

THIRTY-FIFTH DAY

St. Paul, Minnesota, Thursday, April 12, 1973.

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Mr. Patton was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 11, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

I have the honor to inform you that I have received, approved, signed, and deposited in the office of the Secretary of State the following Senate File:

S. F. No. 3, An act relating to old age assistance; releasing claims and liens of the state; repealing Minnesota Statutes 1971, Section 256.26, Subdivisions 3 to 11.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Mr. Ogdahl introduced—

S. F. No. 1971: A bill for an act relating to retirement; establishing a department of public pensions and retirement headed by a commissioner to consolidate administration of various statewide retirement plans and programs for public employees.

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

Messrs. North, Ashbach and Chenoweth introduced—

S. F. No. 1972: A bill for an act relating to public welfare; submission of budget estimates; amending Minnesota Statutes 1971, Section 393.08, Subdivision 1.

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

Messrs. Milton, Ashbach and Hughes introduced—

S. F. No. 1973: A bill for an act relating to courts; redefining jurisdiction of certain courts in Ramsey county; providing for conciliation courts in Ramsey county municipalities; amending Minnesota Statutes 1971, Sections 37.23; 488.04, Subdivision 3; 488.05, Subdivision 2; and 633.01.

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

Messrs. Hansen, Baldy; Olson, J. L. and Schrom introduced—

S. F. No. 1974: A bill for an act relating to taxation; credits against tax; feedlot pollution control equipment.

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

Messrs. Lord, McCutcheon and Schaaf introduced—

S. F. No. 1975: A bill for an act relating to the department of public service; authorizing the public service commission to investigate inadequate telephone service; providing for hearings thereon; authorizing the commission to make reasonable orders in connection therewith; amending Minnesota Statutes 1971, Chapter 237, by adding a section.

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

Mr. Willet introduced—

S. F. No. 1976: A bill for an act relating to Cass county; authorizing issuance of additional on-sale intoxicating liquor licenses.

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

Messrs. Ogdahl, Milton and Kleinbaum introduced—

S. F. No. 1977: A bill for an act relating to condominiums; allowing operation of mobile home parks and property used to accommodate mobile homes as condominiums; amending Minnesota Statutes 1971, Section 515.02, Subdivisions 2 and 6.

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

Messrs. Milton, McCutcheon and Hughes introduced—

S. F. No. 1978: A bill for an act relating to Ramsey county; authorization of the county to appropriate and expend moneys in the improvements of lakes and acquiring land in the vicinity of such lakes for recreational grounds; repealing annual expenditure limitation; amending Laws 1927, Chapter 209, Section 1, as amended.

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

Messrs. Chenoweth, Stokowski and Ogdahl introduced—

S. F. No. 1979: A bill for an act relating to the Minnesota state college board; appropriating money and authorizing a loan to the board for the refunding of outstanding revenue bonds; authorizing the issuance and sale of bonds under the provisions of Article IX, Section 6 of the Constitution to provide money for such loan, and appropriating money in connection with such bonds; amending Minnesota Statutes 1971, Section 136.40, by adding a subdivision.

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

Messrs. Hansen, Baldy, Bang and Kleinbaum introduced—

S. F. No. 1980: A bill for an act relating to commerce; regulating finance charges for open end credit sales; amending Minnesota Statutes 1971, Section 334.16, Subdivision 1.

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

Messrs. Milton, Ogdahl and Novak introduced—

S. F. No. 1981: A bill for an act relating to metropolitan government; directing implementation of the transit development program and providing funds therefor; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

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

Mr. Knutson, by request, introduced—

S. F. No. 1982: A bill for an act relating to taxation; senior citizen deferred property tax.

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

Messrs. North, O'Neill and Hughes introduced—

S. F. No. 1983: A bill for an act relating to education; advisory board on handicapped, gifted and exceptional children; amending Minnesota Statutes 1971, Section 121.34.

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

Messrs. Renneke and Dunn introduced—

S. F. No. 1984: A bill for an act relating to property taxation; exempting certain wetlands; amending Minnesota Statutes 1971, Section 272.02, Subdivision 1.

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

Messrs. Davies, McCutcheon and Humphrey introduced—

S. F. No. 1985: A bill for an act relating to courts; providing for tolling of statutes of limitation for reasons of disability; amending Minnesota Statutes 1971, Sections 281.04; 508.79; and 541.15.

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

Messrs. Lewis, Perpich, G. and Kirchner introduced—

S. F. No. 1986: A bill for an act relating to licensure to practice the healing arts; requiring graduation from accredited institution.

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

Messrs. Blatz, Kirchner and Bang introduced—

S. F. No. 1987: A bill for an act relating to aeronautics; regulating the composition of the metropolitan airports commission; amending Minnesota Statutes 1971, Sections 306.104, Subdivision 5; 360.108, Subdivision 2; and Chapter 360, by adding a section; repealing Minnesota Statutes 1971, Sections 360.104, Subdivisions 1, 2, 3, 4, and 6; and 360.108, Subdivisions 3 and 4.

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

Messrs. Bang, Fitzsimons and Brown introduced—

S. F. No. 1988: A bill for an act relating to elections; limiting allowable expenditures by and contributions of money to certain candidates for public office; providing an exception for donations to a candidate by a political party; amending Minnesota Statutes 1971, Section 211.06; and Chapter 211, by adding a section.

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

Messrs. Bang, Blatz and Brown introduced—

S. F. No. 1989: A bill for an act relating to motor vehicles; prohibiting the alteration of odometer mileage; imposing penalties.

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

Messrs. Tennesen, Ogdahl and Gearty introduced—

S. F. No. 1990: A bill for an act relating to the city of Minneapolis; council powers to establish a commission; committee, director, or department to regulate the field of civil rights; granting certain powers and providing for judicial review.

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

Mr. Wegener introduced—

S. F. No. 1991: A bill for an act relating to the claim of Gerald E. Host; arising from negligence by the highway department; appropriating money for the payment thereof.

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

Mr. Willet introduced—

S. F. No. 1992: A bill for an act relating to Wadena county; expansion of campgrounds on Crow Wing river; appropriating money.

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

Messrs. Olhoft, Arnold and Hanson, R. introduced—

S. F. No. 1993: A bill for an act relating to the department of education, division of vocational rehabilitation; providing for the purchase of cattle; and appropriating money.

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

Messrs. Willet, Fitzsimons and Chmielewski introduced—

S. F. No. 1994: A bill for an act relating to certain buildings and facilities; providing that plans and specifications for construction or remodeling of certain buildings and facilities provide for accessibility and usability for physically handicapped and aged persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivisions 2, 4 and 5; 471.466; 471.467, Subdivision 3; and 471.468.

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

Mr. Krieger introduced—

S. F. No. 1995: A bill for an act relating to elections; providing for the reception and counting of absentee ballots; amending Minnesota Statutes 1971, Section 207.11.

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

Messrs. Doty, O'Neill and Schaaf introduced—

S. F. No. 1996: A bill for an act relating to right to privacy; providing penalties for releasing unlisted or unpublished phone numbers; amending Minnesota Statutes 1971, Section 609.775.

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

Messrs. Chenoweth, North and Ueland introduced—

S. F. No. 1997: A bill for an act relating to employment and employment opportunities of youths; directing the department of manpower services to research programs providing employment opportunities for youth and to initiate additional programs therefor; and appropriating money.

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

Messrs. Jensen, Bernhagen and Renneke introduced—

S. F. No. 1998: A bill for an act relating to counties; allowing county boards to authorize publication of names of children found to have violated, or charged with violating, any federal, state or local laws or ordinances; amending Minnesota Statutes 1971, Section 260.161, Subdivision 1.

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

Mr. Chmielewski introduced—

S. F. No. 1999: A bill for an act relating to tax levies for county road and bridge purposes in St. Louis county.

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

Messrs. Milton, Purfeerst and Keefe, S. introduced—

S. F. No. 2000: A bill for an act relating to snowmobiles, regulations; warning devices; providing a penalty.

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

Mr. Hansen, Baldy introduced—

S. F. No. 2001: A bill for an act relating to insurance; taxation of certain insurance companies; amending Minnesota Statutes 1971, Section 60A.15, Subdivision 1.

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

Messrs. Chenoweth, Doty and Hansen, Mel introduced—

S. F. No. 2002: A bill for an act relating to education; appropriating money to cover reimbursement deficiencies for vocational aid programs.

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

Messrs. Hansen, Mel; Hughes and Laufenburger introduced—

S. F. No. 2003: A bill for an act relating to education; approval of plans for school buildings; amending Minnesota Statutes 1971, Section 121.15.

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

Messrs. Ashbach and Milton introduced—

S. F. No. 2004: A bill for an act relating to municipalities; providing for reimbursement for expenses incurred in the prosecution of highway patrol traffic violations; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

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

Messrs. Borden, Ogdahl and Milton introduced—

S. F. No. 2005: A bill for an act relating to the interchange of employees between the state and its political subdivisions and private industry; amending Minnesota Statutes 1971, Chapter 15, by adding a section.

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

Mr. Perpich, G. introduced—

S. F. No. 2006: A bill for an act relating to the city of Virginia; firemens service, disability, and survivors pensions; repealing Laws 1953, Chapter 399, Sections 18, 20, and 23, as amended.

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

Messrs. Purfeerst, Spear and Ueland introduced—

S. F. No. 2007: A bill for an act relating to courts; exempting students from service as grand jurors; amending Minnesota Statutes 1971, Section 628.43.

