

# FORTY-SECOND DAY

St. Paul, Minnesota, Monday, April 23, 1973.

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

## CALL OF THE SENATE

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

|             |            |            |                |           |
|-------------|------------|------------|----------------|-----------|
| Arnold      | Conzemius  | Kleinbaum  | North          | Schrom    |
| Ashbach     | Davies     | Kowalczyk  | Ogdahl         | Spear     |
| Berg        | Doty       | Kirchner   | Olhoft         | Stokowski |
| Bernhagen   | Fitzsimons | Krieger    | Olson, A. G.   | Tennessen |
| Blatz       | Gearty     | Larson     | Olson, J. L.   | Thorup    |
| Brown       | Hanson, R. | Lewis      | Perpich, A. J. | Ueland    |
| Chenoweth   | Hughes     | Lord       | Perpich, G.    | Willet    |
| Chmielewski | Humphrey   | McCutcheon | Purfeerst      |           |
| Coleman     | Keefe, S.  | Milton     | Schaaf         |           |

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

Prayer by the Chaplain.

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

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

Quorum present.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

April 19, 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. 244, An act relating to a uniform act for recognition of acknowledgments; repealing Minnesota Statutes 1971, Sections 358.12, 358.13, 358.22, 358.23, 358.24, 358.26, and 358.27.

S. F. No. 349, An act relating to the government of villages, boroughs and cities without home rule charters; providing for the conversion of villages and boroughs into cities; providing for a code of statutes relating to cities without home rule charters; amending Minnesota Statutes 1971, Chapter 205, by adding sections; Chapter 412, by adding sections; and Sections 200.02, Subdivision 8; 205.07; 205.09, Subdivision 2; 340.11, Subdivisions 7 and 8; 412.02, Subdivision 1; 413.02; 414.02; 426.04; 447.04; 447.045; 465.56; 465.57; 465.69 and 645.44; repealing Sections 200.02, Subdivision 9; 412.031; 412.181; 426.056; General Statutes 1894, Sections 1045 to 1195; Laws 1895, Chapter 8; Special Laws 1868, Chapter 36; Special Laws 1875, Chapter 6; Special Laws 1891, Chapters 2, 3, 5, 45 and 46; Special Laws 1879, Chapter 57; and Minnesota Statutes 1971, Chapter 411.

S. F. No. 663, An act relating to public welfare; changing the agency designated to receive withheld support money; amending Minnesota Statutes 1971, Section 256.873.

S. F. No. 716, An act relating to education; prohibiting interest in school supplies; amending Minnesota Statutes 1971, Section 127.15; repealing Minnesota Statutes 1971, Section 127.24.

S. F. No. 1012, An act relating to the town of Breitung in the county of St. Louis; conferring certain village powers on said town.

S. F. No. 1137, An act relating to taxation; providing for the disposition of seized untaxed cigarettes; amending Minnesota Statutes 1971, Section 297.08, Subdivision 3.

S. F. No. 1192, An act relating to taxation; providing for a tax on certain deeds; amending Minnesota Statutes 1971, Section 287.21.

S. F. No. 1229, An act relating to natural resources; state parks and recreational areas; permits and fees; exempting Fort Snelling Memorial Chapel island from permit and fee requirements; amending Minnesota Statutes 1971, Section 85.05, Subdivision 2.

Sincerely,

Wendell R. Anderson, Governor

April 23, 1973

The Honorable Alec G. Olson  
President of the Senate

Sir:

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

S. F. No. 655, An act relating to natural resources; ratifying and affirming the settlement agreement arising from litigation concerning certain rights of the Chippewa Indians which are protected by treaty; prescribing the powers and duties of the commissioner of natural resources in relation to the settlement agreement; amending Minnesota Statutes 1971, Chapter 97, by adding a section.

