendations, to the supreme court. Upon consideration of such report, the supreme court shall enter an order in the case of each person examined, directing the board to reject him or to issue to him a certificate of admission to practice. The board shall have such officers as may, from time to time, be prescribed and designated by the supreme court. The fee for examination shall be fixed, from time to time, by the supreme court, but shall not exceed \$50. Such fees, and any other fees which may be received pursuant to such rules as the supreme court may promulgate governing the practice of law shall be paid to the state treasurer and shall constitute a special fund in the state treasury. The moneys in such fund are appropriated annually to the supreme court for the payment of compensation and expenses of the members of the board of law examiners and for otherwise regulating the practice of law. The moneys in such fund shall never cancel. Payments therefrom shall be made by the state treasurer, upon warrants of the state auditor issued upon vouchers signed by one of the justices of the supreme court be credited to the general fund along with any unexpended balance in a special fund of the board or supreme court as of July 1, 1973. The members of the board shall have such compensation and such allowances for expenses as may, from time to time, be fixed by the supreme court. The expenses of administering the provisions of sections 481.01 to 481.17 shall be paid from appropriations made to the state board of law examiners upon vouchers signed by one of the justices of the supreme court.

Sec. 56. Any board of professional responsibility established by rule of the Minnesota supreme court whose function is recommending the discipline of attorneys at law shall be composed of nine members learned in the law and six public members as defined

for purposes of this act. Members shall be appointed by the court for four year terms; provided that of the public members first appointed, two shall serve a one year term, two shall serve a two year term, and two shall serve a three year term. Any funds now collected by the clerk of the Minnesota supreme court from attorneys at law as a registration fee and used to defray the costs of the board of law examiners and the board of professional responsibility shall be paid by the clerk of the Minnesota supreme court into the general fund in the state treasury together with the unexpended balance of any special fund pertaining thereto. The cost of administering the laws and rules of court applicable to the licensing and discipline of attorneys at law shall be paid for by general appropriation made to the supreme court. The members of the board of professional responsibility shall receive a per diem payment of \$35 for activity directly connected with board activity as well as their actual and necessary expenses in the same manner and amount as state employees.

Sec. 57. "Public member" means a person who is not, or never was, a member of the profession or occupation being licensed or regulated or the spouse of any such person, or a person who does not have or has never had, a material financial interest in either the providing of the professional service being licensed or regulated or an activity directly related to the profession or occupation being licensed or regulated.

Sec. 58. All state examining and licensing boards shall use national standardized tests for the objective, nonpractical portion of any examination given to prospective licensees to the extent that such national standardized tests are appropriate, except when the subject matter of the examination relates to the application of Minnesota law to the profession or calling being licensed.

Sec. 59. [DEFINITIONS.] Subdivision 1. The words defined in this section for purposes of sections 59 through 62 have the meanings given them unless the context clearly requires otherwise.

Subd. 2. "Health related licensing board" means the board of examiners of nursing home administration established pursuant to Minnesota Statutes, Section 144.952, the board of examiners in basic sciences established pursuant to Minnesota Statutes, Section 146.03, the state board of medical examiners created pursuant to Minnesota Statutes, Section 147.01, the Minnesota board of nursing created pursuant to Minnesota Statutes, Section 148.181, the state board of chiropractic examiners established pursuant to Minnesota Statutes, Section 148.02, the licensed practical nurses examining board created pursuant to Minnesota Statutes, Section 148.296, the state board of optometry established pursuant to Minnesota Statutes Section 148.52, the state examining committee for physical therapists established pursuant to Minnesota Statutes, Section 148.66, the state board of dentistry established pursuant to Minnesota Statutes, Section 150A.02, the state board of pharmacy established pursuant to Minnesota Statutes, Section 151.02, the state board of podiatry examiners and registration established pursuant to Minnesota Statutes, Section 153.02, and the state veterinary examining board, established pursuant to Minnesota Statutes, Section 156.01.