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

Messrs. Davies, Knutson and Borden introduced—

S. F. No. 2008: A bill for an act relating to evidence; proscribing use of taped verbatim records of legislative proceedings as evidence of legislative intent or contemporaneous history.

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

Messrs. Stokowski and Ogdahl introduced—

S. F. No. 2009: A bill for an act relating to teachers retirement; amending Minnesota Statutes 1971, Sections 136.80, Subdivision 1; 136.82, Subdivision 2; 354.05, Subdivision 25; 354.07, Subdivision 1; 354.09, Subdivision 3; 354.31; 354.33, Subdivisions 1 and 5; 354.39; 354.44, Subdivision 2; 354.45, Subdivision 2; 354.48, Subdivision 3; 354.50, by adding a subdivision; 354.55, Subdivision 3, and by adding a subdivision; 354.62, Subdivision 5; and 354.63, Subdivision 2; repealing Minnesota Statutes 1971, Section 354.09, Subdivision 5.

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

Messrs. Perpich, A. J.; Solon and Jensen introduced—

S. F. No. 2010: A bill for an act relating to taxation; occupation and royalty taxes on ores; providing for change of dates for assessment, payment and collection; amending Minnesota Statutes 1971, Sections 298.01, Subdivisions 1 and 2; 298.28, Subdivision 1; 299.05; 299.07; 299.09; and 299.10.

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

Messrs. Borden, Bang and Conzemius introduced—

S. F. No. 2011: A bill for an act relating to taxation and the termination of county assessors; amending Minnesota Statutes 1971, Section 273.061, Subdivision 2.

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

Messrs. Conzemius and Pillsbury introduced—

S. F. No. 2012: A bill for an act relating to taxes on and measured by net income; prescribing penalties; amending Minnesota Statutes 1971, Section 290.92, Subdivision 15.

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

Messrs. Keefe, S.; O'Neill and Anderson introduced—

S. F. No. 2013: A bill for an act relating to education; permitting six school districts to implement and experiment with an educational voucher system; permitting both public and private schools to participate; permitting participating school districts to contract for federal funds; establishing guidelines for school participation; providing demonstration boards to administer, regulate, test and report the operation of the program; amending Minnesota Statutes 1971, Section 290.086, by adding a subdivision.

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

Messrs. Willet and Fitzsimons introduced—

S. F. No. 2014: A bill for an act relating to natural resources; enlarging certain trail acquisition authority; amending Minnesota Statutes 1971, Section 84.029, Subdivision 2.

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

Messrs. Willet and Fitzsimons introduced—

S. F. No. 2015: A bill for an act relating to snowmobiles; operation and regulation; contests; amending Minnesota Statutes 1971, Section 84.87, Subdivision 1a.

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

Messrs. Olson, A. G. and Conzemius introduced—

S. F. No. 2016: A bill for an act relating to regional development commissions; authorizing the issuance of certificates of indebtedness; clarifying sales tax exemptions; amending Minnesota Stat-

utes 1971, Sections 462.39, Subdivision 1; and 462.396, Subdivision 1; and Chapter 462, by adding a section.

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

MESSAGES FROM THE HOUSE

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. 716: A bill for an act relating to education; prohibiting interest in school supplies; amending Minnesota Statutes 1971, Section 127.15; repealing Minnesota Statutes 1971, Section 127.24.

Senate File No. 716 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned April 11, 1973.

CONCURRENCE AND REPASSAGE

Mr. Lewis moved that the Senate do now concur in the amendments by the House to S. F. No. 716 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 716 was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 54 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Chmielewski and Hansen, Baldy voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: 1229 and 1137.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned April 11, 1973.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 672.

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.

And the House respectfully requests that a Conference Committee of three members be appointed thereon: Sieben, H.; Graba, and Savelkoul have been appointed as such committee on the part of the House.

House File No. 672 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted April 11, 1973.

Mr. Borden moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 672 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 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 House Files, herewith transmitted: H. F. Nos. 869, 946, 1185, 1429, 1431, 1557, 373, 1257, 1258, 1259, 159, 694, 942, 1255 and 1434.

Edward A. Burdick, Chief Clerk, House of Representatives.

Transmitted April 11, 1973.

FIRST READING OF HOUSE BILLS

H. F. No. 869: A bill for an act relating to intoxicating liquor; authorizing the issuance of certain licenses; amending Minnesota Statutes 1971, Section 340.11, by adding a subdivision.

H. F. No. 946: A bill for an act relating to game and fish; fishing by certain institutional inmates or patients; amending Minnesota Statutes 1971, Section 98.47, Subdivision 12.

H. F. No. 1185: A bill for an act relating to the employment by the city of Minneapolis of certain persons pursuant to a training program; amending Laws 1969, Chapter 1093, Section 1.

H. F. No. 1429: A bill for an act relating to the prevention of cruelty; increasing the maximum amount of annual appropriations; amending Minnesota Statutes 1971, Section 343.11.

H. F. No. 1431: A bill for an act relating to St. Louis county; providing certain benefits for employees of the county board of education for unorganized territory; authorizing certain taxes; amending Laws 1971, Chapter 665, Sections 1, 2 and 3.

H. F. No. 1557: A bill for an act relating to the city of Saint Paul; providing for and authorizing said city to issue its general obligation bonds for urban renewal redevelopment purposes; amending Laws 1963, Chapter 881, Section 1, as amended; and by adding sections.

H. F. No. 373: A bill for an act relating to crimes and criminals; establishing bail procedure; providing penalty.

H. F. No. 1257: A bill for an act relating to taxation; providing a method of determining the percentage of gross earnings assignable to Minnesota for railroad gross earnings tax; amending Minnesota Statutes 1971, Section 295.01, Subdivision 2.

H. F. No. 1259: A bill for an act relating to taxes on and measured by net income; nondeductible items; amending Minnesota Statutes 1971, Section 290.10.

H. F. No. 159: A bill for an act relating to attorneys at law; providing that graduates of Minnesota law schools approved by the American Bar Association need not take a bar examination to be admitted to practice; amending Minnesota Statutes 1971, Sections 480.05 and 481.01.

H. F. No. 694: A bill for an act relating to the state zoological board; regulating the powers and duties of the state zoological board; appropriating money from the Minnesota zoological garden account in the general fund for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden; authorizing the issuance and sale of bonds for this purpose under the provisions of Article IX, Section 6 of the Constitution, and appropriating money in connection therewith; creating a state zoological garden bond account in the Minnesota state bond fund; amending Minnesota Statutes 1971, Sections 85A.02, Subdivisions 2 and 5; 85A.03, by adding a subdivision; and 85A.04; Chapter 85A, by adding a section; and repealing Minnesota Statutes 1971, Section 85A.02, Subdivision 8.

H. F. No. 942: A bill for an act relating to natural resources; providing state recognition and implementation of the Lower St. Croix River Act of 1972; prescribing powers and duties of state and local governments in relation thereto; amending Minnesota Statutes 1971, Chapter 104, by adding a section.

H. F. No. 1255: A bill for an act relating to taxation based upon gross earnings; defining certain businesses subject thereto; amending Minnesota Statutes 1971, Section 295.01, Subdivision 9, and by adding a subdivision.

H. F. No. 1434: A bill for an act relating to counties; authorizing the construction, improvement and maintenance of television translator towers by counties.

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

H. F. No. 1258: A bill for an act relating to taxation; providing for a minimum penalty for failure to file a cigarette use tax return; amending Minnesota Statutes 1971, Section 297.23, by adding a subdivision.

Mr. Davies moved that H. F. No. 1258 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.

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. 34, pursuant to the request of the Senate,

Messrs. North, Knutson, Milton.

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

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which was referred

S. F. No. 1353: A bill for an act relating to community corrections; authorizing a state subsidy to local units of government for providing community based corrections services; prescribing the powers of the commissioner of corrections; appropriating funds therefor.

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:

“Section 1. Subdivision 1. [PURPOSE.] For the purpose of more effectively protecting society and to promote efficiency and economy in the delivery of correctional services, the commissioner is hereby authorized to make grants to assist counties in the development, implementation, and operation of community based corrections programs including, but not limited to preventive or diversionary correctional programs, probation, parole, community corrections centers, and facilities for the detention or confinement, care and treatment of persons convicted of crime or adjudicated delinquent.

Subd. 2. [DEFINITION.] For the purposes of this act, “commissioner” means the commissioner of corrections or his designee.

Sec. 2. Any county, or group of contiguous counties situated within the same region designated pursuant to Minnesota Statutes, Sections 462.381 to 462.396, may qualify for a grant as provided in section 1 by the enactment of appropriate resolutions creating and establishing a corrections advisory board and providing for the preparation of a comprehensive plan for the development, implementation and operation of the correctional services described in section 1 of this act, including the assumption of those correctional services other than the operation of state institutions presently provided in such counties by the department of corrections, and providing for centralized administration and control of those correctional services described in section 1 of this act.

Where counties combine as authorized in this section, they shall comply with the provisions of Minnesota Statutes, Section 471.59.

Sec. 3. The commissioner shall, as provided in Minnesota Statutes, Sections 15.0411 to 15.0422, promulgate rules for the implementation of this act, and shall provide consultation and technical assistance to counties to aid them in the development of comprehensive plans.

Sec. 4. Any county or group of counties electing to come within the provisions of this act may (a) acquire by any lawful means, including purchase, lease or transfer of custodial control, the lands, buildings and equipment necessary and incident to the accomplishment of the purposes of this act, (b) determine and establish the administrative structure best suited to the efficient administration and delivery of the correctional services described in section 1, and (c) employ a director and such other officers, employees and agents as deemed necessary to carry out the provisions of this act. To the extent that participating counties shall assume and take over state correctional services presently provided in such counties, preference shall be given to the employment of those state officers, employees and agents thus displaced; if hired by a county, such employment shall, to the extent possible, be deemed a transfer in grade with all of the benefits enjoyed by such officer, employee or agent while in the service of the state.

