

THIRTY-SEVENTH DAY

St. Paul, Minnesota, Saturday, April 14, 1973.

The Senate met at 8:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Arnold	Frederick	Kleinbaum	Olson, A. G.	Schrom
Ashbach	Gearty	Knutson	Olson, J. L.	Sillers
Berg	Hansen, Baldy	Kowalczyk	Patton	Solon
Bernhagen	Hansen, Mel	Krieger	Perpich, A. J.	Spear
Borden	Hansen, R.	McCutcheon	Perpich, G.	Stokowski
Brown	Hughes	Milton	Pillsbury	Ueland
Coleman	Keefe, S.	Novak	Purfeerst	Willet
Dunn	Kirchner	Ogdahl	Renneke	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Lewis and Chmielewski were excused from the Session of today, beginning at 12:00 o'clock noon. Mr. Hansen, Baldy was

excused from the Session of today, beginning at 3:45. Mr. Anderson was excused from today's Session until noon. Mr. Jensen was excused from today's Session. Mr. Blatz was excused from the afternoon's Session until 2:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 12, 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 Files:

S. F. No. 136, An act relating to corrections; authorizing social service, educational and rehabilitative agencies, public or private, to utilize the facilities of state correctional institutions; amending Minnesota Statutes 1971, Section 241.01, by adding a subdivision.

S. F. No. 183, An act relating to motor vehicles; authorizing the department of corrections to operate unmarked vehicles and to display number plates on such vehicles; amending Minnesota Statutes 1971, Section 168.012, Subdivision 1.

S. F. No. 297, An act relating to the interstate compact for the supervision of parolees and probationers; providing for parole and probation revocation hearings; amending Minnesota Statutes 1971, Section 243.16, by adding a subdivision.

S. F. No. 324, An act relating to highway traffic regulations; seasonal load restrictions; prescribing axle weight limitations on certain vehicles; amending Minnesota Statutes 1971, Section 169.87, by adding a subdivision.

S. F. No. 538, An act relating to health; establishing a symbol to indicate facilities accessible to the wheelchair user.

S. F. No. 553, An act relating to state government operations; repealing the rural credit law and disposing of rural credit records; amending Minnesota Statutes 1971, Section 9.071; and Chapter 46, by adding a section; repealing Minnesota Statutes 1971, Chapter 41.

S. F. No. 614, An act relating to the county of Olmsted, joint districts for public water and sewer improvements; amending Laws 1971, Chapter 916, Section 26.

S. F. No. 616, An act relating to weights and measures; standard weights for certain commodities; amending Minnesota Statutes 1971, Section 239.34.

S. F. No. 623, An act relating to the attorney general; appearance of the attorney general in court proceedings; amending Minnesota Statutes 1971, Section 8.01.

S. F. No. 787, An act relating to the city of Hastings; authorizing it to contract with the United States for the control of flood, to acquire property for such purposes, to issue bonds to pay the city's

share of the costs, and to assess all or a portion of the city's share of the cost to benefitted property.

Sincerely,

Wendell R. Anderson, Governor

April 13, 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 Files:

S. F. No. 777, An act relating to education; vocational rehabilitation; contract with federal government; amending Minnesota Statutes 1971, Section 121.30, Subdivision 1.

S. F. No. 986, An act relating to taxation; due date of returns; extension of time; amending Minnesota Statutes 1971, Chapter 270, by adding a section.

S. F. No. 990, An act relating to taxation; providing penalties and interest for nonpayment of tax on petroleum products; amending Minnesota Statutes 1971, Section 296.15, Subdivision 1.

S. F. No. 1006, An act relating to taxation; providing for use of certain meters by certain users of special fuels; providing a penalty for violation; amending Minnesota Statutes 1971, Section 296.12, by adding a subdivision.

S. F. No. 1007, An act relating to taxation; providing for powers to enforce provisions relating to petroleum products tax; amending Minnesota Statutes 1971, Section 296.17, Subdivision 20.

S. F. No. 1008, An act relating to taxation; providing for a method of testing fuel oil; amending Minnesota Statutes 1971, Sections 296.01, Subdivision 4; and 296.05, Subdivision 2.

S. F. No. 1094, An act relating to Goodhue county; authorizing use of county funds for county extension committee.

Sincerely,

Wendell R. Anderson, Governor

The Honorable Martin O. Sabo, Speaker
of the House of Representatives

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of

the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
3		Chapter 78	April 11, 1973	April 11, 1973
	224	Chapter 79	April 11, 1973	April 11, 1973
	341	Chapter 80	April 11, 1973	April 11, 1973
	656	Chapter 81	April 11, 1973	April 11, 1973

Sincerely,

Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Messrs. Milton, Kirchner and Conzemius introduced—

S. F. No. 2017: A bill for an act relating to the organization and operation of state government; creating the office of commissioner of health and transferring the functions, powers, and duties of the state board of health thereto; abolishing certain offices; amending Minnesota Statutes 1971, Chapter 144, by adding a section; Section 144.02; and repealing Minnesota Statutes 1971, Section 144.03.

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

Messrs. Hansen, Mel; Hanson, R. and Olson, A. G. introduced—

S. F. No. 2018: A bill for an act relating to courts; requiring filing of surety bonds in certain civil actions against architects, engineers, land surveyors, attorneys, dentists, or physicians.

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

Messrs. Hansen, Mel; O'Neill and McCutcheon introduced—

S. F. No. 2019: A bill for an act relating to housing; authorizing housing assistance for low and moderate income minority persons and families; appropriating money therefor.

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

Messrs. O'Neill, Milton and Coleman introduced—

S. F. No. 2020: A bill for an act relating to the Saint Paul Ramsey hospital and sanitarium commission; amending Laws 1969, Chapter 1104, Section 11.

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

Messrs. Hughes, Chenoweth and Sillers introduced—

S. F. No. 2021: A bill for an act relating to education; private trade schools; providing penalties; amending Minnesota Statutes 1971, Sections 141.21, Subdivisions 4 and 7; 141.25, Subdivisions 3, 4, 7, 8, 9, 10, and by adding a subdivision; 141.26, Subdivisions 2 and 5; 141.28, Subdivision 3, and by adding subdivisions; 141.29, Subdivision 1, and by adding a subdivision; 141.30; 141.32; 141.35; and Chapter 141, by adding a section; repealing Minnesota Statutes 1971, Section 141.27.

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

Messrs. Willet and Conzemius introduced—

S. F. No. 2022: A bill for an act relating to natural resources, wild rice; providing for distinguishing labeling of naturally and commercially grown rice; providing a penalty.

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

Messrs. Nelson, Tennesen and McCutcheon introduced—

S. F. No. 2023: A bill for an act relating to criminal trials; providing for dismissal if trial not commenced within 90 days of arraignment; providing for extensions.

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

Messrs. Coleman, McCutcheon and Novak introduced—

S. F. No. 2024: A bill for an act relating to the city of Saint Paul, authorizing the issuance of bonds and the appropriation of revenues and taxes to finance the acquisition, betterment, and operation of swimming pools for the municipal program of public recreation and playgrounds.

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

Messrs. Nelson, Chmielewski and Arnold introduced—

S. F. No. 2025: A bill for an act relating to crimes and criminals; providing minimum sentences for certain felonies; amending Minnesota Statutes 1971, Section 609.11.

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

Messrs. Nelson, Gearty and Anderson introduced—

S. F. No. 2026: A bill for an act relating to prohibited drugs; violations; regulating penalties; amending Minnesota Statutes 1971, Section 152.15, Subdivision 1.

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

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

S. F. No. 2027: A bill for an act relating to welfare; authorizing the establishment of a centralized disbursement system for medical assistance payments; appropriating money; amending Minnesota Statutes 1971, Sections 256B.09; 256B.10; and 256B.22; and Chapter 256B, by adding a section.

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

Messrs. Hughes, Dunn and Anderson introduced—

S. F. No. 2028: A bill for an act relating to education; clarifying responsibilities of the higher education advisory council; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 6.

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

Messrs. Hughes, Sillers and Moe introduced—

S. F. No. 2029: A bill for an act relating to education, teacher certification; providing for the refund or return of renewal fees paid by mistake; amending Minnesota Statutes 1971, Section 125.08.

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

Mr. North introduced—

S. F. No. 2030: A bill for an act relating to the claim of John D. Burke; arising from accident on state owned property; appropriating money for the payment thereof.

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

Messrs. Knutson, Conzemius and Stassen introduced—

S. F. No. 2031: A bill for an act relating to Dakota county; authorizing the board of commissioners to issue bonds for the acquisition and betterment of parklands; authorizing a levy, within existing park levy limits, and limited to specific purposes, without a referendum.

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

Messrs. Stassen, Knutson and Conzemius introduced—

S. F. No. 2032: A bill for an act relating to Dakota county; hous-

ing and redevelopment authority; jurisdiction; amending Laws 1971, Chapter 333, Section 2.

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

Messrs. Knutson, Stassen and Konzemius introduced—

S. F. No. 2033: A bill for an act relating to Dakota county; plats and surveys contiguous with any county road in Dakota county; providing for approval thereof by the Dakota county board of commissioners.

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

Messrs. Willet, Sillers and Kleinbaum introduced—

S. F. No. 2034: A bill for an act relating to education, state colleges; authorizing the state college board to grant certain dormitory scholarships; appropriating money.

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

Messrs. North, McCutcheon and Novak introduced—

S. F. No. 2035: A bill for an act relating to the city of Saint Paul; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

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

Messrs. Hansen, Mel; Gearty and Ogdahl introduced—

S. F. No. 2036: A bill for an act relating to the suspension of employees in the classified service of the city of Minneapolis.

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

Messrs. McCutcheon, Coleman and Chenoweth introduced—

S. F. No. 2037: A bill for an act relating to the municipal housing and redevelopment act, providing for the construction of market rate housing in cities of the first class; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.591, by adding a subdivision; 462.611; 462.621, by adding a subdivision; 462.631; 462.645, Subdivision 6; 462.691; and 462.695, Subdivisions 1 and 2.

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

Messrs. Dunn, Wegener and Lord introduced—

S. F. No. 2038: A bill for an act relating to natural resources; providing for a study of the activities of existing watershed districts; imposing a moratorium on the creation of new watershed districts; appropriating money.

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

Messrs. Perpich, G.; Conzemius and Larson introduced—

S. F. No. 2039: A bill for an act relating to welfare; limiting the payments under medical assistance to physicians in teaching hospitals; amending Minnesota Statutes 1971, Section 256B.05, Subdivision 2.

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

Mr. Olson, H. D. introduced—

S. F. No. 2040: A bill for an act relating to courts; providing retirement compensation to county court judge of Cottonwood county.

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

Messrs. Novak, Bang and Davies introduced—

S. F. No. 2041: A bill for an act relating to insurance; reinsurance by life insurance companies of aircraft risks; amending Minnesota Statutes 1971, Section 60A.09, Subdivision 5.

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

Messrs. Keefe, J.; Humphrey and O'Neill introduced—

S. F. No. 2042: A bill for an act relating to courts; venue change in civil actions; amending Minnesota Statutes 1971, Section 542.10.

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

Messrs. Milton, Ogdahl and Borden introduced—

S. F. No. 2043: A bill for an act relating to children; creating the office of children's advocate and prescribing the powers and duties thereof; providing penalties; appropriating money.

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

Mr. Anderson introduced—

S. F. No. 2044: A bill for an act relating to Chisago county; appropriating money for the construction of a county lock-up.

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

Messrs. Arnold, Fitzsimons and Hansen, Baldy introduced—

S. F. No. 2045: A bill for an act relating to state and local government; increasing the maximum amount for mileage from ten to 15 cents a mile; amending Minnesota Statutes 1971, Section 15A.20, Subdivision 1.

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

Messrs. Kirchner, Lewis and Gearty introduced—

S. F. No. 2046: A bill for an act relating to welfare; providing for reimbursement for malpractice insurance for state hospital physicians; amending Minnesota Statutes 1971, Chapter 246, by adding a section.

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

Messrs. Gearty, Ogdahl and Moe introduced—

S. F. No. 2047: A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; and 15A.085.

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

Messrs. Kleinbaum, Ueland and Laufenburger introduced—

S. F. No. 2048: A bill for an act relating to state colleges; permitting the state college board to designate certain colleges as state universities.

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

Mr. Ashbach introduced—

S. F. No. 2049: A bill for an act relating to the claim of S. F. Douglas Truck Line; arising from credit due from payment on truck license; appropriating money for the payment thereof.

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

Messrs. O'Neill, Milton and Hughes introduced—

S. F. No. 2050: A bill for an act relating to child support; requiring the employer of certain persons required to pay support to withhold, upon order, from the pay of such person and pay the money so withheld over to the department of public welfare; prohibiting certain acts by an employer; amending Minnesota Statutes 1971, Section 256.873.

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

Mr. Borden introduced—

S. F. No. 2051: A bill for an act relating to Aitkin 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.

Mr. Arnold introduced—

S. F. No. 2052: A bill for an act relating to Koochiching county; authorization to employ a full-time county attorney.

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

Mr. Ueland introduced—

S. F. No. 2053: A bill for an act relating to the claim of city of Mankato; arising from improvements made to the property of Mankato state college; appropriating money for the payment thereof.

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

Messrs. Borden, Knutson and Solon introduced—

S. F. No. 2054: A bill for an act relating to insurance; automobile insurance plan governing committee; revising the membership of said committee; amending Minnesota Statutes 1971, Section 65B.03.

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

Messrs. Perpich, A. J.; Larson and Wegener introduced—

S. F. No. 2055: A bill for an act relating to taxation; providing for increase in fee for issuance of certain deeds by commissioner of taxation; amending Minnesota Statutes 1971, Sections 282.33, Subdivision 1; and 282.36.

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

Messrs. Renneke and Olson, H. D. introduced—

S. F. No. 2056: A bill for an act relating to counties; granting the authority to regulate logging; providing a model ordinance.

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

Messrs. O'Neill, Milton and McCutcheon introduced—

S. F. No. 2057: A bill for an act relating to courts; prescribing number and salary of judges of the municipal court of the city of St. Paul; amending Minnesota Statutes 1971, Section 488A.19, Subdivisions 1 and 10.

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

Messrs. Spear, Ogdahl and Gearty introduced—

S. F. No. 2058: A bill for an act relating to Independent School District No. 1; restoring employees salary and retirement benefits withheld under law.