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

Sirs:

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.<br>No. | H.F.<br>No. | Session Laws<br>Chapter No. | Date Approved<br>1973 | Date Filed<br>1973 |
|-------------|-------------|-----------------------------|-----------------------|--------------------|
|             | 257         | Chapter 110                 | April 19, 1973        | April 19, 1973     |
|             | 626         | Chapter 111                 | April 19, 1973        | April 19, 1973     |
|             | 739         | Chapter 112                 | April 19, 1973        | April 19, 1973     |
|             | 1084        | Chapter 113                 | April 19, 1973        | April 19, 1973     |
|             | 1102        | Chapter 114                 | April 19, 1973        | April 19, 1973     |
|             | 1268        | Chapter 115                 | April 19, 1973        | April 19, 1973     |
| 244         |             | Chapter 116                 | April 19, 1973        | April 19, 1973     |
| 1229        |             | Chapter 117                 | April 19, 1973        | April 19, 1973     |
| 1192        |             | Chapter 118                 | April 19, 1973        | April 19, 1973     |
| 1137        |             | Chapter 119                 | April 19, 1973        | April 19, 1973     |
| 1012        |             | Chapter 120                 | April 19, 1973        | April 19, 1973     |
| 716         |             | Chapter 121                 | April 19, 1973        | April 19, 1973     |
| 663         |             | Chapter 122                 | April 19, 1973        | April 19, 1973     |
| 349         |             | Chapter 123                 | April 19, 1973        | April 19, 1973     |

Sincerely,  
Arlen Erdahl  
Secretary of State

**INTRODUCTION OF BILLS**

Mr. Olhoft introduced—

S. F. No. 2224: A bill for an act relating to the city of Alexandria; and the townships of Alexandria, Carlos, Hudson, and La Grand in the county of Douglas; sanitary sewer board membership and operation in Alexandria Lake area sanitary district; amending Laws 1971, Chapter 869, Sections 3, Subdivision 2; and 4, Subdivision 1.

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

Mr. Olhoft introduced—

S. F. No. 2225: A bill for an act relating to the city of Alexandria, the townships of Alexandria, Carlos, Hudson and La Grand and the sanitary sewer board of the Alexandria lake area sanitary district in the county of Douglas; amending Laws 1971, Chapter 869, Sections 1, Subdivision 2; 4, Subdivision 5; 12, Subdivisions 1 and 2; 13, Subdivision 4; 17, Subdivision 7; and 18, Subdivision 6.

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

Messrs. Perpich, A. J.; Olson, A. G. and Coleman introduced—

S. F. No. 2226: A bill for an act relating to taxation; providing for imposition of certain excise and ad valorem taxes; distribution of revenue derived; appropriating money; amending Minnesota Statutes 1971, Chapters 272, by adding a section; 273; 275; and 290, by adding sections; and Sections 93.52, Subdivision 2; 93.55; 93.58; 124.03, Subdivision 3; 124.212, Subdivision 3; 272.03, Subdivisions 1, 2 and 3, and by adding subdivisions; 272.04, Subdivision 1; 273.13, Subdivisions 6 and 7, and by adding a subdivision; 273.17, Subdivision 1; 273.41; 275.50, Subdivisions 2, 4 and 5; 275.51, Subdivisions 1, 2, 3 and 4, and by adding a subdivision; 275.52, Subdivisions 2 and 3; 275.53, Subdivisions 1 and 3; 275.55; 287.12; 290.06, Subdivision 1; 290.0601, Subdivisions 6 and 9; 290.0604; 290.061; 290.081; 290.17; 290.19, Subdivision 1, and by adding a subdivision; 290.361, Subdivision 2; 290.982; 290.983, Subdivision 1; 290.99; 291.33, Subdivision 2; 297A.25, Subdivision 1; 297.13, Subdivision 1; 340.60, Subdivision 1; 414.01, by adding a subdivision; 477A.01, Subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 16 and 17; repealing Minnesota Statutes 1971, Sections 93.53; 93.54; 93.56; 93.57; 124.28; 124.281; 124.29; 290.0607; 290.0617; 290.361, Subdivision 4; 297.13, Subdivisions 2, 3, 4, 5, 6, 7 and 8; 297.15; 297.16; 297A.252; 340.60, Subdivisions 2, 3, 4, 5, 6 and 7; and 477A.01, Subdivisions 12 and 15.