Subd. 3. "Non-health related licensing board" means the state board of examiners of psychologists established pursuant to Minnesota Statutes, Section 148.79 or its successor board, the board of barber examiners established pursuant to Minnesota Statutes, Section 154.22, the state board of cosmetology examiners established pursuant to Minnesota Statutes, Section 155.04, the state board of architects, engineers and land surveyors established pursuant to Minnesota Statutes, Section 326.04, the state board of accountancy established pursuant to Minnesota Statutes, Section 326.17, the state board of electricity established pursuant to Minnesota Statutes, Section 326.241, the Minnesota board of examiners in watchmaking established pursuant to Minnesota Statutes, Section 326.541, the state boxing commission established pursuant to Minnesota Statutes, Section 341.02, the Minnesota abstracters' board of examiners established pursuant to Minnesota Statutes, Section 386.63, the state board of law examiners established pursuant to Minnesota Statutes, Section 481.01, and the board of professional responsibility established by rule of the Minnesota supreme court.

Sec. 60. [SERVICES.] Subdivision 1. It shall be the duty of the commissioner of administration with respect to the health related licensing boards and non-health related boards to provide at a central location suitable offices and other space, joint conference and hearing facilities, examination rooms, and the following administrative support services: purchasing service, accounting service, advisory personnel services, data processing, duplicating, mailing services, automated printing of license renewals, and such other similar services of a housekeeping nature as are generally available to other agencies of state government. With respect to the health related licensing boards, the commissioner of administration shall consult with the state board of health.

Subd. 2. The health related licensing boards with respect to the board of health and the non-health related licensing boards with respect to the department of administration shall be required to provide compensation for the reasonable costs associated with providing the services required by subdivision 1 of this section. Such compensation shall be based upon biennial budgeting statements prepared by each licensing board. Transfers of funds to the accounts of the state board of health with respect to the health related boards and to the account of the department of administration with respect to the non-health related boards shall be made on the first day of each quarter of the biennium for services to be furnished, and all funds so transferred shall be deposited to the account of the board of health and the department of administration respectively.

Sec. 61. Nothing in sections 59 to 62 shall be construed to limit the powers granted to the health related boards or the non-health related boards in their enabling legislation.

Sec. 62. Minnesota Statutes 1971, Section 45.16, Subdivision 3, is repealed.

Sec. 63. [FEES.] Notwithstanding any law to the contrary, all health related licensing boards as defined in section 59 of this act

and all non-health related licensing boards as defined in section 59 of this act, acting pursuant to the administrative procedures act, may, with the approval of the legislative advisory committee, increase the fee for the renewal of a license or certificate a sufficient amount so that the total fees collected by each board will as closely as possible equal anticipated expenditures.

Sec. 64. [EFFECTIVE DATE.] *The provisions of this act except section 60 shall be effective July 1, 1973. Section 60 shall be effective January 1, 1974.*"

Further, amend the title by striking lines 2 through 5 and inserting in lieu thereof the following:

"Relating to licensing boards; providing for public members on professional examination and licensing boards; changing the per diem of board members; undedicating certain dedicated funds; defining public member; amending Minnesota Statutes 1971, Sections 144.01; 144.04; 144.952; 146.11; 147.01; 147.05; 148.03; 148.07, Subdivisions 2 and 3; 148.181; 148.201; 148.241; 148.29, Subdivisions 2; 148.296, Subdivision 2; 148.45; 148.52; 148.60; 148.79; 148.85; 150A.02; 150A.03, Subdivision 2; 151.02; 151.03; 151.04; 151.27; 153.02; 153.03; 153.12; 154.22; 154.23; 155.04; 155.05; 155.18, Subdivision 1; 156.01, Subdivisions 1 and 2; 156.14; 326.04; 326.05; 326.08, Subdivision 1; 326.17; 326.18; 326.22, Subdivision 3; 326.241, Subdivisions 1 and 3; 326.541; 341.01; 341.02; 341.03; 341.06; 386.63, Subdivisions 1 and 5; 386.64; 481.01; Chapters 144, by adding a section; and 148, by adding a section; repealing Section 45.16, Subdivision 3."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 1117: A bill for an act relating to game and fish; permanent fishing licenses for dependents of certain veterans; amending Minnesota Statutes 1971, Section 98.47, Subdivision 16.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, after "spouse" strike "or any dependent minor child"

Page 1, line 17, after "spouse" strike "or dependent"

Page 1, line 18, strike "minor child"

Page 1, lines 20 to 23, strike new language.