Sec. 5. Any county or group of counties electing to come within the provisions of this act, may, through their governing bodies, use unexpended funds, accept gifts, grants and subsidies from any lawful source, and apply for and accept federal funds.

Sec. 6. No county or group of counties electing to provide correctional services pursuant to this act shall be eligible for the subsidy herein provided unless and until its comprehensive plan shall have been approved by the commissioner. To remain eligible for subsidy the county or group of counties shall substantially comply with the operating standards established by the commissioner. The commissioner shall review annually the comprehensive plans submitted by participating counties, including the facilities and programs operated under the plans. He is hereby authorized to enter upon any facility operated under the plan, and inspect books and records, for purposes of recommending needed changes or improvements.

When the commissioner shall determine that there are reasonable grounds to believe that a county or group of counties is not in substantial compliance with minimum standards, at least 30 days notice shall be given the county or counties and a hearing held to ascertain whether there is substantial compliance or satisfactory progress being made toward compliance. The commissioner may suspend all or a portion of any subsidy until the required standard of operation has been met.

Sec. 7. Subdivision 1. The corrections advisory board provided in section 2 of this act shall consist of no more than 17 members, who shall be representative of law enforcement, prosecution, the judiciary, education, corrections, ethnic minorities, the social services, and the lay citizen, and shall be appointed as follows:

(1) the law enforcement representation shall consist of a sheriff, and a chief of police (selected by the chiefs of police of the county), or their respective designees;

(2) the prosecution representative shall be either the county attorney or his designee;

(3) the judiciary representatives shall be designated by the chief judge of each district and county court district, and shall include judges representative of courts having felony, misdemeanor and juvenile jurisdiction respectively;

(4) education shall be represented by an academic administrator appointed by the chairman of the board of county commissioners with the advice and consent of the members of the board;

(5) the director of a county welfare board or his designee;

(6) the public defender or his designee;

(7) with the advice and consent of the other members of the county board, the chairman shall appoint the following additional members of the corrections advisory board:

(a) one parole or probation officer;

(b) one correctional administrator;

(c) a representative from a social service agency, public or private;

(d) an ex-offender;

(e) a licensed medical doctor;

(f) at least four citizens, provided, however, that if the ethnic minorities resident in the county exceed the percentage of ethnic minorities in the state population, at least two of the citizen members shall be members of an ethnic minority group.

Subd. 2. Members of the corrections advisory board appointed by the chairman of the board of county commissioners shall serve for terms of two years from and after the date of their appointment, and shall remain in office until their successors are duly appointed. The other members of the corrections advisory board shall hold office at the pleasure of the appointing authority.

Subd. 3. Where two or more counties combine to come within the provisions of this act the joint corrections advisory board shall contain representation as provided in subdivision 1, but the members comprising the board may come from each of the participating counties as may be determined by agreement of the counties. The board may elect its own officers.

Subd. 4. The corrections advisory board provided in this act shall actively participate in the formulation of the comprehensive plan for the development, implementation and operation of the correctional program and services described in section 1 of this act, and shall make a formal recommendation to the county board or joint board at least annually concerning the comprehensive plan and its implementation during the ensuing year.

Sec. 8. Failure of a county or group of counties to elect to come within the provisions of this act shall not effect their eligibility for any other state subsidy for correctional purposes otherwise provided by law. Any comprehensive plan submitted pursuant to this act may include the purchase of selected correctional services from the state by contract, including the temporary detention and confinement of persons convicted of crime or adjudicated delinquent; confinement to be in an appropriate state institution as otherwise provided by law. The commissioner shall annually determine the costs of the purchase of services under this section and deduct them from the subsidy due and payable to the county or counties concerned; provided that no contract shall exceed in cost the amount of subsidy to which the participating county or counties are eligible.

Sec. 9. [CORRECTIONS EQUALIZATION FORMULA.] To determine the amount to be paid participating counties during the bienium ending June 30, 1975, the commissioner of corrections will apply the following formula:

(1) All 87 counties will be ranked in accordance with a formula involving four factors:

- (a) per capita income;
- (b) per capita taxable value;
- (c) per capita expenditure per 1,000 population for correctional purposes, and;
- (d) percent of county population aged six through 30 years of age according to the most recent federal census.

"Per capita expenditure per 1,000 population" for each county is to be determined by multiplying the number of adults and "youthful offenders" under supervision in each county at the end of the current year by \$350. To the product thus obtained will be

(i) the number of presentence investigations completed for the current year multiplied by \$50;

(ii) the annual cost to the county for county probation salaries for the current year; and

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(iii) 33 1/3 percent of such annual cost for probation officers' salaries.

The total figure obtained by adding the foregoing items is then divided by the total county population according to the most recent federal census.

(2) The percent of county population aged six through 30 years shall be determined according to the most recent federal census.

(3) Each county is then ranked as follows:

(a) on the basis of per capita income the ranking is from the lowest to the highest;

(b) per capita taxable value is ranked from lowest to highest;

(c) per capita expenditure is ranked from highest to lowest.

(d) percent of county population aged six through 30 years is ranked from highest to lowest.

(4) The ranking given each county on each of the foregoing four factors is then totaled and the counties ranked in numerical order according to score.

(5) The total score for each county thus determined is then divided into a median total score. The median total score is the score obtained by that county ranked number 44 in the final ranking. The quotient thus obtained then becomes the computation factor for the county. This computation factor is then multiplied by a "dollar value", as fixed by the appropriation pursuant to this act, times the total county population. The resulting product is the amount of subsidy to which the county is eligible under this act. Notwithstanding any law to the contrary, the commissioner of corrections, after notifying the committees on finance of the senate and appropriations of the house of representatives, may, at the end of any fiscal year, transfer any unobligated funds in any appropriation to the department of corrections to the appropriation under this act, which appropriation shall not cancel but is reappropriated for the purposes of this act.

Sec. 10. The comprehensive plan submitted to the commissioner for his approval shall include those items prescribed by regulation of the commissioner, which may require the inclusion of the following:

(a) the manner in which presentence and postsentence investigations and reports for the district courts and social history reports for the juvenile courts will be made; (b) the manner in which probation and parole services to the courts and persons under jurisdiction of the youth conservation commission and the adult corrections commission will be provided; (c) a program for the detention, supervision and treatment of persons under pre-trial detention or under commitment; (d) delivery of other correctional services defined in section 1; (e) proposals for new programs, which proposals must demonstrate a need for the program, its purpose, objective, administrative structure, staffing pattern, staff training, financing, evaluation process, degree of community involvement, client participation and duration of program.

Sec. 11. Participating counties shall not diminish their current level of spending for correctional expenses as defined in section 1, to the extent of any subsidy received pursuant to this act; rather the subsidy herein provided is for the expenditure for correctional purposes in excess of those funds currently being expended. Should a participating county be unable to expend the full amount of the subsidy to which it would be entitled in any one year under the provisions of this act, the commissioner shall retain the surplus, subject to disbursement in the following year wherein such county can demonstrate a need for and ability to expend same for the purposes provided in section 1.

Sec. 12. Each participating county will be charged a sum equal to the per diem cost of confinement of those persons committed to the commissioner or the youth conservation commission after the effective date of this act, and confined in a state institution. Provided, however, that no charge shall be made for those persons convicted of offenses for which the penalty provided by law exceeds five years, nor shall the amount charged a participating county for the costs of confinement exceed the amount of subsidy to which the county is eligible. The commissioner shall annually determine costs and deduct them from the subsidy due and payable to the respective participating counties. All charges shall be a charge upon the county of commitment.

Sec. 13. Upon compliance by a county or group of counties with the prerequisites for participation in the subsidy prescribed by this act, and approval of the comprehensive plan by the commissioner, the commissioner shall determine whether funds exist for the payment of the subsidy and proceed to pay same in accordance with applicable rules and regulations.

Sec. 14. Subdivision 1. On or before the end of each calendar quarter, participating counties shall submit to the commissioner certified statements detailing the amounts expended and costs incurred in providing the correctional services provided in this act. Upon receipt on certified statements, the commissioner shall, in the manner provided in sections 9 and 11, determine the amount each participating county is entitled to receive, and certify same to the state auditor who shall thereupon draw his warrant upon the state treasurer in favor of the chief fiscal officer of each participating county for the amount shown to be due each county. Thereafter, the state auditor shall transmit the warrant to the appropriate fiscal officer, together with a copy of the certificate prepared by the commissioner.

Subd. 2. The commissioner shall biennially review the ranking accorded each county by the equalization formula provided in section 9 and compute the subsidy rate accordingly."

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 1109: A bill for an act relating to villages; authorizing village contributions to village chamber of commerce.

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:

"Section 1. Minnesota Statutes 1971, Section 465.56 is amended to read:

465.56 [CITIES, VILLAGES, AND BOROUGHES MAY LEVY TAXES FOR ADVERTISING PURPOSES.] The governing body of any village, borough, or city of the fourth class may, ~~when authorized by the electors thereof,~~ as hereinafter provided, annually levy a tax of not to exceed one mill on all the taxable property within such village, borough, or city, but in no event shall more than \$2,000 be raised in any one year for the purpose of advertising the village, borough, or city and its resources and advantages. Such tax shall be levied in the same manner and at the same time as taxes for other municipal purposes are levied, and shall be collected in the same manner. The proceeds of such tax shall be used only for the purpose of advertising such village, borough, or city or for cooperative programs of promotion for the area by more than one such village, borough, or city and its resources and advantages; provided, that the annual expenditure for such purposes by any such village, borough, or city is hereby limited to the sum of \$2,000, provided, nothing in sections 465.56 and 465.57 shall permit the levy of any tax in excess of the amount authorized by sections 275.11 to 275.16."