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

Messrs. Chenoweth, McCutcheon and Coleman introduced—

S. F. No. 2227: A bill for an act relating to the city of Saint Paul; the municipal housing and redevelopment act; providing for the construction of market rate housing in the city of Saint Paul under the provisions of said act; making specific provisions relating to earnings and equity, interest rates, mortgages, approval, taxes and sale.

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

Mr. Borden introduced—

S. F. No. 2228: A bill for an act regulating the production, generation, transmission, or distribution of gas or electric service; providing for a public utility commission and prescribing its duties; prescribing penalties for violations of the provisions thereof and appropriating moneys therefor.

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

Mr. Hansen, Baldy introduced—

S. F. No. 2229: A bill for an act relating to the city of Austin; membership of new police and firemen in the public employees retirement association.

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

Messrs. Schaaf, Ashbach and Borden introduced—

S. F. No. 2230: A bill for an act relating to the application of the state mobile homes building code; amending Minnesota Statutes 1971, Section 327.31, Subdivision 6.

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

Messrs. Schaaf and Borden introduced—

S. F. No. 2231: A bill for an act relating to the state building code act; clarifying application of the act; providing for municipal vacancies regarding certified building officials; allowing the commissioner of administration to establish the surcharge amount and for municipal retention of a portion thereof; clarifying parties responsible for permit fees and surcharges; amending Minnesota Statutes 1971, Sections 16.851; 16.861, by adding a subdivision; and 16.866; and Chapter 16, by adding a section.

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

Messrs. Kleinbaum, Ogdahl and Solon introduced—

S. F. No. 2232: A bill for an act relating to state employees; deferred compensation plan; amending Minnesota Statutes 1971, Section 16.027, Subdivision 8.

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

Messrs. Wegener, Dunn and Arnold introduced—

S. F. No. 2233: A bill for an act relating to tax-forfeited lands; imposing limitations on the sale of tax-forfeited land which borders on or is adjacent to certain waters, and on the timber growing on such land; amending Minnesota Statutes 1971, Chapter 282, by adding a section.

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

Mr. Wegener introduced—

S. F. No. 2234: A bill for an act relating to intoxicating liquor; authorizing one additional on-sale license within Todd county.

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

Mr. Kleinbaum introduced—

S. F. No. 2235: A bill for an act relating to drainage; providing that certain surpluses in ditch funds may be transferred to the general revenue fund by the county board; amending Minnesota Statutes 1971, Section 106.451, by adding a subdivision.

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

Messrs. Stokowski, Gearty and Ogdahl introduced—

S. F. No. 2236: A bill for an act relating to the athletic commission; amending Minnesota Statutes 1971, Section 341.07.

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

Messrs. Milton; Keefe, J. and Olson, A. G. introduced—

S. F. No. 2237: A bill for an act relating to "truth-in-energy"; requiring disclosure of rates of energy consumption by certain products.

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

Mr. Borden introduced—

S. F. No. 2238: A bill for an act relating to taxation; providing for the calculation of property tax levy limits for governmental subdivisions; amending Minnesota Statutes 1971, Section 275.51, Subdivision 3.

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

Messrs. Spear, Doty and Milton introduced—

S. F. No. 2239: A bill for an act relating to education; prescribing state aid to school districts under certain circumstances; appropriating money.

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

Messrs. Jensen, Krieger and O'Neill introduced—

S. F. No. 2240: A bill for an act relating to crimes and criminals; proceedings on complaints; warrant; amending Minnesota Statutes 1971, Section 629.42.

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

Mr. Laufenburger introduced—

S. F. No. 2241: A bill for an act relating to workmen's compensation; providing for determination and allowance of attorney's fees; disallowing payment of attorney's fees from award of compensation; amending Minnesota Statutes 1971, Sections 176.061, Subdivision 6; and 176.081.

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

Mr. Tennessen questioned the reference thereon, and under Rule 35, the bill was referred to the Committee on Rules and Administration.