Amend title, line 3, strike "dependents" and insert in lieu thereof "the spouse"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which was referred

S. F. No. 1583: A bill for an act relating to agriculture; promotion of agricultural commodities; amending Minnesota Statutes 1971, Section 17.54, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 1137, 362, 610, 1130, 425, 1084, 1268, 78, 821, 356, 263 and 1218 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1084	1011	1137	1244		
1268	1207	362	383		
		610	564		
		1130	1115		
		425	396		
		78	299		

And that the above Senate Files be indefinitely postponed.

The following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
821	728	263	784		
356	218				
1218	1234				

Pursuant to Rule 49 the Committee recommends that H. F. No. 821 be amended as follows:

Page 27, line 24, after "1973" insert a comma

Page 28, line 5, strike "*patrolmen's*" and insert in lieu thereof "*patrol*"

Page 28, line 8, after "*system*" delete the comma

And when so amended, H. F. No. 821 will be identical to S. F. No. 728 and further recommends that H. F. No. 821 be given its second reading and substituted for S. F. No. 728 and S. F. No. 728 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 356 be amended, as follows:

Page 1, line 20, after "(1)" insert a comma

Page 1, line 21, after "*requirement*" insert a comma

Page 14, line 13, after "*subdivision 2*" insert a comma

Page 14, line 14, after "*subdivision 1*" insert a comma

Page 19, delete lines 25 and 26

And when so amended, H. F. No. 356 will be identical to S. F. No. 218 and further recommends that H. F. No. 356 be given its second reading and substituted for S. F. No. 218 and S. F. No. 218 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1218 be amended, as follows:

Page 55, line 23, after "*day*" insert "*next*"

Page 55, line 24, strike "*the*" and insert in lieu "*its*"

And when so amended, H. F. No. 1218 will be identical to S. F. No. 1234 and further recommends that H. F. No. 1218 be given its second reading and substituted for S. F. No. 1234 and S. F. No. 1234 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 263 be amended as follows:

Page 1, line 8, strike "or any other law"

And when so amended, H. F. No. 263 will be identical to S. F. No. 784 and further recommends that H. F. No. 263 be given its second reading and substituted for S. F. No. 784 and S. F. No. 784 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 458, 1123, 1186, 70, 178, 482 and 221 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 458 to the Committee on Education.

H. F. Nos. 70 and 178 to the Committee on Finance.

H. F. No. 482 to the Committee on Health, Welfare and Corrections.

H. F. No. 221 to the Committee on Judiciary.

H. F. Nos. 1123 and 1186 to the Committee on Labor and Commerce.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 765, pursuant to the request of the Senate, Messrs. Anderson, Brown, Chmielewski.

Mr. Davies moves that the foregoing appointments be approved. Which motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 1117 and 1583 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 308, 1137, 362, 610, 1130, 425, 1084, 1268, 78, 821, 356, 263 and 1218 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Doty moved that H. F. No. 1056 be taken from the table. Which motion prevailed.

SUSPENSION OF RULES

Mr. Doty moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 1056 and that the rules of the Senate be so far suspended as to give H. F. No. 1056 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 1056 was read the second time.

H. F. No. 1056: A bill for an act relating to public welfare; raising the age limitation on licensure of foster care facilities; amending Minnesota Statutes 1971, Section 257.081, Subdivision 6.

Was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hansen, Mel	Kowalczyk	Novak
Arnold	Coleman	Hanson, R.	Krieger	Ogdahl
Ashbach	Conzemius	Hughes	Larson	Olhoft
Bang	Davies	Humphrey	Lewis	Olson, A. G.
Berg	Doty	Jensen	Lord	Olson, H. D.
Bernhagen	Dunn	Josefson	McCutcheon	Olson, J. L.
Blatz	Fitzsimons	Keefe, S.	Milton	O'Neill
Borden	Frederick	Kirchner	Moe	Patton
Brown	Gearty	Kleinbaum	Nelson	Perpich, A. J.
Chenoweth	Hansen, Baldy	Knutson	North	Perpich, G.