Further, amend the title as follows:

Strike everything after "villages" and insert in lieu thereof " , boroughs, and cities of the fourth class; permitting a tax levy for certain purposes without requesting a referendum of the electorate; amending Minnesota Statutes 1971, Section 465.56."

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. 647: A bill for an act relating to health; licensing and regulation of plumbers; amending Minnesota Statutes 1971, Sections 326.38 and 326.40; repealing Minnesota Statutes 1971, Section 326.45.

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

Page 1, lines 20, 21 and 22, reinstate the stricken language

Page 3, after line 6 insert:

"Sec. 3. Any person now engaged in the occupation of a master plumber or journeyman plumber on the effective date of this act in any city, village, borough, or town which has not heretofore been subject to the provisions of sections 326.37 to 326.45, who shall furnish to the board within 120 days, satisfactory evidence that he

was actually engaged in the business of a master plumber or journeyman plumber for a period of at least four years prior to the effective date of this act is entitled to receive a license as a master plumber or journeyman plumber, respectively, without examination, upon payment of the prescribed fees."

Page 3, line 7, renumber Sec. 3 to Sec. 4

Page 3, after line 8 insert:

"Sec. 5. This act is effective January 1, 1975."

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. 1037: A bill for an act relating to water resources; revising certain provisions concerning dams, reservoirs, control structures, and waterway obstructions; providing for the orderly maintenance, repair or reconstruction of dams serving the public interest; prescribing powers and duties of the commissioner of natural resources; authorizing the commissioner to make grants to local governmental units; appropriating money; amending Minnesota Statutes 1971, Sections 105.37, by adding a subdivision; 105.38; 105.42; 105.52; and Chapter 105, by adding a section.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

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

S. F. No. 1593: A bill for an act relating to game and fish; seasons for taking game birds; amending Minnesota Statutes 1971, Section 100.27, Subdivision 5.

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

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

S. F. No. 1594: A bill for an act relating to game and fish; licensing of fishermen's helpers in the Minnesota-Wisconsin boundary waters; amending Minnesota Statutes 1971, Section 98.46, Subdivisions 6 and 7.

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

Page 2, line 9, strike "*passage and approval*" and insert in lieu thereof: "*enactment*"

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. 929: A bill for an act relating to natural resources; prescribing a stream maintenance program; setting forth powers and duties of the commissioner of natural resources; appropriating money; amending Minnesota Statutes 1971, Chapter 105, by adding a section.

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

Page 1, strike line 15

Page 1, line 16, strike "conditions,"

Page 2, after line 27, add a new subdivision to read:

"Subd. 5. [COUNTY MATCHING FUNDS.] Any county may appropriate from its general revenue fund sufficient funds to match the grants in aid authorized in this section."

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. 1721: A bill for an act authorizing the commissioner of natural resources to sell certain real estate in Winona county.

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

Page 1, line 7, after "COUNTY.]" and before "The" insert "The commissioner of administration, for"

Page 1, line 7, after "resources" and before "may" insert ","

Page 1, after line 17, insert:

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

Amend the title as follows:

Page 1, lines 2 and 3, strike "natural resources" and insert in lieu thereof "administration"

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. 1670: A bill for an act relating to wild animals; requiring identification tags on minnow traps; amending Minnesota Statutes 1971, Section 101.42, Subdivision 5.

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

Page 1, line 27, strike "of not less than"

Page 1, strike line 28

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. 1616: A bill for an act relating to tax-forfeited lands; regulating certain sale and lease provisions; amending Minnesota Statutes 1971, Section 282.04, Subdivision 1.

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

Page 3, line 7, strike "\$700" and insert in lieu thereof "\$750"

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. 1298: A bill for an act relating to agriculture; appropriating funds to the department of agriculture for agricultural products promotion.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 740: A bill for an act relating to subdivided lands; the regulation of the disposition of lots, parcels, units or interests in lands within real estate subdivisions; to require registration; to protect the purchaser from unfair and deceptive trade practices; to provide for the filing of bonds and performance assurances; to regulate advertising, promotion and sales contracts; to provide for the payment of fees; and to provide penalties; repealing Minnesota Statutes 1971, Sections 83.01 to 83.19.

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

Page 14, lines 15 through 19, strike all of paragraph (b) and insert a new paragraph (b) to read:

"(b) To any person who acquires such land for the purpose of engaging in and who does use such land to engage in the business of constructing residential, commercial or industrial buildings thereon for the purpose of resale or constructing commercial or industrial buildings for his own use;"

Page 14, after line 26, add a new paragraph:

"(g) If the land is located within the corporate limits of a municipality as defined in Minnesota Statutes, Section 462.352, Sub-

division 2, or within any subdivision located within a town or municipality located within 20 miles of the city limits of a city of the first class or within 3 miles of the city limits of a city of the second class, in this state. The commissioner may, by written rule or order, suspend, wholly revoke, or further condition this exemption, or may require, prior to the first disposition of subdivided lands, such further information with respect thereto as may be necessary for the protection of purchasers consistent with the provisions hereof."

Page 20, line 20, after "within" strike "14" and insert "5".

Page 32, line 4, strike the period and insert a semicolon.

Page 32, after line 4, insert the following:

"(f) Provisions for cooperation with the commissioner of the department of natural resources to insure compliance with environmental quality standards.

Subd. 2. The commissioner may, upon request and upon the payment of the sum of \$20, grant a request for a written opinion concerning the availability of any exemption in section 7 or interpreting any provisions of this act."

Page 33, after line 17, add a new subdivision:

"Subd. 4. Notwithstanding any provision of this act to the contrary, this act does not apply to or invalidate the lien of a mortgagee, nonaffiliated with the subdivider, when said lien attaches to land pledged as collateral in a transaction negotiated directly with the purchaser."

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 806: A bill for an act relating to crimes and criminals; regulating the transfer, possession, and use of pistols; requiring licenses to sell pistols; requiring registration of pistols; requiring permits to acquire and carry pistols; prohibiting the sale or transfer to or carrying by certain persons of pistols; prescribing penalties; amending Minnesota Statutes 1971, Section 609.66.

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

Page 1, line 20, after "pistols" insert "*nor to place the cost of administration upon those citizens who wish to lawfully possess or carry pistols*"

Page 1, line 24, after "weapon" insert "*originally designed to be fired by the use of a single hand and*"

Page 2, line 12, strike "parts" and insert in lieu thereof "*the frame or receiver*"

Page 2, line 14, strike "Subd. 6."

Page 2, line 15, strike "*a part*" and insert in lieu thereof "*the frame or receiver*"

Page 2, line 17, strike "*Subd. 7.*"

Page 2, line 19, strike "*parts*" and insert in lieu thereof "*the frame or receiver*"

Page 2, after line 19, add a new paragraph to read as follows:

"The terms defined in this subdivision shall not apply to the following loans made for temporary use:

(1) Between relatives who reside with the owner of the pistol if the loan was intended to be for a period less than 14 days;

(2) Between an owner of a pistol and a prospective buyer if the loan to the prospective buyer does not exceed one hour;

(3) Between the owner of the pistol and a person for the purpose of repairing the pistol;

(4) Between teachers and students enrolled in a course designed to teach marksmanship and safety with a pistol and approved by the commissioner of natural resources;

(5) Between persons at a pistol or firearm collector's exhibition;

(6) Between persons lawfully engaged in hunting or target shooting if the loan was intended to be for a period less than 12 hours;

(7) Between law enforcement officers who have the power to make arrests other than citizen arrests; or

(8) Between employees and between the employer and employees of a corporation when the employee is required to carry a pistol by reason of his employment and has applied for and received a permit to carry."

Renumber the remaining subdivisions of section 3.