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

Messrs. Perpich, G.; Perpich, A. J. and Arnold introduced—

S. F. No. 2059: A bill for an act relating to taxation; mining of iron ore; providing for the county assessor to engage in exploratory work in order to ascertain the existence of unmined iron ore; and providing for condemnation proceedings in certain cases.

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

Messrs. Chmielewski and Willet introduced—

S. F. No. 2060: A bill for an act to regulate the vertical integration in agriculture; providing penalties; and appropriating moneys.

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

Messrs. Perpich, A. J.; O'Neill and Spear introduced—

S. F. No. 2061: A bill for an act relating to ad valorem taxes; limiting exemption of church property; amending Minnesota Statutes 1971, Section 272.02, by adding a subdivision.

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

Messrs. Hughes, Brown and Solon introduced—

S. F. No. 2062: A bill for an act relating to education; authorizing independent or special school districts to adopt an experimental

plan of instruction for elementary and secondary pupils under certain conditions; amending Minnesota Statutes 1971, Chapter 124, by adding a section.

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

Messrs. Perpich, A. J.; Ogdahl and Coleman introduced—

S. F. No. 2063: A bill for an act relating to ad valorem taxes; limiting exemption of church property; amending Minnesota Statutes 1971, Section 272.02, by adding a subdivision.

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

Messrs. Laufenburger, Larson and Chenoweth introduced—

S. F. No. 2064: A bill for an act relating to liquor; eliminating the distinction between malt liquors based upon alcohol content; amending Minnesota Statutes 1971, Sections 340.001; 340.01; 340.013; 340.02; 340.024; 340.032; 340.033; 340.034; 340.035; 340.038; 340.07, Subdivisions 2 and 13; 340.08, Subdivision 1; 340.115; 340.12; 340.13, Subdivision 8; 340.355; 340.401; 340.402; 340.403, Subdivision 2; 340.404, Subdivisions 1, 2, 3, and 5; 340.405; 340.406; 340.47, Subdivision 2; 340.62; 340.80; 340.81; 340.85, Subdivision 2; and 340.942; repealing Minnesota Statutes 1971, Sections 340.031 and 340.11, Subdivision 15.

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

Messrs. Hansen, Mel; Nelson and Frederick introduced—

S. F. No. 2065: A bill for an act relating to public welfare; providing for continued funding for the day care of children; appropriating money.

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

Messrs. Purfeerst, McCutcheon and Gearty introduced—

S. F. No. 2066: A bill for an act relating to the legislature; creating a commission to study probate proceedings; directing the commission to draft legislation and report to the 1975 legislature in connection therewith; appropriating money.

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

Messrs. Perpich, G.; Perpich, A. J. and Spear introduced—

S. F. No. 2067: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1; providing the majority necessary to pass constitutional amendments.

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

Messrs. Perpich, G.; Perpich, A. J. and Spear introduced—

S. F. No. 2068: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 11, Article V, Sections 1, 2, 4, and 5, Article VIII, Section 4, Article XIII, Section 1 and Article XV, Section 4; removing the secretary of state from the constitution.

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

Mr. Kirchner introduced—

S. F. No. 2069: A bill for an act relating to aid to certain school districts; amending Minnesota Statutes 1971, Section 360.133, Subdivision 2; repealing Minnesota Statutes 1971, Section 360.133, Subdivision 3.

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

Messrs. Anderson, Borden and Purfeerst introduced—

S. F. No. 2070: A bill for an act relating to the reimbursement of public officers and employees for the use of privately owned automobiles; amending Minnesota Statutes 1971, Section 15A.20, Subdivision 1.

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

Messrs. Borden and Conzemius introduced—

S. F. No. 2071: A bill for an act relating to environmental protection; providing a civil action for the prevention and abatement of pollution; providing permanent and temporary relief and remedies; repealing Minnesota Statutes 1971, Sections 116B.01 to 116B.13.

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

Messrs. Gearty, Blatz and Perpich, A. J. introduced—

S. F. No. 2072: A bill for an act relating to taxation; adopting the multistate tax compact.

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

Messrs. Brown, Conzemius and Nelson introduced—

S. F. No. 2073: A bill for an act relating to taxation; imposing a horsepower tax on the sale of all new passenger motor vehicles having horsepower in excess of 100; providing penalties; appropriating money; amending Minnesota Statutes 1971, Section 297B.04.

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

Messrs. Gearty, Blatz and Perpich, A. J. introduced—

S. F. No. 2074: A bill for an act relating to taxation; providing for exchange of information with the multistate tax commission; amending Minnesota Statutes 1971, Sections 290.61 and 297A.43.

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

Messrs. Thorup; Hanson, R. and Novak introduced—

S. F. No. 2075: A bill for an act relating to public indebtedness; authorizing surpluses to be deposited in time deposits; amending Minnesota Statutes 1971, Section 475.66.

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

Messrs. Thorup; Hanson, R. and Novak introduced—

S. F. No. 2076: A bill for an act relating to banks and banking; state nonmember bank's cash reserves; amending Minnesota Statutes 1971, Section 48.22.

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

Messrs. Perpich, A. J.; Blatz and Borden introduced—

S. F. No. 2077: A bill for an act relating to taxation; reassessment of improperly valued property; amending Minnesota Statutes 1971, Section 270.18, Subdivision 2.

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

Messrs. Perpich, A. J.; Blatz and Borden introduced—

S. F. No. 2078: A bill for an act relating to taxation, providing for hearings before the commissioner in certain property tax reductions, amending Minnesota Statutes 1971, Section 270.19.

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

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

S. F. No. 2079: A bill for an act relating to the sales and use tax; exemptions; providing that auctioneers or sellers for bids shall not be exempt from the tax; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

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

Mr. Doty introduced—

S. F. No. 2080: A bill for an act relating to state building code; exempting fire halls built prior to 1971 in towns having less than 5,000 residents and only a volunteer fire department from requirements; amending Minnesota Statutes 1971, Section 16.851.

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

Mr. Doty introduced—

S. F. No. 2081: A bill for an act relating to the town of Rice Lake in St. Louis county; conferring exclusive authority on said town to regulate speed limits on roads, streets and highways, other than trunk highways and state-aid roads, within the town.

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

Messrs. Borden and Humphrey introduced—

S. F. No. 2082: A bill for an act relating to probate proceedings; authorizing and employing conservators.

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

Messrs. Conzemius, Perpich, A. J. and Borden introduced—

S. F. No. 2083: A bill for an act relating to education; regulating the tenure of teachers and granting seniority rights; amending Minnesota Statutes 1971, Section 125.12, Subdivision 6.

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

Messrs. Tennessen, Blatz and Novak introduced—

S. F. No. 2084: A bill for an act relating to public utilities; regulating the filing by certain public utilities of mortgages or deeds of trusts along with instruments already required to be filed under the provisions of the uniform commercial code; amending Minnesota Statutes 1971, Chapter 300, by adding a section.

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

Messrs. Perpich, A. J.; Conzemius and O'Neill introduced—

S. F. No. 2085: A bill for an act relating to tax assessments; instruction courses for assessors and deputies; appropriating money to pay the cost thereof; amending Minnesota Statutes 1971, Section 273.075.

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

Messrs. Chenoweth, Doty and Ogdahl introduced—

S. F. No. 2086: A bill for an act relating to retirement; contributions and actuarial surveys under the police and firemen's relief association guidelines act of 1969, amending Minnesota Statutes 1971, Section 69.77, Subdivision 2.

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

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 2087: A bill for an act relating to reassessment of improperly valued property; removing residency as a qualification for assessors; amending Minnesota Statutes 1971, Section 270.17.

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

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

S. F. No. 2088: A bill for an act relating to taxation; appointment of special boards of review and equalization; amending Minnesota Statutes 1971, Sections 274.01; 274.13 and 274.14.

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

Messrs. Milton, McCutcheon and Borden introduced—

S. F. No. 2089: A bill for an act relating to taxation; defining homesteads established after assessment date; amending Minnesota Statutes 1971, Section 273.13, Subdivision 16.

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

Mr. Perpich, A. J. introduced—

S. F. No. 2090: A bill for an act relating to the sales and use tax; defining sale and purchase; amending Minnesota Statutes 1971, Section 297A.01, Subdivision 3.

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

Mr. Gearty introduced—

S. F. No. 2091: A bill for an act relating to the personnel system in Hennepin county; providing for certain changes in the personnel rules; amending Laws 1965, Chapter 855, Section 4, Subdivision 2.

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

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

S. F. No. 2092: A bill for an act relating to taxation; assessment of real property; location of training courses for assessors; examinations; amending Minnesota Statutes 1971, Sections 270.46; and 270.47.

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 Files, herewith returned: S. F. Nos. 188, 566, 839, 908 and 994.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 13, 1973.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 309, 490, 1167, 479, 707, 723, 904, 1075 and 1568.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 13, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 309: A bill for an act relating to manpower services; unemployment compensation; benefits; amending Minnesota Statutes 1971, Sections 268.04, Subdivision 12; 268.06, Subdivisions 8, 22 and 27; 268.07, Subdivision 2; 268.08, Subdivisions 1, 3 and 5; and 268.09, Subdivision 1, as amended.

H. F. No. 490: A bill for an act relating to decedent's estates; abolishing published notice of the hearing to settle and allow the final account; amending Minnesota Statutes 1971, Section 525.481.

H. F. No. 1167: A bill for an act relating to taxation; inheritance taxes; providing for determination of inheritance tax; conclusiveness of inheritance tax return; amending Minnesota Statutes 1971, Section 291.09, Subdivisions 1 and 6.

H. F. No. 479: A resolution memorializing the Congress of the United States to propose a constitutional amendment affirming and protecting the value of human life.

H. F. No. 707: A bill for an act relating to courts; providing a salary increase for the judge of Roseville municipal court; amending Minnesota Statutes 1971, Section 488.21, Subdivision 2.

H. F. No. 723: A bill for an act relating to motor vehicles; registration and taxation; vehicles exempt from license fees; amending Minnesota Statutes 1971, Section 168.012, Subdivision 1.

H. F. No. 904: A bill for an act relating to divorce; reciprocal enforcement of support; amending Minnesota Statutes 1971, Section 518.42, Subdivision 2.

H. F. No. 1075: A bill for an act creating a housing and redevelopment authority in Washington county; applying the provisions of the municipal housing and redevelopment act to Washington county.

H. F. No. 1568: A bill for an act relating to historic sites; designating additional historical sites; redescribing certain boundaries; amending Minnesota Statutes 1971, Sections 138.53, Subdivisions 7, 8, 12, 16, 20, 21, 43, 46, and by adding subdivisions; 138.54, by adding a subdivision; 138.56, Subdivision 2, and by adding subdivisions; 138.57, Subdivision 13; 138.58, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 138.55, Subdivisions 9, 10, 11, 12, 13, 14, 15, 16, 17, and 20; 138.57, Subdivisions 11, 14, and 15; and 138.58, Subdivision 2.

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

REPORTS OF COMMITTEES

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

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

H. F. No. 818: A bill for an act relating to elections; removing limitations on the transportation of voters to the polls; repealing Minnesota Statutes 1971, Section 211.14, Subdivision 4.

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred appointment submitted to the Senate by His Excellency, Governor Wendell R. Anderson, for confirmation and to be found in the Journal for the 33rd day, reports the same back with the recommendation that said appointment be re-referred to the Committee on Metropolitan and Urban Affairs.

METROPOLITAN COUNCIL

Paul Thuet, 228 Grand Avenue, South St. Paul, Dakota County, appointed effective April 3, 1973, for a term expiring the first Monday of January, 1979.

Report adopted.

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

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

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

Page 1, line 3, after "construction," insert "acquisition,"

And when so amended the bill do pass and be placed on the Calendar of Ordinary Matters. Amendments adopted. Report adopted.

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

S. F. No. 1278: A bill for an act relating to the city of Red Wing; exempting the cost of principal and interest on bonded indebtedness of the city from certain levy limitations.

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

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

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

H. F. No. 843: A bill for an act relating to taxes on and measured by net income; declaration of estimated tax; amending Minnesota Statutes 1971, Section 290.93, Subdivisions 1 and 4.

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

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

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. 752: A bill for an act relating to taxation; qualification of homesteads under the agricultural property tax law; amending Minnesota Statutes 1971, Section 273.111, Subdivision 3.

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

Page 1, line 24, after "*corporation*" insert ". *“Family farm corporation” for the purpose of this subdivision means a corporation founded for the purpose of farming and owning agricultural land, in which all of the stockholders are members of a family related to each other within the third degree of kindred according to the rules of civil law*”

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

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

S. F. No. 1261: A bill for an act relating to taxation; providing for certain restrictions with respect to the classification of homesteads owned by blind persons; amending Minnesota Statutes 1971, Section 273.13, Subdivision 7.

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

Page 2, line 27, strike “1973” and insert “1974”

Amend the title as follows:

Line 4, strike “homsteads” and insert “homesteads”

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

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

S. F. No. 534: A bill for an act relating to education; providing per diem compensation for members of Minnesota education council; amending Minnesota Statutes 1971, Section 121.83.

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

Page 1, lines 29 and 30, reinstate the stricken language

Page 1, line 30, strike “receive \$25 per day for each day actually”

Page 2, line 1, strike “engaged in council meetings and may”

Page 2, line 1, before the word “be” insert “shall”

Page 2, line 2, strike “and necessary”

Page 2, line 3, after “council” insert “.”

Page 2, line 3, strike “at rates provided by law for state employees and”

Page 2, strike line 4

Further, amend the title as follows:

Line 2, strike “per”

Line 3, strike "diem"

Line 3, after "compensation" insert "for expenses"

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

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

S. F. No. 217: A bill for an act relating to education; education of gifted or talented children.

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

On page 1, line 5, strike "OR TALENTED CHILDREN DEFINED" and insert "CHILDREN AND TEACHER COORDINATORS; DEFINITIONS AND PROVISIONS"

Page 1, line 7, strike "aesthetic" and insert "cognitive"

Page 1, line 9, strike "or"

Page 1, line 10, strike "talented"

Page 1, line 11, strike "or talented students" and insert "children"

Page 1, line 13, strike "students" and insert "children"

Page 1, line 13, strike "approved by the" and insert "determined by school districts or combinations of districts using guidelines established by the"

Page 1, after line 14, insert:

"Every school district or combination of districts may provide for such teacher coordinators as may be necessary for establishing and maintaining a program for gifted children. A "teacher coordinator" is an educator who instructs gifted children and is responsible for making provisions for the appropriate education of all gifted children in the district or combination of districts in which he serves."