Pillsbury
Purfeerst
Renneke

Schaaf
Schrom
Sillers

Solon
Spear
Stokowski

Tennessee
Thorup
Ueland

Wegener
Willet

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Perpich, G. moved that the name of Mr. Keefe, S. be added as co-author to S. F. No. 1648. Which motion prevailed.

Mr. North moved that S. F. No. 1104 be withdrawn from the Committee on Labor and Commerce. Which motion prevailed.

Mr. North moved that S. F. No. 1104 be re-referred to the Committee on Local Government. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that the General Orders Calendar be taken up at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hansen, Mel in the chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Hansen, Mel reported that the committee had considered S. F. No. 415 which the committee recommends to pass.

S. F. No. 416, which the committee recommends to pass with the following amendment offered by Mr. Thorup:

Page 1, line 27, before the period insert the following: "*; provided that the license fee in cities and villages of over 10,000 population shall not exceed \$400; in cities and villages of between 5,000 and 10,000 population, the fee shall not exceed \$300; and in cities, villages, and boroughs of less than 5,000 population, the fee shall not exceed \$200*"

Page 2, restore lines 21 through 28 and further amend as follows:

Page 2, line 24, strike "\$1,000" and insert "\$1,500"

Page 2, line 27, strike "\$200" and insert "\$600"

Page 3, restore lines 1 and 2 and further amend as follows:

Page 3, line 1, strike "\$150" and insert "\$450"

Page 3, line 2, strike "\$100" and insert "\$300"

Page 3, strike line 3

H. F. No. 626, which the committee recommends to pass with the following amendments offered by Messrs. Thorup and Davies:

Mr. Thorup moved to amend H. F. No. 626, the printed bill, as follows:

Page 2, line 4, strike everything after "the" and insert in lieu thereof "*second and fourth judicial districts.*"

Page 2, strike line 5

Mr. Davies moved to amend H. F. No. 626, the printed bill as follows:

Page 1, line 2, strike "*Subdivision 1.*"

Page 2, strike lines 6 through 11

Amend the title as follows:

Second line of title, strike "providing for court reporters cost-of-living salary increases;"

Mr. Dunn moved to amend H. F. No. 626, the printed bill, as follows:

Page 2, line 3, strike everything after "superseded" and insert a period

Strike lines 4 and 5

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 39, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Josefson	Olson, J. L.	Schrom
Berg	Frederick	Kirchner	Patton	Sillers
Bernhagen	Hansen, Baldy	Knutson	Perpich, A. J.	Solon
Brown	Hanson, R.	Kowalczyk	Perpich, G.	Willet
Dunn	Jensen	North	Renneke	

Those who voted in the negative were:

Anderson	Conzemius	Keefe, S.	Moe	Spear
Ashbach	Davies	Kleinbaum	Nelson	Stassen
Bang	Doty	Larson	Novak	Stokowski
Blatz	Gearty	Laufenburger	Olson, A. G.	Tennessen
Borden	Hansen, Mel	Lewis	O'Neill	Thorup
Chenoweth	Hughes	Lord	Pillsbury	Ueland
Chmielewski	Humphrey	McCutcheon	Purfeerst	Wegener
Coleman	Keefe, J.	Milton	Schaaf	

Which motion did not prevail. So the amendment was not adopted.