Messrs. Thorup, Sillers and Solon introduced—

S. F. No. 2242: A bill for an act creating a banking advisory commission; appropriating money for supplies and expenses.

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

Messrs. Thorup, Stassen and Solon introduced—

S. F. No. 2243: A bill for an act relating to public indebtedness; sinking fund; amending Minnesota Statutes 1971, Section 475.66.

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

Messrs. Thorup, Stassen and Solon introduced—

S. F. No. 2244: A bill for an act relating to securities and usury; exemption from usury for margin accounts maintained by broker-dealers; amending Minnesota Statutes 1971, Chapter 334, by adding a section; repealing Minnesota Statutes 1971, Section 80.122.

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

Messrs. Thorup, Stassen and Solon introduced—

S. F. No. 2245: A bill for an act relating to insurance; application of provisions; financial requirements; amending Minnesota Statutes 1971, Section 60A.07, Subdivision 5d.

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

Messrs. Thorup, Stassen and Solon introduced—

S. F. No. 2246: A bill for an act relating to savings banks; authorized investments; amending Minnesota Statutes 1971, Section 50.14, Subdivision 2.

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

Messrs. Willet; Hanson, R. and Arnold introduced—

S. F. No. 2247: A bill for an act relating to forestry; the sale of state timber; amending Minnesota Statutes 1971, Section 90.101, Subdivision 2; repealing Minnesota Statutes 1971, Section 90.101, Subdivision 3.

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

Messrs. Josefson; Olson, H. D. and Berg introduced—

S. F. No. 2248: A bill for an act relating to foods; regulating the packaging, labelling, and advertising of imitation honey; providing penalties; amending Minnesota Statutes 1971, Chapter 31, by adding a section.

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

Mr. Josefson introduced—

S. F. No. 2249: A bill for an act relating to welfare; appropriating money for New Tomorrow, Inc.

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

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

S. F. No. 2250: A bill for an act relating to public welfare; placing a limit on assets for old age assistance applicants in order to restore conformity with federal regulations; amending Minnesota Statutes 1971, Section 256.18.

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

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

S. F. No. 2251: A bill for an act relating to public welfare; providing supplemental categorical aid to certain persons after December 31, 1973 to maintain levels of aid existing on that date; appropriating money.

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

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

S. F. No. 2252: A bill for an act relating to manpower services; employment security information; amending Minnesota Statutes 1971, Section 268.12, Subdivision 12.

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

Messrs. Conzemius and Milton introduced—

S. F. No. 2253: A bill for an act relating to taxation; real property; removing the tax-exempt status of property owned by nursing homes; amending Minnesota Statutes 1971, Section 272.02, Subdivision 1.

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

Messrs. Conzemius and Milton introduced—

S. F. No. 2254: A bill for an act relating to ad valorem taxes; providing for taxation of nursing homes and senior citizen homes; 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.

Mr. Solon introduced—

S. F. No. 2255: A bill for an act relating to education; reorganization of school districts; exempting certain unorganized territories from inclusion within independent or special districts; amending Minnesota Statutes 1971, Chapter 122, by adding a section.

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

Messrs. Tennessen, Ogdahl and Stokowski introduced—

S. F. No. 2256: A bill for an act relating to the park board of the city of Minneapolis; authorizing municipalities, other than the city of Minneapolis, to levy special assessments on property within such municipalities which has been benefitted by public improvements made by the park board of the city of Minneapolis and to pay over such money to such park board.

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

Messrs. Tennessen, Ogdahl and Stokowski introduced—

S. F. No. 2257: A bill for an act relating to the park and recreation board of the city of Minneapolis; providing a tax levy limit for the tree preservation and reforestation fund; amending Laws 1969, Chapter 593, Section 3.

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

Mr. Olson, A. G. introduced—

S. F. No. 2258: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of Sibley state park.

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

Mr. Ueland introduced—

S. F. No. 2259: A bill for an act relating to Mankato state college; authorizing Mankato state student association to expend money assigned to it from the college activity fund of Mankato state college for funding a legal counseling and service program for students.