Page 2, line 26, strike "*mistreatment of*"

Page 2, line 27, strike "*persons confined,*"

Page 3, line 1, strike "*coercion, pandering or procuring for*"

Page 3, line 2, strike "*prostitution,*"

Page 3, line 3, strike "*indecent liberties,*" and insert in lieu thereof "*felonious*"

Page 3, line 4, strike "*disorderly conduct,*" ; strike "*prohibited acts with dangerous*" and insert in lieu thereof "*reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being*"

Page 3, line 5, strike "*weapons*"

Page 3, line 6, strike "*or conspiracy*"

Page 3, line 17, after the period insert "*The licenses and their renewal shall be granted free of charge.*"

Page 4, line 6, strike "*a denial thereof*" and insert in lieu thereof "*an acceptance thereof.*"

Page 4, strike lines 7 and 8

Page 4, line 14, after "*years*" insert "*except that a person under 18 may carry, hold, possess or use a pistol (i) in the actual presence or under the direct supervision of his parent or guardian, (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition or target practice on a firing range approved by the chief of police or county sheriff in whose jurisdiction the range is located and under constant direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol and approved by the commissioner of natural resources*"

Page 4, line 16, after "*violence*" insert "*unless ten years have elapsed since the person has been restored his civil rights and during that time he has not been convicted of any other crime of violence*"

Page 5, line 1, strike everything after "*disability*" and insert in lieu thereof a semi-colon

Page 5, strike line 2

Page 5, line 4, after "*substance*" insert "*or marijuana*"

Page 5, line 8, after "*substance*" insert "*or marijuana*"

Page 5, line 10, after "*substance*" insert "*or marijuana*"

Page 5, line 14, strike everything after "*disability*" and insert in lieu thereof "*; or*"

Page 5, strike line 15

Page 5, line 25, strike everything after "*disability*" and insert in lieu thereof a period

Page 5, strike lines 26 and 27

Page 6, line 3, after "*who*" insert "*carries, holds, possesses or*"

Page 6, line 9, strike "*The commissioner*"

Page 6, strike lines 10 and 11

Page 6, line 12, after "*applications*" insert "*for transferee's permits*"

Page 6, line 17, after "*no*" insert "*such*"

Page 6, line 25, after the comma insert "*and*" ; strike "*other*"

Page 6, line 27, strike "*, and such other*"

Page 6, strike line 28

Page 7, line 1, strike "*proper enforcement of this act*"

Page 7, line 18, strike "*denial thereof unless the*" and insert in lieu thereof "*a grant thereof*"

Page 7, strike line 19

Page 7, line 20, strike "*extension in writing*"

Page 7, line 23, at the end thereof insert "*The permits shall be issued free of charge.*"

Page 8, line 11, strike everything after the period and insert in lieu thereof "*The commissioner and local police authority shall keep their copies of the permit. The transferor shall keep his copy for 90 days. The transferee need not keep his copy after he has acquired the pistol or 90 days elapse.*"

Page 8, strike line 12

Page 9, strike line 3 and insert in lieu thereof "*A person who is not a resident of the state and*"

Page 9, line 4, strike "*person who*"

Page 9, line 5, after "*shall*" insert "*within 30 days after entering the state*"; strike "*pistol with*" and insert in lieu thereof "*pistols which he owned, possessed or otherwise controlled when he entered the state at the office of*"

Page 9, line 6, strike "*with*"

Page 9, line 8, strike "*permit*" and insert in lieu thereof "*application*"

Page 9, line 15, strike "*permit*" and insert in lieu thereof "*application*"

Page 9, line 23, after "*pistol*" where it first appears insert "*or pistols pursuant to section 5*"; after "*pistol*" where it next appears insert "*or pistols*"

Page 10, line 1, after the period insert "*An executor may sell or transfer the pistol or pistols pursuant to this section without obtaining a dealer's permit or registering the pistol or pistols pursuant to section 6.*"

Page 10, line 20, strike "*denial thereof*" and insert in lieu thereof "*grant thereof. The permits and their renewal shall be granted free of charge.*"

Page 10, strike lines 21 and 22

Page 11, lines 8 and 9, strike the language after the headnote and insert in lieu thereof "*A permit to carry is not required of a person:*"

Page 11, line 10, strike "*prevent a person from keeping or carrying*" and insert "*keep or carry*"

Page 11, line 13, strike "*prevent a person from carrying*" and insert "*carry*"; strike "*directly*"

Page 11, line 18, strike "*prevent a person from carrying*" and insert "*carry*"; strike "*directly*"

Page 11, line 20, strike "*prevent a person from carrying*" and insert "*carry*"

Page 11, line 22, after "*animals*" insert "*or of target shooting in a safe area*"

Page 11, line 23, strike "*prevent a person from transporting*" and insert "*transport*"

Page 11, line 24, strike "*directly*"

Page 11, line 28, after "*pistol*" insert "*while carried in a motor vehicle*"

Page 12, strike line 8 and insert in lieu thereof "*If the pistol is carried lawfully pursuant to this section in a snowmobile or boat, it shall be unloaded.*"

Page 12, strike line 9

Page 13, line 27, strike "*transfers*" and insert in lieu thereof "*possesses*"

Page 14, line 18, after the period insert "*Any person aggrieved by the operation of this section may no later than 30 days after the forfeiture of a pistol request a hearing before the commissioner and obtain judicial review of the commissioner's decision pursuant to Minnesota Statutes, Sections 15.0418 to 15.0426. A copy of the request for hearing shall be served upon the law enforcement officer to whom the pistol was originally forfeited. He shall immediately notify the custodian of the pistol of the request for hearing. No pistol which is the subject of a hearing shall be disposed of until the proceedings are completed by final order of the commissioner or judicial order when the commissioner's order is appealed.*"

Page 17, line 13, strike "*upon*" and insert in lieu thereof "*October 1, 1973.*"

Page 17, strike line 14

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

Pursuant to Rule 56, a roll call vote was taken on the motion of Mr. Jensen to amend S. F. No. 806 as follows:

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

"Section 1. [DEFINITION.] Subdivision 1. For the purposes of this act, the following terms shall have the meaning herein ascribed to them.

Subd. 2. "Concealed" means in any way not visible to the naked eye.

Subd. 3. "Pistol" or "Handgun" includes any weapon with an overall length less than 26 inches, or having a barrel or barrels of a length less than 16 inches from which may be fired or ejected one or more solid projectiles.

Subd. 4. "Municipality" means any incorporated city or village or any township having the powers of a village.

Subd. 5. "Police authority" means any local agency having the power to enforce statutes and ordinances within the municipality, but if none, the county sheriff.

Subd. 6. "Notification" means written notice which shall contain the name and address of the person who will be carrying the pistol or handgun and the description of the pistol or handgun to be carried. The form of the notice shall be prepared by the Attorney General. Such notification shall be signed by the person who will be carrying the pistol or handgun. The notification shall expire on January 1st of each year but a new notification may be given each year.

Sec. 2. [CARRYING A CONCEALED PISTOL OR HANDGUN, PENALTY.] No person who is under indictment or has been convicted of a gross misdemeanor or a felony within the preceding ten years or who has been adjudicated mentally defective and not restored to full legal capacity shall carry a concealed pistol or handgun within any municipality. Any other person, other than a law enforcement officer, who carries or possesses any concealed pistol or handgun on or about his clothes or person within any municipality except in his own home or apartment shall give prior written notification to the local police authorities. Any violation of this section is a gross misdemeanor.

Sec. 3. [MUNICIPAL ORDINANCES NOT VOIDED.] This act shall not void any ordinance heretofore or hereafter adopted by any municipality. The notification required herein shall be in addition to the requirements of any municipal ordinance.

Sec. 4. This act is effective January 1, 1974."

Further amend by striking the title and inserting in lieu thereof the following:

"A bill for an act relating to crimes and criminals, regulating the carrying of concealed pistols or handguns within a municipality without prior notification of police authorities; providing a penalty."

There were yeas 5 and nays 10 as follows:

Those who voted in the affirmative were:

Blatz, Jensen, Knutson, O'Neill and Thorup

Those who voted in the negative were:

Davies	Humphrey	Lord	Novak	Schaaf
Doty	Keefe, J.	McCutcheon	Pillsbury	Tennessee

The motion did not prevail.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 955, 660 and 7 for comparison to companion Senate Files, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
955	1255				

And that the above Senate File be indefinitely postponed.

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

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
660	826				
7	43				

Pursuant to Rule 49 the Committee recommends that H. F. No. 660 be amended as follows:

Page 2, line 8, after "*planned*" insert "*unit*"

Page 2, line 12, delete "*public open space,*"

Page 2, line 16, after the stricken "*value*" strike the comma

Page 2, line 19, after "*parks*" restore the stricken "*and*" and delete "*,*"

Page 2, line 20, after "*playgrounds*" and before the comma insert "*and storm water holding areas or ponds*"

Page 2, lines 20 and 21, delete the underscored language

Page 2, line 21, after "*sites*" and before the comma insert "*and storm water holding areas or ponds*"

Page 2, line 22, delete the underscored language

Page 2, line 24, restore the stricken "*parks and playgrounds*" and after the restored "*playgrounds*" delete the underscored language and insert before the period "*and storm water holding areas or ponds*"

And when so amended, H. F. No. 660 will be identical to S. F. No. 826 and further recommends that H. F. No. 660 be given its second reading and substituted for S. F. No. 826 and S. F. No. 826 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 7 be amended as follows:

Page 1, delete line 30

Page 2, delete all of lines 1 through 9

Page 3, delete all of lines 2 through 28

Page 4, delete all of lines 1 through 14 and insert in lieu thereof the following:

"Subd. 9. "*Resident*" means a person who was a resident of the state of Minnesota at the time of induction into the armed forces and had been a resident of this state during the six months im-

mediately preceding his induction. The rules for determining residency with regard to voter eligibility shall govern the determination of residency for purposes of this act."

Page 4, line 16, after "forces" insert a period

Page 4, line 16, delete "(1) between"

Page 4, delete all of lines 17 through 19

Page 4, line 22, delete "The term "veteran" "

Page 4, delete all of lines 23 through 25

Renumber the subdivisions in Section 1 in sequence

Page 4, delete all of lines 26 through 28

Page 5, delete all of lines 1 through 25 and insert in lieu thereof the following:

"Sec. 2. [ADJUSTED COMPENSATION.] Each veteran who became eligible for the Vietnam Expeditionary Medal or the Vietnam Service Medal as the result of service between July 1, 1958 and July 27, 1973 shall be paid adjusted compensation by the state of Minnesota. The amount of the compensation paid to a veteran eligible for these medals shall be \$300 plus \$15 for each month or major fraction of a month of active duty served by the veteran between July 1, 1958 and July 27, 1973. The maximum payment of adjusted compensation for these veterans shall be \$600.