The question being taken on the committee recommendation,

And the roll being called, there were yeas 62 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Novak	Schrom
Arnold	Doty	Kleinbaum	Ogdahl	Solon
Ashbach	Fitzsimons	Knutson	Olhoft	Spear
Bang	Frederick	Kowalczyk	Olson, A. G.	Stassen
Berg	Gearty	Krieger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Larson	O'Neill	Tennessen
Blatz	Hanson, R.	Laufenburger	Patton	Thorup
Borden	Hughes	Lewis	Perpich, A. J.	Ueland
Brown	Humphrey	Lord	Perpich, G.	Wegener
Chenoweth	Jensen	McCutcheon	Pillsbury	Willet
Chmielewski	Josefson	Milton	Purfeerst	
Coleman	Keefe, J.	Moe	Renneke	
Conzemius	Keefe, S.	Nelson	Schaaf	

Messrs. Dunn; Hansen, Baldy, North and Sillers voted in the negative.

Which motion prevailed.

And then, on motion of Mr. Hansen, Mel, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

PROTEST AND DISSENT

Pursuant to the provisions of Article IV, Section 16, of the Minnesota Constitution, the undersigned request that the following dissent and protest be spread on the Journal of the Senate.

The undersigned members of the Senate, dissent and protest the action of the Senate on House File No. 307, for the following reasons:

House File No. 307 is an invasion of privacy of the constitutional right of citizens to secure privately owned premises from uninvited solicitors and other callers.

As the Court said in *Watchtower Bible and Tract Society v. Metropolitan Life Insurance Company*, "there is no invitation either expressed or implied, to the public to enter into the common hallways of an apartment house for the purpose of using them as a forum in which to air one's views on any subject, be it religious, political or anything else" (69NYS₂385,393, affirmed 75 NYS₂81, 272 App. Div. 103, appeal denied 297 NY 805, certiorari denied 69 D Ct. 232, rehearing denied 69 S. Ct. 479).

For the above, and other pertinent reasons, the undersigned wish to make the foregoing a matter of public record and, therefore, call for this dissent to be spread on the pages of the Senate Journal.

(Signed) Messrs. Ashbach; Bang; Berg; Bernhagen; Blatz; Dunn; Fitzsimons; Frederick; Hansen, Baldy; Hansen, Mel; Hanson, R.; Jensen; Josefson; Keefe, J.; Kirchner; Knutson; Kowalczyk; Krieger; Larson; Nelson; Ogdahl; Olson, J. L.; O'Neill; Patton; Pillsbury; Purfeerst; Renneke; Schrom; Sillers; Stassen; Ueland.

RECESS

Mr. Coleman moved that the Senate do now recess until 4:00 o'clock p.m. Which motion prevailed.

The hour of 4:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Krieger, Jensen and Pillsbury were excused from the Session of this afternoon.

CALL OF THE SENATE

Mr. Hansen, Baldy imposed a call of the Senate. The following Senators answered to their names:

Arnold	Dunn	Keefe, S.	Olhoft	Spear
Ashbach	Fitzsimons	Kirchner	Olson, A. G.	Stassen
Bang	Frederick	Kleinbaum	Olson, H. D.	Stokowski
Berg	Gearty	Kowalczyk	Olson, J. L.	Ueland
Bernhagen	Hansen, Baldy	Larson	Patton	Wegener
Borden	Hansen, Mel	Laufenburger	Perpich, A. J.	Willet
Brown	Hanson, R.	Lewis	Perpich, G.	
Chenoweth	Hughes	Lord	Purfeerst	
Coleman	Humphrey	North	Renneke	
Conzemius	Josefson	Novak	Schrom	

The Sergeant-at-Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that the General Orders Calendar be taken up at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

GENERAL ORDERS—CONTINUED

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Hughes reported that the committee had considered S. F. No. 425, which the committee recommends to pass.

S. F. No. 1010, which the committee recommends to pass with the following amendment offered by Mr. Solon:

Page 1, at the end of line 15, insert "*Provided, however, that no lien pursuant to this section shall be effective as to any payment made prior to the time that the lien is filed.*"

S. F. No. 942, which the committee recommends to pass with the following amendment offered by Mr. Renneke:

Page 1, line 12, strike "the chairman"

Line 13, strike "of"

Line 13, strike ", or any member of the county board"

Strike line 14

Line 15, before "pay" insert "to"

Line 15, after "incurred" insert "by them"

Line 16, strike everything after the period

Strike lines 17 through 19

Amend the title as follows:

Line 4, after "the" insert "members"

Line 5, strike "chairman"

S. F. No. 507, which the committee recommends to pass.

Mr. Kirchner moved to amend S. F. No. 507 as follows:

Page 7, line 21, reinstate the stricken language and strike the new language.