Page 1, line 15, strike "OR TALENTED"

Page 1, line 16, strike "STUDENTS" and insert "CHILDREN"

Page 1, line 16, strike "area"

Page 1, line 17, strike "vocational-technical" and insert "combinations of"

Page 1, line 17, strike "apply" and insert "provide"

Page 1, line 18, strike "or talented"

Page 1, line 19, after "district" and before "and" insert "or combination of districts"

Page 1, line 19, strike "or talented"

Page 1, line 20, strike "or talented"

Page 1, line 22, strike "or talented"

Page 1, line 24, strike "adjoining"

Page 1, line 26, strike "or talented"

Page 1, line 28, after "districts" and before "to" insert "or combinations of districts."

Page 2, line 3, strike "REIMBURSEMENT" and insert in lieu thereof "FUNDING"

Page 2, line 3, strike "OR"

Page 2, line 4, strike "TALENTED"

Page 2, line 6, strike "area vocational-technical" and insert "combinations of"

Page 2, line 7, strike "or talented"

Page 2, strike all of lines 9 to 13

Page 2, line 15, strike "or talented"

Renumber the subsequent subdivision accordingly

Further, amend the title on page 1, line 3, by striking "or talented"

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

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

S. F. No. 1164: A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties.

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

Page 1, line 13, after "areas." insert, "No combination license shall be issued to an establishment which is located less than five miles by the most direct route from a municipality which contains an establishment possessing an off-sale liquor license."

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

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

S. F. No. 919: A bill for an act relating to intoxicating liquor; issuance of licenses to private persons in municipalities operating municipal stores; amending Minnesota Statutes 1971, Section 340.353, Subdivision 5.

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

Page 1, reinstate lines 26, 27, 28, 29 and 30 and further amend as follows:

Page 1, line 29, strike "four" and insert "six"

Page 1, line 30, strike "six" and insert "ten"

Page 2, reinstate lines 1, 2 and 3

Renumber the remaining clause

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

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

S. F. No. 1560: A bill for an act relating to the village of Edina; authorizing issuance of Sunday on-sale intoxicating liquor licenses to two country clubs.

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

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

S. F. No. 985: A bill for an act relating to health; establishing a health maintenance commission and prescribing its powers and duties; authorizing the establishment of health maintenance organizations and prescribing powers and duties; and providing penalties.

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. [SHORT TITLE AND PURPOSE.] Subdivision 1. Sections 1 to 31 may be cited as the "health maintenance act of 1973".

Subd. 2. (a) Faced with the continuation of mounting costs of health care coupled with its inaccessibility to large segments of the population, the legislature has determined that there is a need to explore alternative methods for the delivery of health care services, with a view toward achieving greater efficiency and economy in providing these services.

(b) It is, therefore, the policy of the state to eliminate the barriers to the organization, promotion, and expansion of health maintenance organizations; to provide for their regulation by the state board of health; and to exempt them from the operation of the insurance and nonprofit health service plan corporation laws of the state except as hereinafter provided.

(c) It is further the intention of the legislature to closely monitor the development of health maintenance organizations in order to assess their impact on the costs of health care to

consumers, the accessibility of health care to consumers, and the quality of health care provided to consumers.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, unless the context clearly indicates otherwise, the terms defined in this section shall have the meaning here given them.

Subd. 2. "Commissioner" means the commissioner of insurance or his designee.

Subd. 3. "Board" means the state board of health or its designee.

Subd. 4. "Health maintenance organization" means a non-profit corporation organized under Minnesota Statutes, Chapter 317, controlled and operated as provided in this act, which provides, either directly or through arrangements with providers or other persons, comprehensive health maintenance services, or arranges for the provision of such services, to enrollees on the basis of a fixed prepaid sum without regard to the frequency or extent of services furnished to any particular enrollee.

Subd. 5. "Evidence of coverage" means any certificate, agreement or contract issued to an enrollee which sets out the coverage to which he is entitled under the health maintenance contract which covers him.

Subd. 6. "Enrollee" means any person who has entered into a health maintenance contract, or on whose behalf such a contract has been entered into, with a health maintenance organization authorized under this act, or its representative, to provide an agreed upon set of comprehensive health maintenance services, or any dependent of such person, if such contract so provides.

Subd. 7. "Comprehensive health maintenance services" means a set of comprehensive health services which the enrollees might reasonably require to be maintained in good health including as a minimum, but not limited to, emergency care, inpatient hospital and physician care, outpatient medical services and preventive medical services.

Subd. 8. "Health maintenance contract" means any contract whereby a health maintenance organization, or its representative, agrees to provide comprehensive health maintenance services to enrollees, provided that the contract may contain reasonable enrollee copayment provisions. Any contract may provide for health care services in addition to those set forth in subdivision 7.

Subd. 9. "Provider" means any person who furnishes health services and is licensed or otherwise authorized to render such services in the state.

Subd. 10. "Consumer" means any person other than a person (a) whose occupation involves, or before his retirement involved, the administration of health activities or the providing of health

services; (b) who is, or ever was, employed by a health care facility, as a licensed professional; or (c) who has, or ever had, a financial interest in the rendering of health service other than the payment of reasonable expense reimbursement or compensation as a member of the board of a health maintenance organization.

Sec. 3. [ESTABLISHMENT OF HEALTH MAINTENANCE ORGANIZATIONS.] Subdivision 1. Notwithstanding any law of this state to the contrary, any nonprofit corporation organized to do so may apply to the board for a certificate of authority to establish and operate a health maintenance organization in compliance with this act. No person shall establish or operate a health maintenance organization in this state, nor sell or offer to sell, or solicit offers to purchase or receive advance or periodic consideration in conjunction with a health maintenance organization or health maintenance contract unless such organization has a certificate of authority under this act.

Subd. 2. Every group operating a health maintenance organization on the effective date of this act shall submit an application for a certificate of authority, as provided in subdivision 4, within 90 days of the effective date of this act. Each such applicant may continue to operate until the board acts upon the application. In the event that an application is denied, the applicant shall henceforth be treated as a health maintenance organization whose certificate of authority has been revoked.

Subd. 3. The board may require any person providing physician and hospital services with payments made in the manner set forth in section 2, subdivision 4, to apply for a certificate of authority under this act. Any person directed to apply for a certificate of authority shall be subject to the provisions of subdivision 2.

Subd. 4. Each application for a certificate of authority shall be verified by an officer or authorized representative of the applicant, and shall be in a form prescribed by the board. Each application shall include the following:

(a) A copy of the basic organizational document, if any, of the applicant; such as the articles of incorporation, or other applicable documents, and all amendments thereto;

(b) A copy of the bylaws, rules and regulations, or similar document, if any, and all amendments thereto which regulate the conduct of the affairs of the applicant;

(c) A list of the names, addresses, and official positions of the following persons:

All members of the board of directors, and the principal officers and employees of the organization; which shall contain a full disclosure in the application of the extent and nature of any contract or financial arrangements between them and the health maintenance organization or, as regards the health maintenance organization, any provider or other person which contracts with the health maintenance organization;

(d) A statement generally describing the health maintenance organization, its health care plan or plans, facilities, and personnel,

including a statement describing the manner in which the applicant proposes to provide enrollees with comprehensive health maintenance services;

(e) A copy of the form of each evidence of coverage to be issued to the enrollees;

(f) A copy of the form of each individual or group health maintenance contract which is to be issued to enrollees or their representatives;

(g) Financial statements showing the applicant's assets, liabilities, and sources of financial support. If the applicant's financial affairs are audited by independent certified public accountants, a copy of the applicant's most recent certified financial statement may be deemed to satisfy this requirement;

(h) (1) A description of the proposed method of marketing the plan, (2) a schedule of proposed charges, and (3) a financial plan which includes a three year projection of the expenses and income and other sources of future capital;

(i) A statement reasonably describing the geographic area or areas to be served and the type or types of enrollees to be served;

(j) A description of the complaint procedures to be utilized as required under section 11;

(k) A description of the procedures and programs to be implemented to meet the requirements of section 4, subdivision 1, clauses (b) and (c) and to monitor the quality of health care provided to enrollees;

(l) A description of the mechanism by which enrollees will be afforded an opportunity to participate in matters of policy and operation under section 6;

(m) Such other information as the board may reasonably require to be provided.

Sec. 4. [ISSUANCE OF CERTIFICATE AUTHORITY.] Subdivision 1. Upon receipt of an application for a certificate of authority, the board shall determine whether the applicant for a certificate of authority has:

(a) Demonstrated the willingness and potential ability to assure that health care services will be provided in such a manner as to enhance and assure both the availability and accessibility of adequate personnel and facilities;

(b) Arrangements for an ongoing evaluation of the quality of health care;

(c) A procedure to develop, compile, evaluate, and report statistics relating to the cost of its operations, the pattern of utilization of its services, the quality, availability and accessibility of its services, and such other matters as may be reasonably required by regulation of the board;

(d) Reasonable provisions for emergency and out of area health care services;

(e) Demonstrated that it is financially responsible and may reasonably be expected to meet its obligations to enrollees and prospective enrollees. In making this determination, the board may consider:

(1) The financial soundness of its arrangements for health care services and the proposed schedule of charges used in connection therewith;

(2) The adequacy of its working capital;

(3) Arrangements which will guarantee for a reasonable period of time the continued availability or payment of the cost of health care services in the event of discontinuance of the health maintenance organization; and

(4) Agreements with providers for the provision of health care services.

(f) Otherwise met the requirements of this act.

Subd. 2. Within 90 days after the receipt of the application for a certificate of authority, the board shall determine whether or not the applicant meets the requirements of this section. If the board determines that the applicant meets the requirements of this act, it shall issue a certificate of authority to the applicant. If the board determines that the applicant is not qualified, it shall so notify the applicant and shall specify the reason or reasons for such disqualification.

Subd. 3. Except as provided in section 3, subdivision 2, no person who has not been issued a certificate of authority shall use the words "health maintenance organization" or the initials "HMO" in its name, contracts or literature. Provided, however, that persons who are operating under a contract with, operating in association with, enrolling enrollees for, or otherwise authorized by a health maintenance organization licensed under this act to issue health maintenance contracts or evidences of coverage may use the terms "health maintenance organization" or "HMO" for the limited purpose of denoting their association or relationship with the authorized health maintenance organization. No health maintenance organization which has a minority of consumers as members of its board of directors shall use the words "consumer controlled" in its name or in any way represent to the public that it is controlled by consumers.

Sec. 5. [POWERS OF HEALTH MAINTENANCE ORGANIZATIONS.] Subdivision 1. Any nonprofit corporation may, upon obtaining a certificate of authority as required in this act, operate as a health maintenance organization.

Subd. 2. A health maintenance organization may enter into health maintenance contracts in this state and engage in any other activities consistent with this act which are necessary to the performance of its obligations under such contracts or authorize its representatives to do so.

Subd. 3. A health maintenance organization may contract with providers of health care services to render the services the health

maintenance organization has promised to provide under the terms of its health maintenance contracts, and may contract with insurance companies and nonprofit health service plan corporations for insurance, indemnity or reimbursement against the cost of health care services provided for enrollees or against the risks incurred by the health maintenance organization.

Subd. 4. A health maintenance organization may contract with other persons for the provision of services, including, but not limited to, managerial and administration, marketing and enrolling, data processing, actuarial analysis, and billing services. If contracts are made with insurance companies or nonprofit health service plan corporations, such companies or corporations must be authorized to transact business in this state.

Subd. 5. Each health maintenance organization authorized to operate under this act, or its representative, may accept from governmental agencies, private agencies, corporations, associations, groups, individuals, or other persons payments covering all or part of the cost of health care services provided to enrollees. Any recipient of medical assistance, pursuant to Minnesota Statutes, Chapter 256B, may join a health maintenance organization which has been approved for medical assistance by the commissioner of public welfare.

Sec. 6. [GOVERNING BODY.] Subdivision 1. The governing body of any health maintenance organization may include enrollees, providers, or other individuals; provided, however, that at least 40 percent of the governing body shall be composed of consumers elected from among the enrollees.

Subd. 2. The governing body shall establish a mechanism to afford the enrollees an opportunity to express their opinions in matters of policy and operation through the establishment of advisory panels, by the use of advisory referenda on major policy decisions, or through the use of other mechanisms as may be prescribed or permitted by the board.

Sec. 7. [EVIDENCE OF COVERAGE.] Subdivision 1. Every enrollee residing in this state is entitled to evidence of coverage under a health care plan. The health maintenance organization or its designated representative shall issue the evidence of coverage.

Subd. 2. No evidence of coverage or amendment thereto shall be issued or delivered to any person in this state until a copy of the form of the evidence of coverage or amendment thereto has been filed with the board pursuant to sections 3 or 8.

Subd. 3. An evidence of coverage shall contain:

(a) No provisions or statements which are unjust, unfair, inequitable, misleading, deceptive, or which are untrue, misleading or deceptive as defined in section 12, subdivision 1; and

(b) A clear, concise and complete statement of:

(1) The health care services and the insurance or other benefits, if any, to which the enrollee is entitled under the health care plan;

(2) Any exclusions or limitations on the services, kind of services, benefits, or kind of benefits, to be provided, including any deductible or copayment feature;

(3) Where and in what manner information is available as to how services, including emergency and out of area services, may be obtained;

(4) The total amount of payment and copayment, if any, for health care services and the indemnity or service benefits, if any, which the enrollee is obligated to pay with respect to individual contracts, or an indication whether the plan is contributory or non-contributory with respect to group certificates; and

(5) A description of the health maintenance organization's method for resolving enrollee complaints.

Subd. 4. Any subsequent approved change in an evidence of coverage shall be issued to each enrollee.

Sec. 8. [ANNUAL REPORT.] Subdivision 1. A health maintenance organization shall, unless otherwise provided for by regulations adopted by the board, file notice with the board prior to any modification of the operations or documents described in the information submitted under clauses (a), (b), (e), (f), (i), (j), (k), (l), and (m) of section 3, subdivision 4. If the board does not disapprove of the filing within 30 days, it shall be deemed approved and may be implemented by the health maintenance organization.

Subd. 2. Every health maintenance organization shall annually, on or before March 1, file a verified report with the board covering the preceding calendar year.