All other veterans who served on active duty during the period between August 5, 1964 and January 27, 1973 shall be paid adjusted compensation by the state of Minnesota in an amount equal to \$15 for each month or major fraction of a month service on active duty during this period. The maximum payment to these veterans shall be \$300 and the minimum payment shall be \$100. Any veteran who was a prisoner of war or missing in action shall receive the sum of \$1,000 in lieu of all other payments. If the veteran is deceased, payment shall be made to his beneficiary. The beneficiary of a veteran who died from service connected causes which arose during the period of time in which the veteran could become eligible for adjusted compensation, shall receive the sum of \$1,000 in lieu of all other payments. No payment shall be made to any veteran or beneficiary who has an application pending for, or received, or is eligible to receive, a similar payment from another state."

Page 6, line 1, strike "such" and insert in lieu "a"

Page 6, line 1, strike "as he may prescribe" and insert in lieu "prescribed by the commissioner"

Page 6, line 1, strike "duly"

Page 6, line 15, strike "provided by section 8"

Page 6, line 22, strike "as provided by section 9, subdivision 3"

Page 7, line 11, strike "16 and 17" and insert in lieu "15 and 16"

Page 8, line 3, strike “, as required by section 1, subdivision 4,”

Page 8, line 4, after “determine” strike “, as”

Page 8, line 5, strike “required by section 1, subdivision 8,”

Page 8, line 14, strike “such”

Page 8, line 16, strike “such”

Page 8, line 19, strike “such” and insert in lieu “a”

Page 9, line 2, strike “as defined in Minnesota Statutes, Section 197.447,”

Page 10, line 21, strike “the services of the”

Page 10, line 22, strike “rendered the people of the state of”

Page 10, line 23, strike “Minnesota in time of grave national emergency”

Page 11, line 5, strike “as described in section 1, subdivision”

Page 11, line 6, before “, and” strike “12”

Page 11, strike all of lines 16 through 27 and insert in lieu thereof the following:

“Sec. 15. [VETERANS BONUS BOND ISSUE.] For the purpose of providing the moneys appropriated by this act from the veterans adjusted compensation fund to the commissioner of veterans affairs for the payment of the Vietnam veterans bonus and meeting other obligations imposed by this act, the state auditor is authorized upon request of the governor to sell and issue Minnesota state Vietnam veterans bonus bonds in the amount of \$60,000,000, for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. The proceeds of such bonds are appropriated and shall be credited to the veterans adjusted compensation fund, except that any accrued interest and premium received upon the sale thereof is appropriated and shall be credited to a separate bookkeeping account to be maintained in the state bond fund and designated as the Minnesota state Vietnam veterans bonus bond account. The bonds shall be issued, sold, executed, authenticated, and secured in the same manner as provided for Minnesota state building bonds in Minnesota Statutes 1971, Section 6.31, except that the expenses thereof shall be paid and the amounts necessary therefor are appropriated from the veterans adjusted compensation fund, and all money appropriated and taxes levied for the payment of the bonds shall be credited to the Minnesota state Vietnam veterans bonus bond account. The bonds are further secured by the provisions of Article IX, Section 6 and Article XX of the Constitution.”

Page 12, line 4, strike “section 16” and insert “this act”

Renumber the sections in sequence

And when so amended, H. F. No. 7 will be identical to S. F. No. 43 and further recommends that H. F. No. 7 be given its second reading and substituted for S. F. No. 43 and S. F. No. 43 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. Amendments adopted. Report adopted.

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

H. F. Nos. 1431, 1557, 373, 1257, 1259, 159 and 1434 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. 1431 to the Committee on Education.

H. F. Nos. 373 and 159 to the Committee on Judiciary.

H. F. No. 1434 to the Committee on Local Government.

H. F. No. 1557 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 1257 and 1259 to the Committee on Taxes and Tax Laws.

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.

SECOND READING OF SENATE BILLS

S. F. Nos. 1109, 647, 1593, 1594, 1721, 1670, 1616 and 806.

SECOND READING OF HOUSE BILLS

H. F. Nos. 955, 660 and 7 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Hansen, Baldy moved that the names of Messrs. Kleinbaum and Willet be added as co-authors to S. F. No. 1838. Which motion prevailed.

Mr. Kleinbaum moved that his name be stricken as co-author to S. F. No. 952. Which motion prevailed.

Mr. Lord moved that the name of Mr. Chenoweth be added as co-author to S. F. No. 1917. Which motion prevailed.

Mr. Tennesen moved that S. F. No. 1245 be withdrawn from the Committee on Health, Welfare and Corrections. Which motion prevailed.

Mr. Tennesen moved that S. F. No. 1245 be re-referred to the Committee on Finance. Which motion prevailed.

Mr. Tennesen moved that the names of Messrs. Borden and Kowalczyk be added as co-authors to S. F. No. 1181. Which motion prevailed.

Mr. Chenoweth moved that the names of Messrs. Ogdahl and Stokowski be added as co-authors to S. F. No. 1615. Which motion prevailed.

Mr. Olhoft moved that S. F. No. 1993 be withdrawn from the Committee on Education. Which motion prevailed.

Mr. Olhoft moved that S. F. No. 1993 be re-referred to the Committee on Finance. Which motion prevailed.

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

WHEREAS, Rule 10, paragraph 3, appearing on page 229 of the Senate Journal for the 13th day, reads as follows:

"After a time specified by a resolution offered by the Committee on Rules and Administration, the Chairmen of the Committees on Finance and Taxes and Tax Laws, as authorized by their respective committees, may designate a special order for any bill favorably reported by their respective committees."

NOW THEREFORE, Be It Resolved, that the above shall become operative April 16, 1973.

Mr. Coleman moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

Mr. Coleman, from the Committee on Rules and Administration, moved to amend the Joint Rules of the Senate and the House of Representatives as follows:

Page 628 of the Senate Journal for the 23rd day, after "Rule 22" add the following new rules:

DISPOSITION OF BILLS

Rule 23. Adjournment of the regular session in any odd-numbered year to a date certain in the following year shall be equivalent to daily adjournment, except that upon adjournment in any odd-numbered year to a date certain in the following year:

(a) any bill on the Calendar in either house shall be returned to General Orders in that house;

(b) any bill being considered by a conference committee shall be returned to the house of origin and laid on the table, and the conference committee shall be discharged;

(c) any bill referred to the Committee on Rules and Administration in the Senate or the Committee on Rules and Legislative Administration in the House pursuant to Rule 20 shall be returned to the standing committee to which it was last previously referred;

(d) any bill returned by the Governor to the house of origin with his objections following such adjournment shall be laid on the table.

RECESS BILL INTRODUCTIONS

Rule 24. During the period between the last day of the session in any odd-numbered year and the first day of the session in the following year, any bill filed with the President of the Senate for introduction shall be given a file number and may be unofficially referred by the Committee on Rules and Administration to an appropriate standing committee of the Senate, and any bill filed with the Speaker of the House of Representatives for introduction shall be given a file number and may be unofficially referred to an appropriate standing committee of the House of Representatives.

Mr. Coleman moved the adoption of the amendment. Which motion prevailed. So the amendment was adopted.

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following changes be made in staff assignments originally reported on page 449 of the Senate Journal for Thursday, March 1, 1973 (19th day).

Effective April 2, 1973 the employment of Joseph G. Beaton, Administrative Assistant, be on a *full-time basis*.

Effective April 2, 1973 the employment of Isabel Levinson as Researcher II be on a *full-time basis*.

Effective April 2, 1973 Kenneth Dalluge, employed as a Researcher II on a part-time basis, be transferred to *Researcher I on a full-time basis*.

Mr. Coleman moved the adoption of the foregoing resolution. Which motion prevailed. So the resolution was adopted.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules be so far suspended as to take up the General Orders Calendar, 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. Jensen in the chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Jensen reported that the committee had considered

S. F. No. 160, which the committee recommends to pass with the following amendment offered by Mr. North:

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

"Section 1. The legislature recognizes the entire food industry in the nation as leaders in the world in providing wholesome, nutri-

tious, fresh and clean food to its citizens and to others. The Minnesota department of agriculture is hereby authorized and directed to promulgate rules and regulations which provides for a quality assurance date on perishable foods, to assure the continuation and degree of improvement reasonable and feasible, to provide people with wholesome, nutritious, fresh and clean food.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms shall have the meaning ascribed to it.

Subd. 2. "Commissioner" means the commissioner of agriculture or designee.

Subd. 3. "Perishable food" means any food intended for human consumption (other than fresh meat and poultry, frozen food, or fresh fruit or vegetables), which has a quality assurance date of less than 365 calendar days from the date of packaging, or, if unpackaged, from the original display date.

Subd. 4. "Quality assurance date" means any date after which the manufacturer or processor reasonably determines that the product life has expired. The date shall include the day, month, and year.

Sec. 3. The commissioner shall administer and enforce the provisions of this act by regulations adopted pursuant to the administrative procedures act.

Sec. 4. [REGULATIONS OF OTHER STATES AND THE FEDERAL GOVERNMENT.] If any other state, or the federal government, adopts an open dating statute or regulation which provides for information and enforcement equal to or greater than that of this act, the commissioner may, by regulation, exempt any product from the provisions of this act if it is in compliance with such other statute or regulation.

Sec. 5. [LOCAL ORDINANCES PRE-EMPTED.] No subordinate unit of government may adopt or enforce any rule or ordinance regarding open dating of perishable foods other than this act.