Page 9, strike lines 23 to 25

Amend the title as follows:

Line 10, strike "Sections" and insert in lieu thereof "Section"

Lines 11 and 12, strike all the language after "116.15" in line 11 and insert in lieu thereof a period

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Nelson	Sillers
Bang	Fitzsimons	Keefe, J.	Ogdahl	Stassen
Berg	Frederick	Kirchner	Olson, J. L.	Ueland
Bernhagen	Hansen, Baldy	Knutson	O'Neill	
Blatz	Hansen, Mel	Kowalczyk	Patton	
Brown	Hanson, R.	Larson	Renneke	

Those who voted in the negative were:

Arnold	Gearty	Lord	Olson, H. D.	Tennessen
Borden	Hughes	Milton	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Moe	Purfeerst	Wegener
Chmielewski	Keefe, S.	North	Schaaf	Willet
Coleman	Kleinbaum	Novak	Solon	
Conzemius	Laufenburger	Olhoff	Spear	
Doty	Lewis	Olson, A. G.	Stokowski	

Which motion did not prevail. So the amendment was not adopted.

Mr. Dunn moved to amend S. F. No. 507, first engrossment, as follows:

Page 3, lines 3 to 8, reinstate the stricken language and strike the new language.

Page 6, strike lines 21 to 28.

Page 7, strike lines 1 to 16.

Renumber the sections accordingly.

Amend the title in line 8 by striking "116.17, Subdivision 5,"

The question being taken on adoption of the amendment.

And the roll being called, there were yeas 26 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Nelson	Stassen
Bang	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Berg	Frederick	Knutson	O'Neill	
Bernhagen	Hansen, Baldy	Kowalczyk	Patton	
Blatz	Hansen, Mel	Larson	Renneke	
Brown	Hanson, R.	McCutcheon	Sillers	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olhoft	Solon
Arnold	Gearty	Lord	Olson, A. G.	Spear
Borden	Hughes	Milton	Olson, H. D.	Tennessen
Chenoweth	Humphrey	Moe	Perpich, A. J.	Thorup
Chmielewski	Keefe, S.	North	Perpich, G.	Wegener
Coleman	Kleinbaum	Novak	Purfeerst	Willet
Conzemius	Laufenburger	Ogdahl	Schaaf	

Which motion did not prevail. So the amendment was not adopted.

The question being taken on the committee recommendation,

And the roll being called, there were yeas 56 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olson, A. G.	Solon
Arnold	Dunn	Knutson	Olson, H. D.	Spear
Ashbach	Fitzsimons	Kowalczyk	Olson, J. L.	Stokowski
Berg	Frederick	Laufenburger	O'Neill	Tennessen
Bernhagen	Gearty	Lord	Patton	Thorup
Blatz	Hansen, Baldy	McCutcheon	Perpich, A. J.	Ueland
Borden	Hanson, R.	Milton	Perpich, G.	Wegener
Chenoweth	Hughes	Moe	Purfeerst	Willet
Chmielewski	Humphrey	North	Renneke	
Coleman	Keefe, J.	Novak	Schaaf	
Conzemius	Keefe, S.	Ogdahl	Schrom	
Davies	Kirchner	Olhoft	Sillers	

Those who voted in the negative were:

Brown	Hansen, Mel	Josefson	Larson	Stassen
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Which motion prevailed. So the committee recommends S. F. No. 507 to pass.

S. F. No. 642, which the committee recommends to pass with the following amendment offered by Mr. Ashbach:

Page 7, after line 12, insert:

"Sec. 11. [EFFECTIVE DATE.] The rules and regulations adopted pursuant to this act shall not apply until July 1, 1974."