Subd. 3. Such report shall be on forms prescribed by the board, and shall include:

(a) A financial statement of the organization, including its balance sheet and receipts and disbursements for the preceding year certified by an independent certified public accountant, reflecting at least (1) all prepayment and other payments received for health care services rendered, (2) expenditures to all providers, other persons, and insurance companies or nonprofit health service plan corporations engaged to fulfill obligations arising out of the health maintenance contract, and (3) expenditures for capital improvements, or additions thereto, including but not limited to construction, renovation or purchase of facilities and capital equipment;

(b) The number of new enrollees enrolled during the year, the number of enrollees as of the end of the year and the number of enrollees terminated during the year;

(c) A summary of information compiled pursuant to section 4, subdivision 1, clause (c) in such form as may be required by the board;

(d) A report of the names and residence addresses of all persons set forth in section 3, subdivision 4, clause (c) who were associated with the health maintenance organization during the preceding year, and the amount of wages, expense reimbursements, or other

payments to such individuals, including a full disclosure of all financial arrangements during the preceding year required to be disclosed pursuant to section 3, subdivision 4, clause (c); and

(e) Such other information relating to the performance of the health maintenance organization as is reasonably necessary to enable the board to carry out its duties under this act.

Sec. 9. [INFORMATION TO ENROLLEES.] Every health maintenance organization or its representative shall annually, before April 1, provide to its enrollees a summary of: Its most recent annual financial statement including a balance sheet and statement of receipts and disbursements; a description of the health maintenance organization, its health care plan or plans, its facilities and personnel, any material changes therein since the last report, and the current evidence of coverage.

Sec. 10. [PROVISIONS APPLICABLE TO ALL HEALTH PLANS.] Subdivision 1. The provisions of this section shall be applicable to nonprofit health service plan corporations regulated under Minnesota Statutes, Chapter 62C, nonprofit prepaid health care plans regulated under Minnesota Statutes, Chapter 317, and health maintenance organizations regulated pursuant to this act, all of which for purposes of this section shall be known as "health plans".

Subd. 2. [OPEN ENROLLMENT.] Once a health plan has been in operation 24 months, it shall thereafter have an annual open enrollment period of at least one month during which it shall accept enrollees up to a minimum of five percent of its current enrollment, exclusive of enrollees in group plans, in the order in which they apply for enrollment.

Subd. 3. A health plan providing health maintenance services or reimbursement for health care costs to a specified group or groups may limit the open enrollment in each group plan to members of such group or groups, but after it has been in operation 24 months shall have an annual open enrollment period of at least one month during which it accepts enrollees from the members of each group up to a minimum of five percent of its current enrollment in each group plan. "Specified groups" may include, but shall not be limited to:

- (a) Employees of one or more specified employers;
- (b) Members of one or more specified labor unions;
- (c) Members of one or more specified associations;
- (d) Patients of physicians providing services through a health care plan who had previously provided services outside the health care plan; and
- (e) Members of an existing group insurance policy.

Subd. 4. A health plan may apply to the commissioner for a waiver of the requirements of this section or for authorization to impose such underwriting restrictions upon open enrollment as are necessary (a) to preserve its financial stability, (b) to prevent ex-

cessive adverse selection by prospective enrollees, or (c) to avoid unreasonably high or unmarketable charges for enrollee coverage for health care services. The commissioner upon a showing of good cause, shall approve or upon failure to show good cause shall deny such application within 30 days of the receipt thereof from the health plan. The commissioner may, in accordance with Minnesota Statutes, Chapter 15, promulgate rules to implement this section.

Sec. 11. [COMPLAINT SYSTEM.] Subdivision 1. Every health maintenance organization shall establish and maintain a complaint system including an impartial arbitration provision, to provide reasonable procedures for the resolution of written complaints initiated by enrollees concerning the provision of health care services. Arbitration shall be subject to Minnesota Statutes, Chapter 572, except (a) in the event that an enrollee elects to litigate his complaint prior to submission to arbitration, and (b) no medical malpractice damage claim shall be subject to arbitration.

Subd. 2. The health maintenance organization shall maintain a record of each written complaint filed with it for three years and the board shall have access to the records.

Sec. 12. [PROHIBITED PRACTICES.] Subdivision 1. No health maintenance organization or representative thereof may cause or knowingly permit the use of advertising or solicitation which is untrue or misleading, or any form of evidence of coverage which is deceptive. Each health maintenance organization shall be subject to Minnesota Statutes, Sections 72A.17 to 72A.321, relating to the regulation of trade practices, except (a) to the extent that the nature of a health maintenance organization renders such sections clearly inappropriate and (b) that enforcement shall be by the board and not by the commissioner. Every health maintenance organization shall be subject to Minnesota Statutes, Sections 325.79 and 325.907.

Subd. 2. No health maintenance organization may cancel or fail to renew the coverage of an enrollee except for (a) failure to pay the charge for health care coverage; (b) termination of the health care plan; (c) termination of the group plan; (d) enrollee moving out of the area served; (e) enrollee moving out of an eligible group; (f) failure to make copayments required by the health care plan; or (g) other reasons established in regulations promulgated by the board. An enrollee shall be given 30 days notice of any cancellation or nonrenewal.

Subd. 3. No health maintenance organization may use in its name, contracts, or literature any of the words "insurance", "casualty", "surety", "mutual", or any other words which are descriptive of the insurance, casualty or surety business or deceptively similar to the name or description of any insurance or surety corporation doing business in this state; provided, however, that when a health maintenance organization has contracted with an insurance company for any coverage permitted by this act, it may so state.

Subd. 4. No health maintenance contract or evidence of coverage shall provide for the reimbursement of an enrollee other than through a policy of insurance, except to refund payments made upon termination of coverage.

Subd. 5. The providers under agreement with a health maintenance organization to provide health care services and the health maintenance organization shall not have recourse against enrollees for amounts above those specified in the evidence of coverage as the periodic prepayment, or copayment, for health care services.

Subd. 6. The rates charged by health maintenance organizations and their representatives shall not discriminate except in accordance with accepted actuarial principles.

Subd. 7. No health maintenance organization shall enroll more than 500,000 persons in the state of Minnesota. A violation of this subdivision shall be treated as a violation of the antitrust act, Minnesota Statutes, Sections 325.8011 to 325.8028.

Subd. 8. No health maintenance organization shall discriminate in enrollment policy against any person solely by virtue of status as a recipient of medical assistance or medicare.

Subd. 9. [REQUIREMENT TO MAINTAIN NONPROFIT STATUS.] No health maintenance organization shall provide for the payment, whether directly or indirectly, of any part of its net earnings, to any person as a dividend or rebate. All net earnings shall be devoted to the nonprofit purposes of the health maintenance organization in providing comprehensive health care. The inability of a health maintenance organization to obtain or keep tax exemption under Section 501 (c) (4) of the Internal Revenue Code and under Minnesota Statutes, Section 290.05, Subdivision 1, Clause (j), subsequent to 18 months after being granted a certificate of authority pursuant to this act, shall be prima facie evidence that it is in violation of this act. The board shall, pursuant to this act, revoke the certificate of authority of any health maintenance organization in violation of this subdivision.

Sec. 13. [POWERS OF INSURERS AND NONPROFIT HEALTH SERVICE PLANS.] Notwithstanding any law to the contrary, an insurer or a hospital or medical service plan corporation may contract with a health maintenance organization to provide insurance or similar protection against the cost of care provided through health maintenance organizations and to provide coverage in the event of the failure of the health maintenance organization to meet its obligations. The enrollees of a health maintenance organization constitute a permissible group for group coverage under the insurance laws and the nonprofit health service plan corporation act. Under such contracts, the insurer or nonprofit health service plan corporation may take benefit payments to health maintenance organizations for health care services rendered by providers pursuant to the health care plan.

Sec. 14. [EXAMINATIONS.] Subdivision 1. The board may make an examination of the financial affairs of any health maintenance organization and its contracts, agreements, or other arrangements with providers as often as the board deems necessary for the protection of the interests of the people of this state, but not less frequently than once every three years.

Subd. 2. The board may make an examination concerning the quality of health care services provided to enrollees by

any health maintenance organization and providers with whom such organization has contracts, agreements, or other arrangements pursuant to its health care plan as often as the board deems necessary for the protection of the interests of the people of this state, but not less frequently than once every three years. Provided, that examinations of providers pursuant to this subdivision shall be limited to their dealings with the health maintenance organization and its enrollees.

Subd. 3. In order to accomplish its duties under this section, the board shall have the right to:

(a) Inspect or otherwise evaluate the quality, appropriateness, and timeliness of services performed under such contract; and

(b) Audit and inspect any books and records of a health maintenance organization which pertain to services performed and determinations of amounts payable under such contract.

Subd. 4. Any data or information pertaining to the diagnosis, treatment, or health of any enrollee, or any application obtained from any person, shall be confidential and shall not be disclosed to any person except (a) to the extent that it may be necessary to carry out the purposes of this act; (b) upon the express consent of the enrollee or applicant; (c) pursuant to statute or court order for the production of evidence or the discovery thereof; or (d) in the event of claim or litigation between such person and the provider or health maintenance organization wherein such data or information is pertinent. A health maintenance organization shall be entitled to claim any statutory privileges against such disclosure which the provider who furnished such information to the health maintenance organization is entitled to claim.

Subd. 5. The board shall have the power to administer oaths to and examine witnesses, and to issue subpoenas.

Subd. 6. Reasonable expenses of examinations under this section shall be assessed by the board against the organization being examined, and shall be remitted to the board for deposit in the general fund of the state treasury.

Sec. 15. [SUSPENSION OR REVOCATION OF CERTIFICATE OF AUTHORITY.] Subdivision 1. The board may suspend or revoke any certificate of authority issued to a health maintenance organization under this act if it finds that:

(a) The health maintenance organization is operating significantly in contravention of its basic organizational document, its health care plan, or in a manner contrary to that described in and reasonably inferred from any other information submitted under section 3, unless amendments to such submissions have been filed with and approved by the board;

(b) The health maintenance organization issues evidences of coverage which do not comply with the requirements of section 7;

(c) The health maintenance organization is unable to fulfill its obligations to furnish comprehensive health maintenance services as required under its health care plan;

(d) The health maintenance organization is no longer financially responsible and may reasonably be expected to be unable to meet its obligations to enrollees or prospective enrollees;

(e) The health maintenance organization has failed to implement a mechanism affording the enrollees an opportunity to participate in matters of policy and operation under section 6;

(f) The health maintenance organization has failed to implement the complaint system required by section 11 in a manner designed to reasonably resolve valid complaints;

(g) The health maintenance organization, or any person acting with its sanction, has advertised or merchandised its services in an untrue, misrepresentative, misleading, deceptive, or unfair manner;

(h) The continued operation of the health maintenance organization would be hazardous to its enrollees; or

(i) The health maintenance organization has otherwise failed to substantially comply with this act or has submitted false information in any report required hereunder.

Subd. 2. A certificate of authority shall be suspended or revoked only after compliance with the requirements of section 16.

Subd. 3. When the certificate of authority of a health maintenance organization is suspended, the health maintenance organization shall not, during the period of such suspension, enroll any additional enrollees except newborn children or other newly acquired dependents of existing enrollees, and shall not engage in any advertising or solicitation whatsoever.

Subd. 4. When the certificate of authority of a health maintenance organization is revoked, the organization shall proceed, immediately following the effective date of the order of revocation, to wind up its affairs, and shall conduct no further business except as may be essential to the orderly conclusion of the affairs of the organization. It shall engage in no further advertising or solicitation whatsoever. The board may, by written order, permit further operation of the organization as it may find to be in the best interest of enrollees, to the end that enrollees will be afforded the greatest practical opportunity to obtain continuing health care coverage.

Sec. 16. [DENIAL, SUSPENSION, AND REVOCATION; ADMINISTRATIVE PROCEDURES.] Subdivision 1. When the board has cause to believe that grounds for the denial, suspension or revocation of a certificate of authority exists, it shall notify the health maintenance organization in writing specifically stating the grounds for denial, suspension or revocation and fixing a time of at least 20 days thereafter for a hearing

on the matter, except in summary proceedings as provided in section 18.

Subd. 2. After such hearing, or upon the failure of the health maintenance organization to appear at the hearing, the board shall take action as is deemed advisable and shall issue written findings which shall be mailed to the health maintenance organization. The action of the board shall be subject to judicial review pursuant to Minnesota Statutes, Chapter 15.

Sec. 17. [PENALTIES AND ENFORCEMENT.] Subdivision 1. The board may, in lieu of suspension or revocation of a certificate of authority under section 15, levy an administrative penalty in an amount not less than \$100 nor more than \$10,000. Reasonable notice in writing to the health maintenance organization shall be given of the intent to levy the penalty and the reasons therefor, and the health maintenance organization shall have a reasonable time within which to remedy the defect in its operations which gave rise to the penalty citation, or have an administrative hearing and review of the board's determination. Such administrative hearing shall be subject to judicial review pursuant to Minnesota Statutes, Chapter 15.

Subd. 2. Any person who violates this act or knowingly submits false information in any report required hereunder shall be guilty of a misdemeanor.

Subd. 3. (a) If the board shall, for any reason, have cause to believe that any violation of this act has occurred or is threatened, the board may, before commencing action under sections 15 and 16, and subdivision 1 of this section, give notice to the health maintenance organization and to the representatives, or other persons who appear to be involved in such suspected violation, to arrange a voluntary conference with the alleged violators or their authorized representatives for the purpose of attempting to ascertain the facts relating to such suspected violation and, in the event it appears that any violation has occurred or is threatened, to arrive at an adequate and effective means of correcting or preventing such violation.

(b) Proceedings under this subdivision shall not be governed by any formal procedural requirements, and may be conducted in such manner as the board may deem appropriate under the circumstances.

Subd. 4. (a) The board may issue an order directing a health maintenance organization or a representative of a health maintenance organization to cease and desist from engaging in any act or practice in violation of the provisions of this act.

(b) Within 20 days after service of the order to cease and desist, the respondent may request a hearing on the question of whether acts or practices in violation of this act have occurred. Such hearings shall be subject to judicial review as provided by Minnesota Statutes, Chapter 15.

Subd. 5. In the event of noncompliance with a cease and desist order issued pursuant to subdivision 4, the board may institute a

proceeding to obtain injunctive relief or other appropriate relief in Ramsey county district court.

Sec. 18. [REHABILITATION, LIQUIDATION, OR CONSERVATION OF HEALTH MAINTENANCE ORGANIZATION.] The commissioner may independently, or shall at the request of the board, order the rehabilitation, liquidation or conservation of health maintenance organizations. The rehabilitation, liquidation or conservation of a health maintenance organization shall be deemed to be the rehabilitation, liquidation or conservation of an insurance company and shall be conducted under the supervision of the commissioner and pursuant to Minnesota Statutes, Chapter 60B, except to the extent that the nature of health maintenance organizations render such law clearly inappropriate.