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

Messrs. Milton, McCutcheon and Schaaf introduced—

S. F. No. 2260: A bill for an act relating to the county of Ramsey; tax levy for educational, scientific and artistic purposes; amending Laws 1961, Chapter 583, Section 1, as amended.

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

Messrs. Coleman, O'Neill and Novak introduced—

S. F. No. 2261: A bill for an act relating to the service of legal process; requiring admission of process servers to certain buildings; providing a penalty.

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

Mr. Purfeerst introduced—

S. F. No. 2262: A bill for an act authorizing the county board of Rice county to annually appropriate money as a contingent fund for use by the chairman of the board for incidental costs and expenses.

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

Mr. Milton introduced—

S. F. No. 2263: A bill for an act relating to public health; requiring certain immunizations for students; amending Minnesota Statutes 1971, Section 123.70, Subdivisions 1 and 2, and by adding subdivisions.

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

Messrs. Wegener, Larson and Borden introduced—

S. F. No. 2264: A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

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

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

S. F. No. 2265: A bill for an act relating to mining; strengthening certain provisions relating to mineland reclamation; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 93.46, Subdivision 3; 93.47, Subdivisions 2, 3, and 5; 93.49; 93.51; and Chapter 93, by adding a section; repealing Minnesota Statutes 1971, Section 93.46, Subdivision 4.

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

Messrs. Tennesen, Knutson and Humphrey introduced—

S. F. No. 2266: A bill for an act relating to adoption; amending Minnesota Statutes 1971, Sections 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2;

260.221; 260.231, Subdivision 3; and Chapter 259, by adding a section.

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

Messrs. Willet; Hanson, R. and Arnold introduced—

S. F. No. 2267: A bill for an act relating to game and fish; season for trapping beaver; amending Minnesota Statutes 1971, Section 100.27, Subdivision 4.

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

Mr. Lord introduced—

S. F. No. 2268: A bill for an act relating to education; school district tax levies; authorizing additional levy to provide certain insurance coverages; amending Minnesota Statutes 1971, Section 275.125, Subdivision 3.

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

Mr. Keefe, J. introduced—

S. F. No. 2269: A bill for an act relating to the city of Hopkins; 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. Kleinbaum, O'Neill and Coleman introduced—

S. F. No. 2270: A bill for an act relating to the economic opportunity program; powers of municipalities; appropriating money; amending Minnesota Statutes 1971, Section 471.655; and Chapter 471, by adding a section.

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

Messrs. Keefe, S.; Ogdahl and Coleman introduced—

S. F. No. 2271: A bill for an act relating to taxation; creating a special board on ad valorem tax appeals for certain counties; providing for the appointment of the members of the board and their compensation; prescribing its powers and duties; providing for the financing thereof; amending Minnesota Statutes 1971, Section 278.08; and Chapter 278, by adding a section.

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

Mr. Schaaf introduced—

S. F. No. 2272: A bill for an act authorizing the county of Anoka to establish subordinate service areas in order to provide and finance governmental services.

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

Messrs. Schaaf and Milton introduced—

S. F. No. 2273: A bill for an act relating to Anoka county; authorizing issuance of bonds for county park acquisition and development.

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

Mr. Schaaf introduced—

S. F. No. 2274: A bill for an act relating to certain industries regulated by the department of public service; fees for certain motor carriers and livestock buyers and agents; amending Minnesota Statutes 1971, Sections 221.131; 221.296, Subdivision 5; 221.64; and 239.18, Subdivision 3.

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

Mr. Schaaf introduced—

S. F. No. 2275: A bill for an act relating to employees of the fire department of the city of Fridley; transferring full time firemen to the public employees retirement association; providing benefits to members of the firemen's relief association; amending Laws 1969, Chapter 594, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11; and repealing Laws 1969, Chapter 594, Section 12, Subdivision 3.

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

Mr. Schaaf introduced—

S. F. No. 2276: A bill for an act relating to retirement; refund of employers contributions to the police and fire fund in certain instances.