Mr. Chmielewski moved to amend S. F. No. 642 as follows:

Page 1, line 30, after the period insert: "This law shall not apply to any land in incorporated areas of the state of Minnesota."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 17 and nays 42, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Baldy	Olson, H. D.	Willet
Berg	Chmielewski	Hanson, R.	Olson, J. L.	
Bernhagen	Fitzsimons	Josefson	Patton	
Blatz	Frederick	Kowalczyk	Schrom	

Those who voted in the negative were:

Anderson	Hansen, Mel	Lord	O'Neill	Stassen
Borden	Hughes	Milton	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Moe	Perpich, G.	Tennessen
Coleman	Keefe, J.	Nelson	Purfeerst	Thorup
Conzemius	Keefe, S.	North	Renneke	Ueland
Davies	Kirchner	Novak	Schaaf	Wegener
Doty	Kleinbaum	Ogdahl	Sillers	
Dunn	Knutson	Olhoft	Solon	
Gearty	Laufenburger	Olson, A. G.	Spear	

Which motion did not prevail. So the amendment was not adopted.

Mr. Chmielewski moved to amend S. F. No. 642 as follows:

Page 4, line 20, after "necessary" insert a period and strike the rest of the line.

Page 4, strike line 21, and in line 22 strike everything before "The" and insert in lieu thereof: "The Minnesota legislature shall have full and exclusive authority for designating rivers to be designated as wild, scenic, or recreational and shall first pass into law any management plan drawn up by the commissioner of natural resources before it shall take effect."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 17 and nays 40, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Baldy	Olson, H. D.	Willet
Berg	Chmielewski	Hanson, R.	Patton	
Bernhagen	Fitzsimons	Josefson	Renneke	
Blatz	Frederick	Knutson	Ueland	

Those who voted in the negative were:

Anderson	Gearty	Kowalczyk	Olhoft	Sillers
Borden	Hansen, Mel	Laufenburger	Olson, A. G.	Solon
Chenoweth	Hughes	Lord	Olson, J. L.	Spear
Coleman	Humphrey	Milton	O'Neill	Stassen
Conzemius	Keefe, J.	Moe	Perpich, A. J.	Stokowski
Davies	Keefe, S.	Nelson	Perpich, G.	Tennessen
Doty	Kirchner	North	Purfeerst	Thorup
Dunn	Kleinbaum	Novak	Schaaf	Wegener

Which motion did not prevail. So the amendment was not adopted.

The question being taken on the committee recommendation,

And the roll being called, there were yeas 54 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Ogdahl	Sillers
Ashbach	Doty	Kleinbaum	Olhott	Solon
Bang	Dunn	Kowalczyk	Olson, A. G.	Spear
Berg	Fitzsimons	Laufenburger	Olson, J. L.	Stassen
Bernhagen	Frederick	Lord	O'Neill	Stokowski
Blatz	Gearty	McCutcheon	Patton	Tennessee
Borden	Hansen, Mel	Milton	Perpich, A. J.	Thorup
Brown	Hughes	Moe	Perpich, G.	Ueland
Chenoweth	Humphrey	Nelson	Purfeerst	Wegener
Coleman	Keefe, J.	North	Renneke	Willet
Conzemius	Keefe, S.	Novak	Schaaf	

Messrs. Chmielewski; Hansen, Baldy; Hanson, R. and Olson, H. D. voted in the negative.

Which motion prevailed. So the committee recommends S. F. No. 642 to pass.

And then, on motion of Mr. Hughes, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schaaf moved that S. F. No. 1346 be withdrawn from the Committee on Governmental Operations. Which motion prevailed.

Mr. Schaaf moved that S. F. No. 1346 be re-referred to the Committee on Finance. Which motion prevailed.

Mr. Bernhagen moved that the names of Messrs. Gearty and Frederick be added as co-authors to S. F. No. 1680. Which motion prevailed.

Mr. Solon moved that the name of Mr. Chmielewski be added as co-author to S. F. No. 1794. Which motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules be so far suspended as to revert to Messages From the House remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 765: A bill for an act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of motorboats on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, by adding a section.