Sec. 6. [ENFORCEMENT.] In enforcing the provisions of this act, the commissioner may receive complaints and investigate possible violations. The commissioner and his employees shall have reasonable access to all places wherein any item of perishable food regulated pursuant to this act is sold or held or offered for sale, and may take samples of perishable food for analysis. The attorney general, acting for the commissioner, or any municipal or county official responsible for the enforcement of rules or ordinances, may bring an action to restrain violations of this act.

Sec. 7. [PENALTIES.] Any person injured by a violation of this act may bring a civil action and recover damages, together with costs and disbursements, including reasonable attorney's fees, and receive other equitable relief as determined by the court.

Sec. 8. Nothing in this act shall apply to any sale exempt from a license by the Minnesota Constitution, Article I, Section 18.

Sec. 9. [EFFECTIVE DATE.] This act shall be effective as to all perishable food manufactured or processed on or after October 1, 1973."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

Which motion prevailed. So the amendment was adopted.

Mr. Frederick moved to amend S. F. No. 160, as follows:

Page 1, line 5, of the North amendment:

After "foods," insert "when it is determined that a problem exists,"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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 40 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	North	Schaaf
Arnold	Doty	Knudson	Ogdahl	Solon
Ashbach	Gearity	Kowalczyk	Olhoft	Spear
Borden	Hansen, Mel	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hughes	Lord	O'Neill	Tennessen
Chmielewski	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Coleman	Keefe, J.	Moe	Perpich, G.	Wegener
Conzemius	Keefe, S.	Nelson	Purfeerst	Willet

Those who voted in the negative were:

Berg	Dunn	Hanson, R.	Larson	Renneke
Bernhagen	Fitzsimons	Jensen	Laufenburger	Schrom
Blatz	Frederick	Josefson	Olson, J. L.	Sillers
Brown	Hansen, Baldy	Krieger	Pillsbury	Ueland

So the committee recommends S. F. No. 160 to pass.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Perpich, A. J. moved that H. F. No. 1258 be taken from the table. Which motion prevailed.

SUSPENSION OF RULES

Mr. Perpich, A. J. 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. 1258 and that the rules of the Senate be so far suspended as to give H. F. No. 1258 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 1258 was read the second time.

H. F. No. 1258: A bill for an act relating to taxation; providing for a minimum penalty for failure to file a cigarette use tax return; amending Minnesota Statutes 1971, Section 297.23, by adding a subdivision.

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	Borden	Dunn	Hughes	Kleinbaum
Arnold	Brown	Fitzsimons	Humphrey	Knudson
Ashbach	Chenoweth	Frederick	Jensen	Kowalczyk
Ang	Chmielewski	Gearity	Josefson	Krieger
rg	Coleman	Hansen, Baldy	Keefe, J.	Larson
ahagen	Conzemius	Hansen, Mel	Keefe, S.	Laufenburger
	Davies	Hanson, R.	Kirchner	Lewis

Lord	Ogdahl	Perpich, A. J.	Schrom	Tennessen
McCutcheon	Olthoft	Perpich, G.	Sillers	Thorup
Milton	Olson, A. G.	Pillsbury	Solon	Ueland
Moe	Olson, H. D.	Purfeerst	Spear	Wegener
Nelson	Olson, J. L.	Renneke	Stassen	Willet
Novak	O'Neill	Schaaf	Stokowski	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schaaf moved that S. F. No. 1521, No. 70 on General Orders be stricken and re-referred to the Committee on Health, Welfare and Corrections. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. Which motion prevailed.

After a brief recess, the President called the Senate to order.

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 H. F. No. 672, pursuant to the request of the House,

Messrs. Borden, Moe, Dunn.

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

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.

CALL OF THE SENATE

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

Anderson	Gearty	Kowalczyk	Olson, A. G.	Renneke
Bernhagen	Hansen, Baldy	Larson	Olson, H. D.	Spear
Borden	Hanson, R.	Lord	Olson, J. L.	Stassen
Brown	Jensen	McCutcheon	Perpich, A. J.	Thorup
Coleman	Keefe, S.	Milton	Perpich, G.	Wegener
Conzemius	Kirchner	North	Pillsbury	Willet
Doty	Kleinbaum	Olthoft	Purfeerst	

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. Jensen in the chair.

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Jensen reported that the committee had considered

S. F. Nos. 1191, 609, 1327, 1072, 719, 935, also H. F. Nos. 1164, 1171, 681, 345, 256, which the committee recommends to pass.

H. F. No. 1170, which the committee recommends to pass with the following amendment offered by Mr. Perpich, G.:

Page 2, line 1, strike "*ever*"

S. F. No. 733, which the committee recommends to pass with the following amendments offered by Messrs. Purfeerst and Tennessen:

Mr. Purfeerst moved to amend S. F. No. 733 as follows:

Page 2, lines 15 and 16, strike the new language

Line 17, strike "\$10 for Class A."

Page 3, line 13, strike "; provided," and insert in lieu thereof a period

Strike line 14 and in line 15 strike everything before "the"

Mr. Tennessen moved to amend S. F. No. 733 as follows:

Page 5, delete lines 20 through 23

Page 5, line 24, strike "(10)" and insert "(8)"

Page 5, line 24, after "171.22" insert "*clause (4)*"

S. F. No. 1004, which the committee recommends to pass.

Mr. Spear moved to amend S. F. No. 1004, as follows:

Page 1, line 9, strike "and 2" and insert "to 3"

Page 1, line 21, strike "Whoever uses or"

Page 1, strike lines 22 through 26, and insert in lieu thereof "It shall be unlawful to conduct experimental studies on the intact living conceptus except those studies which do not harm, disfigure or jeopardize the potential viability of the conceptus. If the conceptus is not living, the individual tissues may be used for study or cultivation. Sale of the intact conceptus or any part thereof, except established cell culture lines, is unlawful. A person violating this section is guilty of a gross misdemeanor."

Page 1, after line 26, add a section to read:

"Sec. 3. A person who conducts or wishes to conduct a lawful study involving a conceptus shall not participate in the decision to terminate the pregnancy which results in the conceptus."

Page 1, line 27, strike "Sec. 3." and insert "Sec. 4."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 18 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Krieger	Nelson	Pillsbury	Tennessen
Conzemius	Laufenburger	North	Schaaf	Ueland
Hansen, Mel	Lewis	Ogdahl	Sillers	
Humphrey	Milton	Perpich, G.	Spear	

Those who voted in the negative were:

Arnold	Davies	Keefe, S.	Novak	Schrom
Berg	Doty	Kirchner	Olhoft	Solon
Bernhagen	Dunn	Kleinbaum	Olson, A. G.	Stassen
Blatz	Fitzsimons	Knutson	Olson, H. D.	Thorup
Borden	Gearty	Kowalczyk	Olson, J. L.	Wegener
Brown	Hansen, Baldy	Larson	O'Neill	Willet
Chmielewski	Hanson, R.	McCutcheon	Purfeerst	
Coleman	Hughes	Moe	Renneke	

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

S. F. No. 667, which the committee reports progress.

Mr. Perpich, G. moved to amend S. F. No. 667 as follows:

Page 1, line 18, following "*treatment*" and before the period insert "*while in the ambulance*"

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy moved to amend S. F. No. 667 as follows:

Page 2, line 25, after "*attendant*" insert "*except in emergency situations*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 30 and nays 23, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Kirchner	Olson, H. D.	Stassen
Bang	Dunn	Krieger	Pillsbury	Tennessen
Berg	Fitzsimons	Larson	Purfeerst	Thorup
Bernhagen	Hansen, Baldy	Novak	Renneke	Ueland
Blatz	Hanson, R.	Olhoft	Schrom	Wegener
Chmielewski	Jensen	Olson, A. G.	Sillers	Willet

Those who voted in the negative were:

Arnold	Gearty	Knutson	Milton	Solon
Borden	Hansen, Mel	Kowalczyk	Nelson	Spear
Chenoweth	Humphrey	Laufenburger	Perpich, A. J.	Stokowski
Conzemius	Keefe, S.	Lewis	Perpich, G.	
Doty	Kleinbaum	McCutcheon	Schaaf	

Which motion prevailed. So the amendment was adopted.

The committee then progressed S. F. No. 667.

H. F. No. 347, which the committee recommends to pass with the following amendment offered by Mr. Davies:

Page 1, line 4, after "arrow and" insert "may"

Page 1, line 5, strike the comma and insert ". *Hunting and trapping pursuant to this subdivision may take place*"

H. F. No. 955, which the committee recommends to pass with the following amendment offered by Mr. Olhoft:

Page 1, after line 16, insert:

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. McCutcheon moved that the name of Mr. Larson be stricken and the name of Mr. Hansen, Baldy be added as co-author to S. F. No. 683. Which motion prevailed.

Mr. Laufenburger moved that H. F. No. 600 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 759. Which motion prevailed.

SUSPENSION OF RULES

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

S. F. No. 244.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 12, 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. 342: A bill for an act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, by adding a subdivision.

Senate File No. 342 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 12, 1973

Mr. Dunn moved that S. F. No. 342 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 952.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 12, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 225.

H. F. No. 225: A bill for an act relating to municipalities; powers; providing for severance pay to employees; amending Minnesota Statutes 1971, Chapter 465, by adding a section.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

St. Onge, Boland, and Pleasant have been appointed as such committee on the part of the House.

House File No. 225 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 12, 1973

Mr. Davies moved that H. F. No. 225 be laid on the table. Which motion prevailed.