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

Messrs. McCutcheon, Hughes and Novak introduced—

S. F. No. 2277: A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

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

Messrs. Schaaf, Ueland and Coleman introduced—

S. F. No. 2278: A bill for an act relating to women; creating a commission on the status of women; appropriating money; repealing Minnesota Statutes 1971, Section 363.04, Subdivisions 7 and 8.

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

Mr. Olson, H. D. introduced—

S. F. No. 2279: A bill for an act relating to public welfare; authorizing payments to recipients of federal medical benefits.

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

Mr. Ogdahl introduced—

S. F. No. 2280: A bill for an act relating to retirement; annuities of certain widows of highway patrolmen; amending Minnesota Statutes 1971, Chapter 352B, by adding a section.

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

Mr. Olson, H. D. introduced—

S. F. No. 2281: A bill for an act relating to drivers' licenses; requiring proof of licensure upon purchase or registration of a vehicle; providing a penalty.

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

Mr. Olson, H. D. introduced—

S. F. No. 2282: A bill for an act relating to the village of Butterfield firemen's relief association; authorizing payment of certain pensions to certain members.

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

Messrs. Keefe, S.; Hughes and Olhoft introduced—

S. F. No. 2283: A bill for an act relating to insurance; providing for the establishment and operation of a Minnesota life and health insurance guaranty association to protect policyowners, insureds, beneficiaries, and others against the failure of an insurer doing business in Minnesota to perform its contractual obligations;

amending Minnesota Statutes 1971, Sections 60B.17, by adding a subdivision; 60B.25; 60B.30, by adding a subdivision; and 60B.46, Subdivision 1.

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

Messrs. Doty and Solon introduced—

S. F. No. 2284: A bill for an act relating to intoxicating liquor; places where sales prohibited; amending Minnesota Statutes 1971, Section 340.14, Subdivision 3, as amended.

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

Messrs. Doty and Solon introduced—

S. F. No. 2285: A bill for an act relating to the city of Duluth; expanding the subdivision control and regulatory power of the planning commission; modifying the procedure for approval of plats by such commission; making Minnesota Statutes, Section 462.358, Subdivision 4, applicable to the city; adopting additional building restrictions; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10.

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

Messrs. Doty and Solon introduced—

S. F. No. 2286: A bill for an act relating to courts; salary of judges of the municipal court of the city of Duluth; amending Minnesota Statutes 1971, Section 488A.66, Subdivision 1.

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

Messrs. Olson, A. G.; Bernhagen and Laufenburger introduced—

S. F. No. 2287: A bill for an act relating to electric utilities; establishing assigned geographical service areas for electric utilities; providing service at retail in areas outside the corporate boundaries of municipalities in the state; providing penalties.

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

Messrs. Keefe, S.; Stokowski and Ogdahl introduced—

S. F. No. 2288: A bill for an act relating to the city of Minneapolis; authorizing compensation for members of the board of park commissioners.

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

Messrs. Keefe, S.; Perpich, G. and Spear introduced—

S. F. No. 2289: A bill for an act relating to garnishment; amending Minnesota Statutes 1971, Sections 571.41, Subdivisions 1 and 2; 571.55, Subdivisions 1 and 2; 571.67; and Chapter 571, by adding sections; repealing Minnesota Statutes 1971, Sections 571.47; 571.48; and 571.49.

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

Messrs. Keefe, S. and Solon introduced—

S. F. No. 2290: A bill for an act relating to taxation; providing for use of cigarette tax stamping machines; amending Minnesota Statutes 1971, Section 297.03, Subdivision 6.

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

Messrs. Keefe, S.; Stokowski and Ogdahl introduced—

S. F. No. 2291: A bill for an act relating to the library board of the city of Minneapolis; authorizing compensation for members.