There has been appointed as such committee on the part of the House:

Kahn, Searle, and Norton

Senate File No. 765 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned April 5, 1973.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 34: A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; amending Minnesota Statutes 1971, Chapter 149, by adding a section.

Senate File No. 34 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned April 5, 1973.

Mr. North moved that the Senate do not concur in the amendments by the House to S. F. No. 34 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 349, 614, 777, 986, 990, 1006, 1007, 1008 and 1094.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned April 5, 1973.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 627, 702, 672, 877, 1158, 1433, 1435, 483, 606, 847, 1162, 1164, 1166, 1170, 1171 and 591.

Edward A. Burdick, Chief Clerk, House of Representatives.
Transmitted April 5, 1973.

SUSPENSION OF RULES

Mr. Coleman moved that the rules be so far suspended as to

revert to First Readings of House Bills, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

FIRST READING OF HOUSE BILLS

H. F. No. 627: A bill for an act relating to probate proceedings; inventory and appraisal of estates in probate courts; amending Minnesota Statutes 1971, Sections 525.33 and 525.331.

H. F. No. 702: A bill for an act relating to probate proceedings; partition of property in probate decree; amending Minnesota Statutes 1971, Section 525.485.

H. F. No. 672: A bill for an act relating to natural resources; preservation and management of wild and scenic rivers; establishing a system of classifications of such rivers as wild, scenic, or recreational; providing policies and standards for administration thereof.

H. F. No. 877: A bill for an act relating to education; interscholastic athletics and other extracurricular activities; amending Minnesota Statutes 1971, Chapter 129 by adding a section; repealing Minnesota Statutes 1971, Section 129.12.

H. F. No. 1158: A bill for an act relating to taxation; providing for confiscation of vehicles, trailers and airplanes used to transport illegally untaxed cigarettes; amending Minnesota Statutes 1971, Section 297.08, Subdivisions 1 and 2, and by adding a subdivision.

H. F. No. 1433: A bill for an act relating to plats and surveys in Dakota county; providing for approval by the county surveyor and providing a fee therefor.

H. F. No. 1435: A bill for an act relating to towns; powers of town boards within certain areas; amending Minnesota Statutes 1971, Section 366.01, Subdivision 2.

H. F. No. 483: A bill for an act relating to the practice of massage; amending Minnesota Statutes 1971, Sections 146.16; 154.04; and 155.19; repealing Minnesota Statutes 1971, Sections 148.33 to 148.511.

H. F. No. 606: A bill for an act relating to eminent domain; providing for uniform relocation assistance, services, payments and benefits for displaced persons; repealing Minnesota Statutes 1971, Section 117.095.

H. F. No. 847: A bill for an act relating to taxes on and measured by net income; net capital gain defined; amending Minnesota Statutes 1971, Section 290.16, Subdivision 3.

H. F. No. 1162: A bill for an act relating to taxes on and measured by net income; income; education cost deduction; amending Minnesota Statutes 1971, Section 290.086, Subdivision 8.

H. F. No. 1164: A bill for an act relating to taxation; providing for a method of computing the tax imposed on gifts under

certain circumstances; amending Minnesota Statutes 1971, Section 292.105.

H. F. No. 1166: A bill for an act relating to inheritance taxes; providing for certain deductions; amending Minnesota Statutes 1971, Section 291.08.

H. F. No. 1170: A bill for an act relating to inheritance taxes; defining and prescribing inheritance tax rates and exemptions for certain donees; amending Minnesota Statutes 1971, Sections 291.005; 291.03; 291.05; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 5.

H. F. No. 1171: A bill for an act relating to taxation; providing for refundment of inheritance tax overpayments and interest thereon; amending Minnesota Statutes 1971, Section 291.18.

H. F. No. 591: A bill for an act relating to Independent School District Number 707 in St. Louis county; providing an exemption therefor from the provisions of Minnesota Statutes, Sections 122.41 to 122.52, and allowing tuition to be paid in accordance with Section 124.18, Subdivision 2.

Which were read the first time and referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon Monday, April 9, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.