Sec. 19. [REGULATIONS.] The board may, pursuant to Minnesota Statutes, Chapter 15, promulgate such reasonable rules and regulations as are necessary or proper to carry out the provisions of the act. Included among such regulations shall be those which provide minimum requirements for the provision of comprehensive health maintenance services, as defined in section 2, subdivision 7, and reasonable exclusions therefrom.

Sec. 20. [FEES.] Subdivision 1. Every health maintenance organization subject to this act shall pay to the board the following fees:

- (a) For filing an application for a certificate of authority, \$250.
- (b) For filing an amendment to a certificate of authority, \$50.
- (c) For filing each annual report, \$50.
- (d) For other filings, \$25.

Subd. 2. Fees received pursuant to this section shall be deposited in the general fund of the state treasury.

Sec. 21. [STATUTORY CONSTRUCTION AND RELATIONSHIP TO OTHER LAWS.] Subdivision 1. Except as otherwise provided herein, this act does not apply to an insurer or nonprofit health service plan corporation licensed and regulated pursuant to the laws governing such corporations in this state.

Subd. 2. Solicitation of enrollees by a health maintenance organization granted a certificate of authority, or its representatives, shall not be construed to violate any provision of law relating to solicitation or advertising by health professionals.

Subd. 3. Any health maintenance organization authorized under this act shall not be deemed to be practicing a healing art.

Subd. 4. To the extent that it furthers the purposes of this act, the board shall attempt to coordinate the operations of this act relating to the quality of health care services with the operations of 42 U.S.C. Sections 1320c to 1320c-20.

Subd. 5. Except as otherwise provided in this act, provisions of the insurance laws and provisions of nonprofit health service plan corporation laws shall not be applicable to any health maintenance organization granted a certificate of authority under this act.

Subd. 6. Every health maintenance organization shall be subject to the certificate of need act, Minnesota Statutes, Sections 145.71 to 145.83.

Subd. 7. A health maintenance organization shall be deemed to be a prepaid group practice plan for the purposes of Minnesota Statutes, Chapter 43.

Subd. 8. All agents, solicitors, and brokers engaged in soliciting or dealing with enrollees or prospective enrollees of a health maintenance organization, whether employees or under contract to the health maintenance organization, shall be subject to the provisions of Minnesota Statutes, Section 60A.17, and lawful regulations thereunder.

Subd. 9. Any review of the quality or cost of health care services pursuant to the provisions of this act shall be subject to the provisions of Minnesota Statutes, Sections 145.61 to 145.67. For the purposes of this subdivision, the term "review committee" shall be deemed to include, in addition to those functions set forth in Minnesota Statutes, Section 145.61, Subdivision 5, any person or committee conducting a review of the quality or cost of health care services pursuant to any provision of this act.

Sec. 22. [FILINGS AND REPORTS AS PUBLIC DOCUMENTS.] All applications, filings and reports required under this act shall be treated as public documents.

Sec. 23. [STATE BOARD OF HEALTH'S AUTHORITY TO CONTRACT.] The board, in carrying out its obligations under this act, may contract with the commissioner or other qualified persons to make recommendations concerning the determinations required to be made by it. Such recommendations may be accepted in full or in part by the board.

Sec. 24. [REPORT TO THE LEGISLATURE.] The board shall report to the legislature on or before April 1, 1975, as to the following:

(1) The number of applications for certificates of authority which have been filed since the effective date of this act;

(2) The number of certificates of authority granted pursuant to this act;

(3) The number of current enrollees in health maintenance organizations in the state of Minnesota;

(4) The average annual prepayment cost per enrollee in the state of Minnesota;

(5) The conclusions of the board as to the effect of health maintenance organizations on the quality of health care services provided to the people of this state;

(6) The conclusions of the board as to the effects of health maintenance organizations on health care costs and whether any cost savings are being passed on to enrollees in any form; and

(7) Its recommendations as to any changes in this act.

Sec. 25. [PURPOSE.] It is the purpose of sections 25 to 28 to provide financial and technical assistance through planning grants which will stimulate and enable the planning and development of health maintenance organizations designed to efficiently deliver and provide comprehensive health care to groups and areas with the greatest need for care.

Sec. 26. [PLANNING GRANTS AND TECHNICAL ASSISTANCE.] Subdivision 1. The board may make planning grants and provide technical assistance to organizations to carry out the purposes of sections 25 to 28. The board may specify the terms and conditions for the issuance of planning grants except that no organization may receive more than \$50,000 per year for more than two years. A planning grant may be used by the recipient organization as a matching share for any other public or private assistance in planning or implementing a community health maintenance organization.

Subd. 2. Grants made under sections 25 to 28 shall be equally distributed between the area consisting of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, and the area consisting of the remainder of the state so that no more than 55 percent of the total sum granted pursuant to sections 25 to 28 goes to either such area.

Sec. 27. [ELIGIBILITY FOR ASSISTANCE.] Subdivision 1. In order to qualify for assistance under this act an organization must satisfy the criteria established by this section.

Subd. 2. The area for planning and the proposed service area of the health maintenance organization must have insufficient availability of primary health care resources or a substantial population of medically unserved or underserved individuals, as determined by the board. An areawide comprehensive health planning agency, as defined in Minnesota Statutes, Section 145.72, shall provide technical assistance to the board in identifying areas with demographic and geographic health needs.

Subd. 3. The planning organization seeking financial assistance must be a Minnesota nonprofit corporation having a board of directors with a majority composed of health care consumers from the proposed service area, but with additional representation of existing health interests in the area including health providers.

The organization shall assume responsibility for:

(a) Determining and assessing the ongoing health needs of the community, formulating a program to meet such needs, including, but not limited to, an identification of private and public funds which may be available for this purpose;

(b) Coordinating existing health activities where appropriate, and establishing better utilization of existing health facilities, programs, and services, with particular emphasis on health manpower training projects in the area including those for local community residents;

(c) Laying the foundation for a community health maintenance organization; and

(d) Promoting development and expansion of preventive and ambulatory, outpatient services with the objective of replacing crisis medicine with an integrated, comprehensive system of health care.

Sec. 28. [REPORTS.] Planning organizations receiving assistance under sections 25 to 28 shall furnish to the board such timely information and reports as the board deems necessary. The organization shall maintain such records and provide access thereto as the board deems necessary to verify such information and reports.

Sec. 29. [PLANNING GRANTS, ASSISTANCE; APPROPRIATION.] The sum of \$500,000 or so much thereof as may be required is appropriated from the general fund to the state board of health for the purpose of providing grants, under sections 25 to 28, for the planning of health maintenance organizations.

Sec. 30. [GENERAL APPROPRIATION.] The sum of \$. is appropriated from the general fund to the board of health, for the purposes of sections 1 to 24, for the biennium beginning July 1, 1973, and ending June 30, 1975."

Further, amend the title on page 1, as follows:

Line 2, strike "establishing a"

Strike lines 3 and 4

Line 7, after the semicolon and before "and" insert "providing for financial assistance to certain health maintenance organizations; providing for open enrollment in certain health plans; appropriating money;"

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

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

S. F. No. 1032: A bill for an act relating to workmen's compensation; providing certain exemptions from liability; raising minimum weekly benefits; coordinating the payment of workmen's compensation death benefits with governmental death benefits; extending coverage to occupational diseases; amending Minnesota Statutes 1971, Sections 176.031; 176.101, Subdivisions 1, 2, and 3; 176.111, Subdivisions 19, 20, and by adding a subdivision; 176.131, Subdivision 7; 176.132, Subdivision 2; 176.151; 176.66, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 176.66, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 176.661 to 176.668.

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

Page 11, line 18, strike "\$35,000" and insert "\$40,000"

Page 12, line 1, strike "\$35,000" and insert "\$40,000"

Page 12, strike all of line 20

Page 12, line 21, strike "*benefits under the government program*"

and insert, "*that no state workmen's compensation death benefit shall be paid for any week in which the survivor benefits paid under the federal program*"

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. 1540: A bill for an act relating to St. Louis county, authorizing the establishment of a county charter commission.

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. Within 30 days of the effective date of this act the judges of the district court for St. Louis county shall appoint a charter commission to frame a charter to provide for the form of government of St. Louis county as provided in this act. Such charter commission shall be composed of not less than seven nor more than fifteen persons, as shall be determined by the appointing authority. The commission members shall be qualified voters in St. Louis county. No person shall be disqualified from serving on the charter commission by reason of his holding any elective or appointive office, except judicial.

Sec. 2. Subdivision 1. Charter commission members shall hold office until a final report has been made as provided in section 3. Vacancies shall be filled by the appointing authority. Appointments shall be made by filing such appointments with the county auditor and the appointee shall file acceptance of the appointment with the county auditor within 10 days or the appointee shall be deemed to have declined the appointment.

Subd. 2. The charter commission shall meet within 30 days after the initial appointment and shall elect a chairman from their number and shall establish rules, including quorum requirements for their operations and procedures.

Subd. 3. The members of the charter commission shall receive no compensation. \$10,000 shall be appropriated by the board of county commissioners to the charter commission; such amount shall be used to employ research and clerical assistance, for supplies, for meeting expenses and such other expenses, as shall be deemed necessary by the charter commission. The county board may authorize additional commission expenses as it deems necessary. Any employees shall be in the unclassified service of the county. The charter commission shall have the right to request and receive assistance from any county official. If requested, the St. Louis county civil service commission shall assist the charter commission in testing and hiring of employees and the county attorney shall render any and all legal services as may be requested. The appropriation provided in this subdivision shall not be sub-

ject to the tax levy limitations as provided in Minnesota Statutes, Chapter 275 or any other provision of law.

Sec. 3. Prior to June 1, 1974, the charter commission shall deliver to the county auditor either (1) its report determining that the present form of county government is adequate for the county and that a new charter is not necessary or desirable, or (2) a draft of a proposed charter. The report shall be signed by a majority of the members of the charter commission. Such proposed charter may provide for any form of government not inconsistent with the constitution of the state of Minnesota, and may provide for the establishment and administration of all departments of a county government and for the regulation of all local county functions. It may abolish or consolidate any department or agency or any elective office now existing at the expiration of the present term of the incumbent elective officer.

It shall provide for present functions to be assumed by new elective or appointive officers as shall be provided for in the charter. It shall provide methods of procedure in respect to the operation of the government thereby created and the duties of all officers. The county may be authorized to acquire by gift, devise, purchase or condemnation any property needed for the full discharge of its duties and powers. All special and general laws authorizing the county to incur indebtedness or issue bonds shall continue in full force and effect. The county shall continue to have all the powers granted by law.

Sec. 4. Subdivision 1. Upon delivery of the proposed charter to the county auditor, the county auditor shall cause it to be submitted to the voters at the general election in 1974. The election shall be conducted as nearly as possible in accordance with Minnesota Statutes, Chapter 372. The notice of election shall contain the complete charter and shall be published once a week for two successive weeks in the official newspaper of the county.

Subd. 2. The ballot shall be in the following form:

"Shall the proposed new charter be adopted?

Yes_____

No_____"

Sec. 5. If 55 percent of the votes cast on the proposition are in favor of the proposed charter, it shall be adopted. The charter shall take effect two years after the election. Thereupon the courts shall take judicial notice of the new charter and upon the election or appointment of officers thereunder the former officials of St. Louis county shall deliver to them all records, money and other public property under their control.

Sec. 6. This act is effective upon its approval by a majority of the members of the board of county commissioners of St. Louis county and upon compliance with Minnesota Statutes, Section 645.021."

Strike the title and insert in lieu thereof:

"A bill for an act relating to St. Louis county, providing for a

charter commission to recommend a form of county government and providing for its adoption."

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. 452: A bill for an act relating to the city of St. Paul; providing for a change in the election of members of the council.

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

Page 1, line 8, after "equal" insert "so far as possible"

Line 8, after "population" strike the remainder of the line and insert in lieu thereof "60 days prior to the first day for filing"

Line 9, strike "time"

Line 9, strike "primary and general" and insert in lieu thereof "city"

Line 9, after "elections" strike "in 1974"

Line 10, before "general" insert "city"

Line 10, after "election" strike "of 1974" and insert in lieu thereof "next following the effective date of this act"

Line 10, after "councilmen" insert "who shall be residents of the district"

Line 17, after the period insert the following new sentence: "After the 1980 federal census and each federal census every ten years thereafter, the city council shall reapportion as necessary the four council districts provided herein."

Line 22, strike the period and insert " ; provided that notwithstanding the provisions of Minnesota Statutes, section 645.021, subdivision 1, relating to expiration of special laws, this act shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters."

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. 1160: A bill for an act relating to natural resources and the environment; establishing the environmental quality council;

stating the powers and duties of the council; providing a penalty; appropriating money 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 the following:

"Section 1. [FINDINGS.] The legislature of the state of Minnesota finds that problems related to the environment often encompass the responsibilities of several state agencies and that solutions to these environmental problems require the interaction of these agencies.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purpose of this act, the following terms have the meaning given them.

Subd. 2. "Council" means Minnesota environmental quality council.

Sec. 3. [CREATION OF THE ENVIRONMENTAL QUALITY COUNCIL; MEMBERSHIP; CHAIRMAN; STAFF.] Subdivision 1. An environmental quality council, designated as the Minnesota environmental quality council, is hereby created.

Subd. 2. The council shall include as permanent members the director of the state planning agency, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the executive officer of the department of health, the commissioner of highways, a representative of the governor's office designated by the governor, the chairman of the citizens advisory committee, and two other members of the citizens advisory committee as designated by the governor.

Subd. 3. The director of the state planning agency shall be the chairman of the council.

Subd. 4. The state planning agency shall provide continuous staff support for the council and direct the work of the staff. The director of the state planning agency shall employ staff or consultants as required by the council. The council shall have the authority to request and require staff support from all other agencies of state government as needed for the execution of the responsibilities of the council.

Sec. 4. [POWERS AND DUTIES.] Subdivision 1. The powers and duties of the Minnesota environmental quality council shall be as provided in this section and as otherwise provided by law or executive order. Actions of the council shall be taken only upon a majority vote of all the permanent members of the council at an open meeting. Actions of the council shall be binding upon all state agencies, notwithstanding any other provisions of law to the contrary.