FIRST READING OF HOUSE BILL

H. F. No. 952: A bill for an act relating to housing; requiring installation of fire extinguishers in apartments.

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

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to revert to Reports from Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

REPORTS OF COMMITTEES

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

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

S. F. No. 759: A bill for an act relating to real estate; brokers and salesmen; licenses; providing penalties; amending Minnesota Statutes 1971, Chapter 82, by adding sections; repealing Minnesota Statutes 1971, Sections 82.01 to 82.16.

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

Page 1, line 18, after "*securities*" strike "*and includes any person designated by him*" and insert "*or his designee*"

Page 1, line 28, after "*(b)*" insert "*For another and for commission, fee or other valuable consideration or with the intention or expectation of receiving the same directly or indirectly*"

Page 2, line 23, after "*engages*" insert "*as principal*"

Page 3, after line 18, add the following:

"Subd. 9. "*Public member*" means a person who is not, or never was, a real estate broker or real estate salesperson or the spouse of such person, or person who has no, or never has had a material financial interest in acting as a real estate broker or real estate salesperson or a directly related activity."

Page 4, line 13, after "*association,*" insert "*public utility,*"

Page 8, line 27, after "*broker*" insert "*in this state*"

Page 8, line 27, after "*time.*" insert: "*The license of each real estate salesperson shall be mailed to and remain in the possession of the licensed broker with whom he is or is to be associated until canceled or until such licensee leaves such broker.*"

Page 11, line 21, strike "\$15" and insert "\$20"

Page 12, strike all of line 11 after "*salesperson.*" and all of lines 12 and 13, and insert: "*Any applicant who fails to pass the examination for a real estate sales person's license after two attempts may not take another examination prior to the expiration of six months from the time the applicant took the last examination.*"

Page 13, line 24, after "*commissioner.*" insert "*Upon appropriate showing of hardship by the licensee, the commissioner may waive or modify the requirements of this subdivision.*"

Page 15, line 17, strike "*all*"

Page 15, line 18, strike "*all documents*" and insert "*any document*"

Page 15, strike all of lines 19 and 20 and insert in lieu thereof "*pertaining to their interests as the commissioner through appropriate rules may require.*"

Page 15, line 24, strike "*he determines*" and insert "*is*"

Page 20, line 5, after "*to*" insert "*reasonably*"

Page 20, line 5, after "*salesperson*" insert "*so as to cause injury or harm to the public*"

Page 20, line 14, strike "*may*" and insert "*shall*"

Page 20, line 16, after "suspended" insert ", or the licensee censured."

Page 21, line 27, after the period insert: "*The commissioner may also publish materials for the benefit of license applicants.*"

Page 22, line 5, strike "A majority" and insert "Five members"

Page 22, line 7, after "Minnesota" insert "*and two members shall be public members*"

Page 22, line 10, after "pay" insert "*except that each shall be allowed ordinary and necessary expenses in the same manner and amount as state employees while attending any called meeting of the commission*"

Page 22, line 12, after "years" insert "; *provided that the members of the real estate advisory commission established pursuant to Minnesota Statutes, Section 82.125, shall serve out the remaining portion of their current terms and that two additional members shall be appointed, one for a term of four years and one for a term of five years*"

Page 25, line 16, strike "\$15" and insert "\$20"

Page 25, line 20, strike "\$15" and insert "\$20"

Page 25, line 23, strike "\$15" and insert "\$20"

Page 26, line 1, strike "\$15" and insert "\$20"

Page 32, line 20, after "to" insert "*knowingly*"

Page 33, strike all of lines 7, 8 and 9

Renumber "Subd. 19." as "Subd. 18."

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. 1505: A bill for an act relating to pollution; livestock, poultry and other animal lots; permitting counties to exercise certain permit processing powers; amending Minnesota Statutes 1971, Section 116.07, by adding a subdivision.

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 116.07, is amended by adding a subdivision to read:

Subd. 7. [COUNTIES; PROCESSING OF APPLICATIONS FOR ANIMAL LOT PERMITS.] Any Minnesota county board may, by resolution, assume responsibility for processing applications for such permits as may be required by the pollution control agency under this section for livestock feedlots, poultry lots or other animal lots. The responsibility for such permit application processing, if assumed by a county, may be delegated by the county board to any appropriate county officer or employee.

For the purposes of this subdivision, the term "processing" shall include:

(a) The distribution to applicants of forms provided by the pollution control agency;

(b) *The receipt and examination of completed application forms, and the certification, in writing, to the pollution control agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable regulations and standards, or, if such facility will not comply, the respects in which a variance would be required for the issuance of a permit; and*

(c) *Rendering to applicants, upon request, such assistance as may be necessary for the proper completion of an application.*

For the purposes of this subdivision, the term "processing" may include, at the option of the county board:

(d) *Issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or regulations promulgated hereunder, subject to review, suspension, and reversal by the pollution control agency. The pollution control agency shall after written notification have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board shall be final, subject to appeal to the district court as provided in section 115.05.*

The pollution control agency, by January 1, 1974, and in the manner provided by chapter 15, shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. These rules shall apply both to permits issued by counties and to permits issued by the pollution control agency directly.

The pollution control agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county."

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1354: A bill for an act relating to Hennepin county; establishing for county employees a year of 2,080 working hours for purposes of salary adjustment; amending Laws 1965, Chapter 466, Section 1, Subdivision 3.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1553: A bill for an act relating to the employment by the city of Minneapolis of certain persons pursuant to a training program; amending Laws 1969, Chapter 1093, Section 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

S. F. No. 1695: A bill for an act relating to Hennepin county; revising membership of county library board; amending Extra Session Laws 1967, Chapter 24, Section 5.

Reports the same back with the recommendation that the bill

do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 813: A bill for an act relating to elections; providing for the administration of absentee ballots by the municipalities in certain instances; amending Minnesota Statutes 1971, Sections 207.03; 207.04; 207.05, Subdivisions 1 and 3; 207.06; 207.07; 207.08; 207.09; 207.10; 207.13; 207.19; 207.20, Subdivisions 1 and 2; 207.22; 207.221; 207.24; 207.28; 207.30, Subdivisions 1 and 3; repealing Minnesota Statutes 1971, Section 207.15.

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

Page 1, line 20, strike *"if he resides outside a municipality"*

Line 22, after *"municipality"* insert *"of 20,000 or more population,"*

Page 12, line 14, strike *"if his place of residence is outside a"*

Line 15, strike *"municipality"*

Line 17, after *"municipality"* insert *"of 20,000 or more population"*

Page 13, line 8, strike *"tke"* and insert *"the"*

Page 13, line 9, strike *"six"*

Line 10, strike *"months"* and insert *"20 days"*

Page 14, line 28, strike *"if"*

Page 15, line 1, strike *"his place of residence is outside a municipality"*

Line 3, after *"municipality"* insert *"of 20,000 or more population"*

Line 9, after *"clerk"* insert *"of a municipality of 20,000 or more population"*

Page 19, strike lines 5 through 28

Page 20, strike lines 1 through 18

Further, amend the title as follows:

Line 10, before *"207.28"* insert *"and"*

Line 10, strike *"; 207.30,"* and insert a period

Strike lines 11 and 12

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Josefson on the recommendation to pass S. F. No. 813 as amended.

There were yeas 8 and nays 3, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hansen, Mel	Keefe, S.	Olhoft
Bang	Fitzsimons	Josefson		

Those who voted in the negative were:

Hansen, Baldy Olson, A. G. Schrom

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 1666: A bill for an act authorizing the county of St. Louis to borrow money from agencies of the United States for certain purposes.

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 1599: A bill for an act relating to Koochiching county; prescribing conditions of veterans preference for employment by the county sheriff's department.

Reports the same back with the recommendation that the bill do pass and be placed on the Calendar of Ordinary Matters. Report adopted.

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 1589: A bill for an act relating to the town of Taconite Harbor; authorizing the taking of a special federal census and its use.

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

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 1538: A bill for an act relating to highway traffic regulations; slow moving vehicles; signs required; amending Minnesota Statutes 1971, Section 169.522, Subdivision 1.

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

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1409: A bill for an act relating to education; providing that members of the Minnesota higher education coordinating commission shall be reimbursed for expenses incurred in the performance of their duties; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 4.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Laufenburger from the Committee on Transportation and General Legislation, to which was referred

S. F. No. 1376: A bill for an act relating to highway traffic regulations; axle weights and gross vehicle weights on pneumatic-tired vehicles or combination of vehicles used in the hauling of raw and unfinished forest products in the winter time; amending Minnesota Statutes 1971, Section 169.83, Subdivisions 1, 2 and 3.

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

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1310: A bill for an act relating to taxation; assess-

ment of personal property of electric light and power companies; amending Minnesota Statutes 1971, Section 273.38.

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

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

S. F. No. 820: A bill for an act appropriating money to the department of military affairs for the St. Cloud national guard armory.

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

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1293: A bill for an act relating to education; providing, through state support, equally available educational television for the elementary and secondary schools; establishing an advisory committee to the state board of education for future direction within the meaning of the act; and appropriating money.

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

Page 2, line 3, after "to" and before "relieve" insert "partially"

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

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

H. F. No. 952 for comparison to companion Senate Files, reports the following House File was found to have no companion Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 952 to the Committee on Transportation and General Legislation.

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.

SUSPENSION OF RULES

Mr. Coleman moved that the rules be so far suspended as to revert to Second Readings of Senate Bills, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 759, 1505, 1354, 1553, 1695, 813, 1666, 1599, 1589, 1538, 1376, 1310, and 820 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 1972 be withdrawn from the Committee on Local Government and be re-referred to the Committee on Metropolitan and Urban Affairs. Which motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 8:30 o'clock a.m., Saturday, April 14, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.