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

Messrs. Keefe, S.; Schaaf and Milton introduced—

S. F. No. 2292: A bill for an act relating to highway traffic regulations; directing the department of public safety to cooperate with the Minnesota pollution control agency in the enforcement of motor vehicle noise regulations; amending Minnesota Statutes 1971, Chapter 169, by adding a section; repealing Minnesota Statutes 1971, Sections 169.691; and 169.692.

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

Messrs. Keefe, S.; Schrom and Chmielewski introduced—

S. F. No. 2293: A bill for an act relating to highway traffic regulations; disposition of parking violations occurring subsequent to sale of vehicle; providing penalties; amending Minnesota Statutes 1971, Chapter 169, by adding a section.

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

Mr. Chmielewski introduced—

S. F. No. 2294: A bill for an act relating to the town of Herman; authorizing two additional policemen.

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

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

S. F. No. 2295: A bill for an act relating to game and fish; closing the season to taking of beaver in a certain area.

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

Mr. Stokowski introduced—

S. F. No. 2296: A bill for an act relating to the policemen's relief association in the city of Columbia Heights; membership of certain police personnel in the public employees police and fire fund.

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

Mr. Milton introduced—

S. F. No. 2297: A bill for an act relating to retirement; constitutional officers and commissioners; service credit; amending Minnesota Statutes 1971, Sections 352C.03, Subdivision 1; 352C.04, Subdivision 2; and 352C.08, Subdivision 1.

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

Mr. O'Neill introduced—

S. F. No. 2298: A bill for an act relating to professional associations; authorizing licensed insurance agents to form and join together in such associations; amending Laws 1973, Chapter 40, Section 2, Subdivision 2.

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

Mr. O'Neill introduced—

S. F. No. 2299: A bill for an act relating to taxation; real property; reclassifying certain recreational property; amending Minnesota Statutes 1971, Section 273.13, Subdivisions 4 and 8a.

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

Messrs. Tennesen and Moe introduced—

S. F. No. 2300: A bill for an act relating to public welfare; providing supplemental categorical aid to certain persons after December 31, 1973 to maintain levels of aid existing on that date; appropriating money.

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

**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. 436, 1072 and 1114.

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

Returned April 19, 1973.

Mr. President:

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

S. F. No. 488: A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

Senate File No. 488 is herewith returned to the Senate.

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

Returned April 19, 1973

Mr. Coleman moved that S. F. No. 488 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 443, 586, 588, 793, 1036, 1201, 1203, 1376, 1556, 1712, 1715, 624, 735, 1059, 1172, 1486 and 1536.

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

Transmitted April 19, 1973

**FIRST READING OF HOUSE BILLS**

H. F. No. 624: A bill for an act relating to the free flow of information, the protection of sources of information of the news media, and prohibiting disclosure of sources of information.

H. F. No. 735: A bill for an act relating to commerce; administration of the unfair cigarette sales act; providing penalties; amending Minnesota Statutes 1971, Sections 325.66, Subdivision 4; 325.67; 325.74, Subdivision 1; and 325.75, Subdivisions 1, 2, and 3.

H. F. No. 1059: A bill for an act relating to real estate; forcible entry and unlawful detainer; landlord and tenant; creating remedies for tenants of substandard housing; amending Minnesota Statutes 1971, Sections 487.17; 488.04, Subdivision 4; 488A.01, Subdivision 5; 488A.18, Subdivision 6; 488A.35, Subdivision 2; 566.01; 566.02; 566.05; 566.06; 566.09; 566.15; 566.16; and Chapter 566, by adding sections.

H. F. No. 1172: A bill for an act relating to motor vehicles; unauthorized use of certain vehicles; repealing Minnesota Statutes 1971, Section 168.83.

H. F. No. 1486: A bill for an act relating to corrections; industrial enterprises conducted at the state prison and the state reformatory; appropriating money; amending Minnesota Statutes 1971, Sections 243.66 and 243.67; and repealing Minnesota Statutes 1971, Sections 243.65; 243.69; 243.81; 243.82; and 243.86.

H. F. No. 1536: A bill for an act relating to the department of corrections; community corrections centers; amending Minnesota Statutes 1971, Sections 241.31; and 241.32.