Subd. 2. (a) The council shall determine which environmental problems of interdepartmental concern to state government shall be considered by the council. The council shall initiate interdepartmental investigations into those matters that it determines

are in need of study. Topics for investigation may include but need not be limited to future population and settlement patterns, air and water resources and quality, solid waste management, transportation and utility corridors, economically productive open space, energy policy and need, growth and development, and land use planning.

(b) The council shall review programs of state agencies that significantly affect the environment and coordinate those it determines are interdepartmental in nature, and shall resolve conflicts between state agencies concerning environmental matters and insure agency compliance with state environmental policy.

(c) The council shall review environmental regulations and criteria for granting and denying permits by state agencies and shall resolve conflicts involving state agencies with regard to environmental regulations, permits, and procedures.

(d) State agencies shall submit to the council all proposed legislation of major significance relating to the environment and the council shall submit a report to the governor and the legislature indicating approval or disapproval of such major environmental proposals of state agencies and listing the reasons for such action.

Subd. 3. The council shall cooperate with regional development commissions in appropriate matters of environmental concern.

Subd. 4. The council may establish interdepartmental or citizen task forces or subcommittees to study particular problems.

Subd. 5. Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the council may adopt, amend, and rescind rules governing its own administration and procedure and its staff and employees.

Subd. 6. The council shall assist and advise the governor on all environmental issues in which action or comment by the governor is required by law or is otherwise appropriate.

Subd. 7. At its discretion, the council shall convene an annual environmental quality council congress including, but not limited to, representatives of state, federal and regional agencies, citizen organizations, associations, industries, colleges and universities, and private enterprises who are active in or have a major impact on environmental quality. The purpose of the congress shall be to receive reports and exchange information on progress and activities related to environmental improvement.

Subd. 8. The council shall provide the citizens advisory committee established in section 5 with such administrative, clerical and technical assistance as may be required by the committee to carry out its functions.

Subd. 9. The council shall meet with the citizens advisory committee established in section 5 at least four times a year, at approximately three-month intervals, to receive advice from the committee and to coordinate the activities of the council and the committee.

Sec. 5. [CITIZENS ADVISORY COMMITTEE.] Subdivision 1.

There is established a citizens advisory committee composed of one resident from each congressional district and three members at large as a vehicle for citizen participation in the activities of the council. The governor shall appoint the members of the citizens advisory committee and the committee annually shall elect one of their members to serve as chairman. Members of the committee shall serve four-year terms coterminus with the governor. Each member shall receive as compensation for his services the sum of \$35 per day or fraction thereof spent in attending meetings of the citizens advisory committee or in performing other duties required by law, and each member of the committee shall be reimbursed for actual and necessary expenses incurred in the performance of his duties.

Subd. 2. The duties and functions of the committee shall be as follows:

(a) To review and appraise the various programs and activities of the state government in light of environmental quality concerns for the purpose of determining the extent to which such programs and activities are contributing to state environmental policies and goals;

(b) To hold meetings throughout the state as it deems necessary for the purpose of gathering information on public and private opinions concerning the adequacy of the state's environmental quality policies and the extent to which these policies are being implemented;

(c) To give advice and counsel to the council; and

(d) To make recommendations to the governor, legislature and the public on or before December 31 of each year regarding any needed state policy or program changes to foster and promote the improvement of environmental quality.

Sec. 6. [HEARINGS.] Subdivision 1. The council shall hold public hearings on matters that it determines to be of major environmental impact. The council shall prescribe by rule and regulation in conformity to the provisions of Minnesota Statutes, Sections 15.0411 to 15.0423, inclusive, the procedures for the conduct of all hearings and review procedures.

Subd. 2. The council may delegate its authority to conduct a hearing to a hearings officer. The hearings officer shall have the same power as the council to compel the attendance of witnesses to examine them under oath, to require the production of books, papers, and other evidence, and to issue subpoenas and cause the same to be served and executed in any part of the state. The hearings officer shall be knowledgeable in matters of law and the environment.

If a hearings officer conducts a hearing, he shall make findings of fact and submit them to the council. The transcript of testimony and exhibits shall constitute the exclusive record upon which such findings are made. The findings shall be available for public inspection.

Subd. 3. After receipt of the findings of fact of the hearings

officer, the council shall make recommendations to the governor and legislature as to administrative and legislative actions to be considered in regard to the matter.

Sec. 7. [POLICY; LONG-RANGE PLAN; PURPOSE.] Consistent with the policy announced herein, the council shall, before November 15, of each even-numbered year, prepare a long-range plan and program for the effectuation of said policy, and shall make a report to the governor and the legislature of progress on those matters assigned to it by law.

Sec. 8. [FEDERAL FUNDS; DONATIONS.] The council may apply for, receive, and disburse federal funds made available to the state by federal law or rules promulgated thereunder for any purpose related to the powers and duties of the council. The council shall comply with any and all requirements of such federal law or such rules and regulations promulgated thereunder in order to apply for, receive, and disburse such funds. The council is authorized to accept any donations or grants from any public or private concern. All such moneys received by the council shall be deposited in the state treasury and are hereby appropriated to it for the purpose for which they are received.

Sec. 9. [APPROPRIATION.] There is hereby appropriated \$200,000 from the general fund for the operation of the council."

Strike the title and insert in lieu thereof:

"A bill for an act relating to natural resources and the environment; establishing the Minnesota environmental quality council; stating the powers and duties of the council; appropriating money."

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

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

S. F. No. 844: A bill for an act relating to game and fish; exporting of fish by private fish hatcheries; amending Minnesota Statutes 1971, Section 97.48, Subdivision 22.

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. 1051: A bill for an act relating to safety; requiring the safety glazing of certain glass or plastic panels for doors and enclosures; providing a penalty.

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

Page 4, line 11, strike "whether"

Page 5, line 3, strike "gross" ; insert a period after "misdemeanor" and strike "and, upon"

Strike all of lines 4, 5 and 6.

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

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

S. F. No. 60: A bill for an act relating to motor vehicles; regulating the type and use of tires on vehicles using the highways; providing for a study of the effect of the use of wire embedded tires on highways; empowering the commissioner of highways to authorize the use of such tires under certain conditions; amending Minnesota Statutes 1971, Section 169.72, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1971, Section 169.72, Subdivision 2.

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. 1421: A bill for an act relating to education; community school program; continuing and increasing certain reimbursements to participating school districts; appropriating money therefor; amending Minnesota Statutes 1971, Section 121.89.

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

Page 2, line 11, after "*Statutes*" strike "1971"

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

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

S. F. No. 1699: A bill for an act relating to education; veteran farmer cooperative training program; appropriating money.

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

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

S. F. No. 662: A bill for an act relating to the department of manpower services; changing the name thereof to the department of employment security; amending Minnesota Statutes 1971, Sections 268.12, Subdivision 1a; and 268.24.

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

Page 1, line 13, strike "*security*" and insert "*services*"

Line 16, strike "*security*" and insert "*services*"

Line 21, strike "*security*" and insert "*services*"

Lines 27 and 28, strike "*This act is in effect on and after January 1, 1973, but*" and insert in lieu thereof "*This act is effective on the day next following enactment; provided, that the change of name of the department of manpower services to the department of employment services shall be effective January 1, 1974; and provided further, that*"

Page 1, lines 29 and 30, strike "*for a period of six months thereafter*" and insert in lieu thereof "*until exhausted*"

Further, amend the title as follows: line 4, strike "*security*" and insert "*services*"

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

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

S. F. No. 1636: A bill for an act relating to public libraries; providing state aid for certain libraries; and appropriating money therefor.

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

Page 1, line 6, strike "*region*" and insert "*system*"

Page 1, line 7, after "*Section*" insert "*375.33,*" and after "*471.59*" add "*and the Southeastern Libraries Cooperating (SELCO) organized as a non-profit corporation*"

Page 1, line 12, after "*such*" delete "*library or*"

Page 1, lines 13 through 21, delete Section 2 in its entirety.

Renumber Sections accordingly.

Page 1, line 22, after "*any*" delete "*library or*"

Page 1, line 25, after "*by the*" and before "*board*" delete "*library*"; and after "*of the*" delete "*recipient library or*"

Page 2, line 17, delete "*\$3,681,360*" and insert "*\$3,911,541 annually*"

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

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

S. F. No. 746: A bill for an act relating to securities; repealing Minnesota Statutes 1971, Chapter 80.

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

Page 5, line 11, insert a comma after the word "*effect*" and strike "*and*"

Page 5, line 12, after "section 7," insert "and all of the requirements of this subdivision and subdivision 3 have been complied with,"

Page 8, line 25, after the period, add a new sentence, "This subdivision shall not be construed to prohibit charges by an investment adviser based upon the total value of the assets under management averaged over a definite period, or as of definite dates, or taken as of a definite date, nor charges based upon the performance of the managed assets as compared to an established index in compliance with rules promulgated by the commissioner."

Page 9, line 14, after "has" insert "willfully"

Page 16, line 20, strike "post-effective" and insert "price"

Page 19, line 12, strike "not"

Page 25, line 5, after "state." begin a new paragraph with the word "A"

Page 27, line 14, strike "new" and insert "news"

Page 28, following line 18, insert a new clause (1) to read, "(1) 'Purchasing for investment' means a purchase made for investment and not for the purpose of resale. In determining whether securities have been purchased for investment, the length of the period for which the securities are held will be one of the factors considered. Securities held for two years after their purchase shall be conclusively deemed to have been purchased for investment."

Reletter clauses accordingly.

Page 34, strike lines 20 through the words "offerees or" in line 27 and insert,

"(h) Any sales by an issuer to such number of persons as, when aggregated with the number of persons to whom sales have been made pursuant to clauses (a) or (k) of this section, shall not exceed 25 persons in this state (other than those designated in clause (g) during any period of 12 consecutive months, whether or not any of the"

Page 36, line 5, before the period insert, "; and any offer of a security if the sale of such security is or would be exempt under this section. The commissioner may by rule exempt such other offers (but not sales) of securities for which a registration statement has been filed as he deems appropriate, consistent with the purposes of this act"

Page 36, line 11, before the period insert, ", or when such securities are issued as patronage dividends"

Page 36, line 12, after "securities" insert, ", including offers and sales pursuant to preorganization subscriptions for the securities of an issuer to be formed,"

Page 36, lines 12 and 13, strike the words "an incorporated issuer" and insert "a corporation"

Page 36, line 16, strike "and not with a view toward resale"

Page 36, lines 23 and 24, strike "ten upon a showing of sufficient cause therefor" and insert "of persons to whom sales may be made under this exemption"

Page 37, after line 9, insert:

"(n) The distribution by a corporation of its or other securities to its own security holders as a stock dividend or as a dividend from earnings or surplus or as a liquidating distribution; or upon conversion of an outstanding convertible security; or pursuant to a stock split or reverse stock split.

(o) Any offer or sale of securities by an affiliate of the issuer thereof if: (1) a registration statement is in effect with respect to securities of the same class of such issuer and (2) such offer or sale has been exempted from registration by rule or order of the commissioner."

Page 44, line 5, strike "act" and insert "acts"

Page 46, strike lines 7 through 10 and insert:

"Subd. 2. Any person who violates section 1 in connection with the purchase or sale of any security shall be liable to any person damaged thereby who sold such security to him or to whom he sold such security, and any person who violates section 3 in connection with the purchase or sale of any security shall be liable to any person damaged by the conduct prescribed by section 3. Any person who violates section 2 in connection with the purchase or sale of any security shall be liable to any investment advisory client of his who is damaged thereby. Damages in an action pursuant to this subdivision shall include the actual damages sustained plus interest from the date of payment or sale, costs and reasonable attorney's fees."

Page 47, line 3, strike "specified" and insert, "computed pursuant to subdivision 1 of this section"

Page 49, line 2, strike "an" and insert "any"

Page 52, line 11, before "18" strike "and"

Page 52, line 11, after "18" insert, " ; and 23"

Page 58, line 15, after "receipts" insert, "or other evidence of ownership"

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. Nos. 309, 490, 904, 1075, 1568, 1255, 1429, 1185, 942, 694, 869, 946 and 600 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. Nos. 490 and 904 to the Committee on Judiciary.

H. F. No. 309 to the Committee on Labor and Commerce.

H. F. No. 1075 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1568 to the Committee on Transportation and General Legislation.

The following House Files were found identical and recommends the House Files be given their Second Reading and substituted for its companion Senate File as follows:

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.
1255	1524	1185	1553		
1429	1419				

And that the above Senate Files 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.
942	902				
694	618				
869	931				
946	936				
600	759				

Pursuant to Rule 49 the Committee recommends that H. F. No. 942 be amended as follows:

Page 1, line 12, delete "[104.10]" and insert in lieu "[104.25]"

Page 2, line 24, delete ", or *eminent domain*,"

Page 3, line 19, delete "*stand*" and insert in lieu "*state*"

And when so amended, H. F. No. 942 will be identical to S. F. No. 902 and further recommends that H. F. No. 942 be given its second reading and substituted for S. F. No. 902 and S. F. No. 902 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 694 be amended as follows:

Page 8, line 24, delete "*maximum*"

Page 8, line 25, delete "\$27,700,000" and insert in lieu "\$23,-025,000"

Page 8, line 26, after "1 to 5." insert: "*The state auditor may sell or issue an additional \$2,350,000 of bonds, but no part thereof shall be expended unless equally matched by other than state appropriations.*"

And when so amended, H. F. No. 694 will be identical to S. F. No. 618 and further recommends that H. F. No. 694 be given its second reading and substituted for S. F. No. 618 and S. F. No. 618 be indefinitely postponed. Amendment adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 869 be amended as follows:

“CORPORATIONS.] Notwithstanding any ordinance, municipal charter provision or any law to the contrary, on-sale licenses for the sale of intoxicating liquor may be issued to any non-profit corporation organized prior to January 1, 1962 to promote, stimulate and support community education, appreciation and development of the theater and cultural arts through dramatic performances and other means which has operated a repertory theater in a city of the first class since at least January 1, 1964 upon payment of the regular on-sale license fee therefor to the municipality wherein the licensed premises are located.”

Page 1, line 28, strike *“shall apply.”*

Page 2, line 3, strike *“shall become”* and insert in lieu *“becomes”*

And when so amended, H. F. No. 869 will be identical to S. F. No. 931 and further recommends that H. F. No. 869 be given its second reading and substituted for S. F. No. 931 and S. F. No. 931 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 946 be amended as follows:

Page 1, line 9, delete *“or patient”*

And when so amended, H. F. No. 946 will be identical to S. F. No. 936 and further recommends that H. F. No. 946 be given its second reading and substituted for S. F. No. 936 and S. F. No. 936 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 600 be amended as follows:

Page 1, line 18, strike *“and includes any person designated by him”* and insert in lieu *“or his designee”*

Page 3, after line 20, 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 a 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 16, line 8, strike *“he determines”* and insert in lieu *“is”*

Page 22, line 19, strike *“A majority”* and insert in lieu *“Five members”*

Page 22, line 21, after *“Minnesota”* insert *“and two members shall be public members”*

Page 22, strike lines 25 through 27 and insert in lieu *“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 23, line 1, after *“years”* and before the period 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 33, line 9, after "to" insert "knowingly"

Page 33, delete lines 24 through 26

Page 33, line 27, strike "Subd. 19" and insert in lieu "Subd. 18"

Page 34, line 9, after "82.14," insert "82.15,"

Further, amend the title by striking line 7 and inserting in lieu "Sections 82.01 to 82.16."

And when so amended, H. F. No. 600 will be identical to S. F. No. 759 and further recommends that H. F. No. 600 be given its second reading and substituted for S. F. No. 759 and S. F. No. 759 be indefinitely postponed. Amendments adopted.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1278, 752, 1261, 1164, 919, 1560, 1032, 1540, 452, 844, 1051, 60 and 662 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 818, 1434, 847, 843, 1166, 1255, 1429, 1185, 942, 694, 869, 946 and 600 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Krieger moved that S. F. No. 342 be taken from the table. Which motion prevailed.

Mr. Krieger moved that the Senate do not concur in the amendments by the House to S. F. No. 342 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

SUSPENSION OF RULES

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

REPORT FROM THE COMMITTEE ON RULES AND ADMINISTRATION

Pursuant to Rule 10, Mr. Coleman, for the Committee on Rules and Administration, designates all of the bills on the General Or-

ders Calendar for Saturday, April 14, 1973, as a Special Order for today, to be considered immediately.

Mr. Coleman moved the adoption of the foregoing Committee report. Which motion prevailed. Report adopted.

SUSPENSION OF RULES

Mr. Kleinbaum 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. 946 and that the rules of the Senate be so far suspended as to give H. F. No. 946 its third reading and placed on its final passage. Which motion prevailed.

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.

Mr. Kleinbaum moved to amend H. F. No. 946, the printed bill, as follows:

Page 1, after line 5, insert:

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

Which motion prevailed. So the amendment was adopted.

H. F. No. 946 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Brown voted in the negative.

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

SPECIAL ORDER

H. F. No. 437: A bill for an act relating to highway traffic regulations; unsafe equipment; prohibiting design modifications of certain vehicles without approval of the commissioner of pub-

lic safety; prescribing penalties; amending Minnesota Statutes 1971, Section 169.47.

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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

Mr. Stokowski moved to amend H. F. No. 1187, the printed bill, as follows:

Page 1, line 8, strike "*entitled to*" and insert in lieu thereof "*eligible for*"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1187 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S. F. No. 627: A bill for an act relating to motor vehicles; licensing and taxation thereof; providing penalties; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 16 and 17; 168.013, Subdivisions 1, 3, 12, and 15; 168.12, Subdivision 1; and 168.29; repealing Minnesota Statutes 1971, Sections 168.011, Subdivision 24; 168.013, Subdivisions 1a, 10, and 13; 168.015; and 168.165.

Mr. Arnold moved to amend S. F. No. 627 as follows:

Page 4, line 23, after "lumber," insert "chips,"

Page 12, strike lines 4 through 18 and insert in lieu thereof:

"Provided however, that on all trucks, except those in this chapter defined as farm trucks and urban trucks, having a gross weight in excess of 18,000 pounds but less than 27,001 pounds, the tax shall be:

(a) For the registration year 1976, 70 per cent of the applicable Schedule I or Schedule II of this subdivision;

(b) For the registration year 1977, 80 per cent of the applicable Schedule I or Schedule II of this subdivision;

(c) For the registration year 1978, 90 per cent of the applicable Schedule I or Schedule II of this subdivision;

(d) For the registration year 1979 and thereafter, 100 per cent of the applicable Schedule I or Schedule II of this subdivision."

Page 23, line 8, after "percent" insert "or 1000 pounds, whichever is greater"

Page 24, line 3, after "four percent" insert "or 1000 pounds, whichever is greater,"

Page 24, line 6, after "four percent" insert "or 1000 pounds, whichever is greater,"

Page 31, at the end of line 3 insert "Provided, however, that a vehicle defined as an urban truck or trailer pursuant to Minnesota Statutes 1971, Section 168.013, Subdivision 1, clause 5(f), shall be eligible for registration for the year 1976 according to the provisions of Minnesota Statutes 1971, Section 168.013, Subdivision 1, clause 5(f). Such urban vehicles shall be subject to this act for the registration year 1977 and subsequent years."

Which motion prevailed. So the amendment was adopted.

S. F. No. 627 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 56 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Josefson	Olson, H. D.	Renneke	Tennessen
Hansen, Baldy	Novak	Patton	Schrom	

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

SPECIAL ORDER

S. F. No. 794: A bill for an act relating to alcoholic beverages; places where possession prohibited; providing a penalty; amending Minnesota Statutes 1971, Section 624.701.

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 48 and nays 14, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Josefson	Nelson	Renneke
Ashbach	Davies	Keefe, J.	Novak	Schrom
Bang	Doty	Kirchner	Olhoft	Sillers
Berg	Dunn	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Fitzsimons	Knutson	Olson, H. D.	Stassen
Borden	Gearty	Kowalczyk	Olson, J. L.	Tennessen
Brown	Hansen, Baldy	Larson	O'Neill	Wegener
Chenoweth	Hansen, Mel	McCutcheon	Patton	Willet
Chmielewski	Hanson, R.	Milton	Pillsbury	
Coleman	Hughes	Moe	Purfeerst	

Those who voted in the negative were:

Anderson	Keefe, S.	Lewis	Perpich, A. J.	Stokowski
Blatz	Krieger	Lord	Perpich, G.	Ueland
Humphrey	Laufenburger	North	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 127: A bill for an act relating to Itasca county; authorizing the issuance of an on-sale license for the sale of intoxicating liquor.

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 56 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Josefson	Kirchner	Novak	Olson, J. L.	Stassen
Keefe, J.	Laufenburger	Olhoft	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 420: A bill for an act relating to savings banks; authorizing and regulating the making of consumer installment loans.

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 50 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Josefson	McCutcheon	Perpich, G.
Arnold	Davies	Keefe, J.	Milton	Pillsbury
Bang	Doty	Keefe, S.	Moe	Renneke
Berg	Dunn	Kirchner	Nelson	Schaaf
Bernhagen	Fitzsimons	Kleinbaum	North	Solon
Blatz	Gearty	Kowalczyk	Ogdahl	Spear
Borden	Hansen, Mel	Larson	Olson, A. G.	Stassen
Brown	Hanson, R.	Laufenburger	Olson, H. D.	Stokowski
Chenoweth	Hughes	Lewis	Olson, J. L.	Tennessen
Chmielewski	Humphrey	Lord	Perpich, A. J.	Thorup

Those who voted in the negative were:

Conzemius	Knutson	Olhoft	Schrom	Willet
Frederick	Krieger	Patton	Sillers	
Hansen, Baldy	Novak	Purfeerst	Wegener	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 695: A bill for an act relating to savings banks; investments, loans and powers; amending Minnesota Statutes 1971, Section 50.14, Subdivision 5; and Chapter 50, by adding sections.

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 40 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Keefe, J.	Moe	Pillsbury
Arnold	Davies	Keefe, S.	Nelson	Schaaf
Bang	Doty	Kowalczyk	North	Solon
Berg	Dunn	Larson	Ogdahl	Spear
Blatz	Fitzsimons	Laufenburger	Olson, A. G.	Stassen
Borden	Gearty	Lewis	Olson, H. D.	Stokowski
Brown	Humphrey	McCutcheon	Perpich, A. J.	Tennessen
Chenoweth	Josefson	Milton	Perpich, G.	Thorup

Those who voted in the negative were:

Ashbach	Hansen, Baldy	Knutson	Olson, J. L.	Sillers
Bernhagen	Hansen, Mel	Krieger	Patton	Ueland
Coleman	Hansen, R.	Lord	Purfeerst	Wegener
Conzemius	Hughes	Novak	Renneke	Willet
Frederick	Kleinbaum	Olhoft	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1182: A bill for an act relating to Houston county; providing for a county licensing bureau.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1114: A bill for an act relating to counties; authorizing counties to enter into rental purchase agreements and conditional sales agreements for acquisition of road equipment subject to limitations; amending Minnesota Statutes 1971, Section 373.01.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 423: A bill for an act relating to St. Louis county; revising the composition of the county welfare board; amending Laws 1907, Chapter 222, Section 1, Subdivisions 1, 2 and 3, as amended; amending Minnesota Statutes 1971, Section 393.01, Subdivision 5.

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:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1047: A bill for an act relating to the registration and use of snowmobiles; requiring snowmobile operators to stop when signaled to stop by a law enforcement officer; amending Minnesota Statutes 1971, Chapter 84, by adding a section.

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 46 and nays 17, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kleinbaum	Olson, A. G.	Sillers
Bang	Frederick	Knutson	Olson, H. D.	Solon
Berg	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Patton	Tennessen
Borden	Hanson, R.	Lord	Perpich, G.	Wegener
Brown	Hughes	McCutcheon	Pillsbury	Willet
Chenoweth	Josefson	Milton	Purfeerst	
Davies	Keefe, J.	Moe	Renneke	
Doty	Keefe, S.	North	Schaaf	
Dunn	Kirchner	Olhoft	Schrom	

Those who voted in the negative were:

Ashbach	Conzemius	Larson	O'Neill	Ueland
Blatz	Hansen, Baldy	Lewis	Perpich, A. J.	
Chmielewski	Humphrey	Novak	Spear	
Coleman	Krieger	Ogdahl	Stassen	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 492: A bill for an act relating to the village of Prior Lake; authorizing the village to conduct public or private sales of its surplus park lands, proceeds to be dedicated to park capital fund.

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 54 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kirchner	Ogdahl	Schrom
Arnold	Davies	Kleinbaum	Olhoft	Solon
Bang	Dunn	Knutson	Olson, A. G.	Spear
Berg	Fitzsimons	Krieger	Olson, J. L.	Stassen
Bernhagen	Frederick	Larson	Patton	Stokowski
Blatz	Gearty	Lewis	Perpich, A. J.	Tennessen
Borden	Hansen, Baldy	Lord	Perpich, G.	Thorup
Brown	Hanson, R.	Milton	Pillsbury	Ueland
Chenoweth	Hughes	Moe	Purfeerst	Wegener
Chmielewski	Keefe, J.	North	Renneke	Willet
Coleman	Keefe, S.	Novak	Schaaf	

Those who voted in the negative were:

Ashbach	Hansen, Mel	Josefson	McCutcheon	O'Neill
Doty	Humphrey	Kowalczyk	Nelson	Sillers

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 527: A bill for an act relating to education, teachers;

termination of a teaching contract after probationary period; amending Minnesota Statutes 1971, Section 125.12, Subdivision 4.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1211: A bill for an act relating to independent school district No. 447 in Roseau, Marshall and Beltrami counties; providing certain statutory exemptions.

Mr. Fitzsimons moved to amend S. F. No. 1211 as follows:

Amend the title as follows:

Page 1, line 5, after "exemptions" insert "and validating the status of the district as an independent school district and the power of the district to issue previously authorized general obligation bonds"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1211: A bill for an act relating to independent school district No. 447 in Roseau, Marshall and Beltrami counties; providing certain statutory exemptions, and validating the status of the district as an independent school district and the power of the district to issue previously authorized general obligation bonds.

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

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

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Conzemius	Hansen, Baldy	Keefe, J.
Arnold	Borden	Doty	Hansen, Mel	Keefe, S.
Ashbach	Brown	Dunn	Hanson, R.	Kirchner
Bang	Chenoweth	Fitzsimons	Hughes	Kleinbaum
Berg	Chmielewski	Frederick	Humphrey	Knutson
Bernhagen	Coleman	Gearty	Josefson	Kowalczyk

Krieger	Nelson	O'Neill	Schaaf	Tennessen
Larson	North	Patton	Schrom	Thorup
Laufenburger	Novak	Perpich, A. J.	Sillers	Ueland
Lewis	Ogdahl	Perpich, G.	Solon	Wegener
McCutcheon	Olhoff	Pillsbury	Spear	Willet
Milton	Olson, H. D.	Purfeerst	Stassen	
Moe	Olson, J. L.	Renneke	Stokowski	

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

SPECIAL ORDER

S. F. No. 1233: A bill for an act relating to veterans; regulating the appointment, term and compensation of veterans service officers; amending Minnesota Statutes 1971, Section 197.60, Subdivisions 1, 2 and 3.

Mr. Davies moved to amend S. F. No. 1233 as follows:

Page 1, line 14, strike "*shall*" and insert "*may*"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1233 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H. F. No. 540: A bill for an act relating to investments; investment of state and firemen's relief association funds; amending Minnesota Statutes 1971, Sections 11.16, Subdivision 13; 11.18, Subdivision 2; 11.19, Subdivision 2; 11.26, Subdivisions 5 and 6; 69.77, Subdivision 2; and 69.775.

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

CALL OF THE SENATE

Mr. Brown imposed a call of the Senate on H. F. No. 540.

The following Senators answered to their names:

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

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

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:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the bills not considered under Special Orders today be returned to the General Orders Calendar. Which motion prevailed.

SUSPENSION OF RULES

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

THIRD READING OF SENATE BILLS

S. F. No. 122: A bill for an act relating to public records; accessibility for research; amending Minnesota Statutes 1971, Section 15.17, Subdivision 4.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 255: A bill for an act relating to eminent domain; rental of certain property acquired thereunder; compensation for taxes and assessments; amending Minnesota Statutes 1971, Section 117.135.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 256: A bill for an act relating to taxation; providing for the payment of taxes and assessments on property acquired by the state or a political subdivision thereof, amending Minnesota Statutes 1971, Section 272.68, Subdivision 1.

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:

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

So the bill passed and its title was agreed to.

S. F. No. 257: A bill for an act relating to highways; authorizing the commissioner of highways to lease certain real estate acquired for trunk highway purposes, and providing for the distribution of rents therefor; amending Minnesota Statutes 1971, Section 161.23, Subdivision 3.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1027: A bill for an act relating to St. Louis county; providing for certain changes in the county civil service; amending Laws 1941, Chapter 423, Section 21, as amended.

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 60 and nays 5, as follows:

Those who voted in the affirmative were:

Arnold	Blatz	Chmielewski	Doty	Hansen, Mel
Ashbach	Borden	Coleman	Fitzsimons	Hanson, R.
Bang	Brown	Conzemius	Gearty	Hughes
Berg	Chenoweth	Davies	Hansen, Baldy	Humphrey

Josefson	Larson	Novak	Perpich, A. J.	Spear
Keefe, J.	Laufenburger	Ogdahl	Perpich, G.	Stassen
Keefe, S.	Lewis	Olhoft	Pillsbury	Stokowski
Kirchner	Lord	Olson, A. G.	Purfeerst	Tennessee
Kleinbaum	McCutcheon	Olson, H. D.	Renneke	Thorup
Knutson	Milton	Olson, J. L.	Schaaf	Ueland
Kowalczyk	Moe	O'Neill	Schrom	Wegener
Krieger	North	Patton	Solon	Willet

Those who voted in the negative were:

Bernhagen	Dunn	Frederick	Nelson	Sillers
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So the bill passed and its title was agreed to.

S. F. No. 1079: A bill for an act relating to local improvements, assessment procedures; notice of assessment; amending Minnesota Statutes 1971, Section 429.061, Subdivision 1.

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:

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

So the bill passed and its title was agreed to.

S. F. No. 1092: A bill for an act relating to municipalities; contracts; method of letting; amending Minnesota Statutes 1971, Section 471.345, Subdivisions 4 and 5.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

Olson, J. L.	Perpich, G.	Schaaf	Spear	Thorup
O'Neill	Pillsbury	Schrom	Stassen	Ueland
Patton	Purfeerst	Sillers	Stokowski	Wegener
Perpich, A. J.	Renneke	Solon	Tennessen	Willet

So the bill passed and its title was agreed to.

S. F. No. 853: A bill for an act relating to taxation; individuals exempt from the income tax; providing that individuals serving in the armed forces of the United States shall be exempt from the Minnesota income tax while a prisoner of war in southeast Asia; amending Minnesota Statutes 1971, Section 290.65, Subdivision 1.

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 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 236: A bill for an act relating to taxation; excise tax on gasoline and gasoline substitutes; refunds; penalties for false claims; amending Minnesota Statutes 1971, Section 296.18, Subdivision 1.

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

Mr. Chmielewski moved that S. F. No. 236 be stricken from the Calendar and returned to General Orders.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 21 and nays 43, as follows:

Those who voted in the affirmative were:

Berg	Hansen, Baldy	Larson	O'Neill	Willet
Bernhagen	Hansen, Mel	Laufenburger	Patton	
Brown	Hanson, R.	Nelson	Renneke	
Chmielewski	Josefson	Olson, H. D.	Schrom	
Frederick	Kleinbaum	Olson, J. L.	Sillers	

Those who voted in the negative were:

Arnold	Dunn	Kowalczyk	Ogdahl	Spear
Ashbach	Fitzsimons	Krieger	Olhoft	Stassen
Blatz	Gearty	Lewis	Olson, A. G.	Stokowski
Borden	Hughes	Lord	Perpich, A. J.	Tennessee
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Thorup
Coleman	Keefe, J.	Milton	Pillsbury	Ueland
Conzemius	Keefe, S.	Moe	Purfeerst	Wegener
Davies	Kirchner	North	Schaaf	
Doty	Knutson	Novak	Solon	

Which motion did not prevail.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 15, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Moe	Schaaf
Bang	Frederick	Kleinbaum	North	Solon
Bernhagen	Gearty	Knutson	Ogdahl	Spear
Blatz	Hansen, Mel	Kowalczyk	Olhoft	Stassen
Borden	Hanson, R.	Krieger	Olson, A. G.	Stokowski
Chenoweth	Hughes	Laufenburger	Olson, H. D.	Tennessee
Coleman	Humphrey	Lewis	O'Neill	Thorup
Conzemius	Josefson	Lord	Perpich, A. J.	Ueland
Davies	Keefe, J.	McCutcheon	Perpich, G.	Wegener
Doty	Keefe, S.	Milton	Pillsbury	Willet

Those who voted in the negative were:

Ashbach	Chmielewski	Larson	Olson, J. L.	Renneke
Berg	Fitzsimons	Nelson	Patton	Schrom
Brown	Hansen, Baldy	Novak	Purfeerst	Sillers

So the bill passed and its title was agreed to.

S. F. No. 160: A bill for an act relating to public health; dating of perishable foods; providing a penalty.

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 39 and nays 26, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Novak	Schaaf
Borden	Hansen, Mel	Lewis	Ogdahl	Solon
Chenoweth	Hughes	Lord	Olhoft	Spear
Chmielewski	Humphrey	McCutcheon	Olson, A. G.	Stokowski
Coleman	Keefe, J.	Milton	Olson, H. D.	Tennessee
Conzemius	Keefe, S.	Moe	Perpich, A. J.	Thorup
Davies	Knutson	Nelson	Perpich, G.	Willet
Doty	Kowalczyk	North	Purfeerst	

Those who voted in the negative were:

Ashbach	Dunn	Kirchner	Patton	Ueland
Bang	Fitzsimons	Kleinbaum	Pillsbury	Wegener
Berg	Frederick	Krieger	Renneke	
Bernhagen	Hansen, Baldy	Larson	Schrom	
Blatz	Hanson, R.	Olson, J. L.	Sillers	
Brown	Josefson	O'Neill	Stassen	

So the bill passed and its title was agreed to.

S. F. No. 733: A bill for an act relating to drivers' licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes 1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.07, Subdivision 1; 171.13, Subdivision 5; 171.18; and 171.27; repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1004: A bill for an act relating to crimes and criminals; prohibiting experimentation and research on a living human conceptus or the sale of such living human conceptus; providing penalties.

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 52 and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Krieger	Ogdahl	Schaaf	Spear	Ueland
Nelson	Pillsbury	Sillers		

So the bill passed and its title was agreed to.

S. F. No. 1191: A bill for an act relating to taxation; eliminating

the requirement of publishing the personal property tax list; repealing Minnesota Statutes 1971, Section 275.30.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1327: A bill for an act relating to natural resources; directing the release of certain easements and conveyance of certain land in Kandiyohi county.

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:

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

So the bill passed and its title was agreed to.

S. F. No. 1072: A bill for an act relating to wild animals; altering certain requirements for private shooting preserves; amending Minnesota Statutes 1971, Section 100.34, Subdivisions 3 and 4; repealing Minnesota Statutes 1971, Section 100.34, Subdivisions 1 and 2.

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:

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

So the bill passed and its title was agreed to.

S. F. No. 719: A bill for an act relating to wild animals; requiring licensed fish buyers and peddlers to identify fish being transported; amending Minnesota Statutes 1971, Section 97.45, 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 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Novak voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 935: A bill for an act relating to education; authorizing employment of retired teachers as substitutes in cities of the first class; amending Minnesota Statutes 1971, Section 354.19.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:40 o'clock p.m. Which motion prevailed.

The hour of 1:40 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

Anderson	Dunn	Keefe, S.	Moe	Renneke
Arnold	Fitzsimons	Kirchner	Nelson	Schrom
Berg	Gearty	Kleinbaum	Novak	Solon
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Stokowski
Brown	Hansen, Mel	Kowalczyk	Patton	Tennessen
Chenoweth	Hanson, R.	Larson	Perpich, A. J.	Ueland
Conzemius	Hughes	Laufenburger	Perpich, G.	Wegener
Davies	Josefson	Lord	Pillsbury	Willet
Doty	Keefe, J.	McCutcheon	Purfeerst	

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

SUSPENSION OF RULES

Mr. Conzemius moved that the rules be so far suspended as to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions.

GENERAL ORDERS

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

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Humphrey reported that the committee had considered S. F. Nos. 1222, 1501, 1490, 1319, 225, also H. F. Nos. 610, 1130, 425, 78, 821, 1218 which the committee recommends to pass.

S. F. No. 667, which the committee recommends to pass with the following amendment offered by Mr. Perpich, G.:

Page 2, line 25, after the period insert: "*Whenever an ambulance service shall find it impossible to arrange for an attendant to accompany the driver, the driver may proceed to answer an emergency call without an accompanying attendant, provided that the ambulance service shall make all reasonable efforts to arrange for an attendant to be present at the site of the emergency.*"

S. F. No. 736, which the committee recommends to pass with the following amendments offered by Mr. Keefe, S.:

Page 3, line 18, strike "*, and blank spaces may not be*"

Page 3, line 19, strike "*provided for writing in the names of candidates*"

Mr. Brown moved to amend S. F. No. 736 as follows:

Page 2, line 26, strike everything after the period

Page 2, strike lines 27 and 28

Page 3, strike line 1

Page 3, line 3, strike everything after the period

Page 3, strike lines 4 through 8

Page 4, after line 11, insert:

"Sec. 3. Minnesota Statutes 1971, Section 203.34, Subdivision 1, is amended to read:

203.34 [GENERAL ELECTION BALLOT, ROTATION OF NAMES.] Subdivision 1. At the general election ~~and in the case of nonpartisan offices only~~, the names of all candidates for the same office shall be rotated on the ballots in the manner provided for primary election ballots by subdivision 5 of section 203.35, and all the provisions of subdivisions 5 and 6 of section 203.35 are applicable to general election ballots, so far as practicable."

Amend the title, as follows:

Line 6, strike "and"

Line 7, after "205.17" insert "; and 203.34"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 28 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Chenoweth	Davies	Hansen, Baldy	Keefe, S.
Arnold	Coleman	Doty	Hughes	Kleinbaum
Borden	Conzemius	Gearty	Humphrey	Laufenburger

Lord	Novak	Perpich, A. J.	Schrom	Tennesen
Milton	Olhoft	Perpich, G.	Solon	Thorup
Moe	Olson, A. G.	Purfeerst	Spear	Wegener
North	Olson, H. D.	Schaaf	Stokowski	Willet

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 34 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olson, A. G.	Spear
Arnold	Gearty	Lord	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Milton	Perpich, A. J.	Tennesen
Chenoweth	Hughes	Moe	Perpich, G.	Thorup
Coleman	Humphrey	North	Schaaf	Wegener
Conzemius	Keefe, S.	Novak	Schrom	Willet
Davies	Kleinbaum	Olhoft	Solon	

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Krieger	Pillsbury
Bang	Fitzsimons	Keefe, J.	Larson	Purfeerst
Berg	Frederick	Kirchner	Nelson	Sillers
Bernhagen	Hansen, Mel	Knutson	O'Neill	Stassen
Brown	Hanson, R.	Kowalczyk	Patton	Ueland

So the committee recommends S. F. No. 736 to pass as amended.

H. F. No. 263, which the committee recommends progress, subject to the following motion:

Mr. Chenoweth moved to amend H. F. No. 263, the printed bill, as follows:

Page 1, lines 5 and 6, strike "under the provisions of said Section 69.06" and insert in lieu thereof "after 20 years of service and having attained the age of 55"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

Which motion prevailed. So the amendment was adopted.

The committee then progressed H. F. No. 263.

H. F. No. 362, which the committee recommends to pass.

Mr. Chenoweth moved to amend H. F. No. 362, the printed bill, as follows:

Page 1, after line 4, insert:

"Sec. 2. Notwithstanding any other law or regulation, after the effective date of this act a retired or retiring member of the relief association shall not first qualify for a service pension except after 20 years of service and having attained the age of 55."

Renumber the remaining section

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 34, as follows:

Those who voted in the affirmative were:

Borden	Gearty	Lord	Olson, A. G.	Stokowski
Chenoweth	Hughes	Milton	Perpich, G.	Tennessen
Coleman	Humphrey	Moe	Schaaf	
Davies	Keefe, S.	North	Solon	
Doty	Kleinbaum	Novak	Spear	

Those who voted in the negative were:

Arnold	Dunn	Knutson	Ogdahl	Renneke
Ashbach	Fitzsimons	Kowalczyk	Olson, J. L.	Sillers
Bang	Frederick	Krieger	O'Neill	Stassen
Berg	Hansen, Mel	Larson	Patton	Ueland
Bernhagen	Hanson, R.	Laufenburger	Perpich, A. J.	Wegener
Blatz	Keefe, J.	McCutcheon	Pillsbury	Willet
Conzemius	Kirchner	Nelson	Purfeerst	

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

S. F. No. 1287, which the committee recommends to pass with the following amendment offered by Mr. Willet:

Page 1, line 15, after "1970" insert " , as amended by Extra Session Laws 1971, Chapter 32, Section 26,"

And then, on motion of Mr. Humphrey, the report of the Committee of the Whole, as kept by the Secretary, was adopted, with the exception of H. F. No. 263.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that H. F. No. 225 be taken from the table. Which motion prevailed.

Mr. Anderson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 225 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. Anderson moved that S. F. No. 285 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Anderson moved that the Senate do now concur in the

amendments by the House to S. F. No. 285 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 285: A bill for an act relating to motor vehicles; providing for the manufacture of motor vehicle license number plates; amending Minnesota Statutes 1971, Section 168.381.

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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Nelson	Sillers
Arnold	Davies	Kirchner	North	Spear
Ashbach	Dunn	Knutson	Olson, A. G.	Stassen
Bang	Frederick	Kowalczyk	O'Neill	Stokowski
Bernhagen	Gearty	Krieger	Patton	Tennessen
Blatz	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Borden	Hanson, R.	Lord	Pillsbury	Willet
Brown	Hughes	McCutcheon	Purfeerst	
Chenoweth	Humphrey	Milton	Renneke	
Coleman	Keefe, J.	Moe	Schrom	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that S. F. No. 1517 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Governmental Operations. Which motion prevailed.

Mr. North moved that S. F. No. 1742 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Governmental Operations. Which motion prevailed.

Mr. Milton moved that S. F. No. 1839 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Governmental Operations. Which motion prevailed.

Mr. Olson, A. G. moved that the name of Mr. Fitzsimons be added as co-author to S. F. No. 509.

Messrs. Fitzsimons, Doty and Solon introduced—

Senate Resolution No. 26: A senate resolution urging that the United States Customs Bureau direct all its activities in Minnesota from a central office in Duluth.

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

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Monday, April 16, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.