H. F. No. 443: A bill for an act relating to public welfare; appropriating money for The Rochester State Hospital Religious Activity Center, Inc.

H. F. No. 586: A bill for an act relating to landlords and tenants; restriction on automatic renewals of leases; amending Minnesota Statutes 1971, Chapter 504, by adding a section.

H. F. No. 588: A bill for an act relating to trade regulations; hazardous toys and other articles; restricting the manufacture, sale, and other traffic of such articles in this state; granting regulatory, investigatory, and enforcement powers to the director of the consumer services section of the department of commerce; providing for the testing of such articles; providing penalties.

H. F. No. 793: A bill for an act relating to corrections; voluntary uncompensated services to the department of corrections; amending Minnesota Statutes 1971, Section 241.01, Subdivision 6.

H. F. No. 1036: A bill for an act relating to historic sites; regulating the boundaries of the old Fort Snelling historic district and designating the historic hill district; amending Minnesota Statutes 1971, Section 138.73, Subdivision 13; and Section 138.73, by adding a subdivision.

H. F. No. 1201: A bill for an act relating to natural resources; authorizing the commissioner to charge fees for certain water permits and underground gas or liquid storage permits; amending Minnesota Statutes 1971, Sections 84.58, by adding a subdivision; 105.41, Subdivision 5; and 105.44, by adding a subdivision.

H. F. No. 1203: A bill for an act relating to pollution; pollution control agency; providing for the certification of operators

of solid waste disposal facilities; providing for enforcement; amending Minnesota Statutes 1971, Chapter 116, by adding sections.

H. F. No. 1376: A bill for an act relating to game and fish; season for trapping beaver and otter; amending Minnesota Statutes 1971, Section 100.27, Subdivision 4.

H. F. No. 1556: A bill for an act relating to the city of Saint Paul; amending the provisions relating to the issuance of the license for the sale of intoxicating liquor at the civic center; amending Laws 1969, Chapter 783, Section 1, Subdivision 1, as amended.

H. F. No. 1712: A bill for an act relating to Independent School District No. 659 and Area Vocational-Technical School District No. 917; authorizing Independent School District No. 659 to join Area Vocational-Technical School District No. 917.

H. F. No. 1715: A bill for an act relating to taxation; tax levy; school districts; providing for an extra levy under certain circumstances; amending Minnesota Statutes 1971, Section 275.125, Subdivision 3.

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

S. F. No. 1067: A bill for an act relating to credit unions; amending Minnesota Statutes 1971, Sections 52.04; 52.05; 52.06, Subdivisions 1 and 2; 52.17; and 52.18.

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

Page 2, line 22, after "*member*" insert "*, retained at the credit union*"

Page 2, line 25, before the semicolon insert "*, or by permitting the credit union to make such payments from the member's funds prior to deposit*"

Page 3, line 7, strike "*reproductive*" and insert "*productive*"

Page 3, line 17, after "*share*" insert "*or deposit*"

Page 3, line 18, after "*members*" insert "*, or by permitting the credit union to make such payments from the member's funds prior to deposit*"

Page 4, line 8, after "*blood*" insert "*or adoptive*"

Page 4, line 24, after "blood" insert "*or adoptive*"

Page 5, line 18, strike "*an auditor or*"

Page 5, line 19, strike the comma

Page 5, line 20, strike "*every other year*"

Page 5, line 20, strike "*auditor or*"

Page 5, line 28, restore the stricken "60" and strike "30"

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

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

S. F. No. 1349: A bill for an act relating to occupations and professions; regulating registration renewals of pharmacists by requiring continuing education; prescribing the powers and duties of the Minnesota state board of pharmacy in relation thereto; amending Minnesota Statutes 1971, Sections 151.13 and 151.14.

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

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

S. F. No. 1950: A bill for an act relating to St. Louis county; tax levy for the county road and bridge fund; repealing Minnesota Statutes 1971, Section 163.05, Subdivision 3.

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

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

S. F. No. 1881: A bill for an act relating to the city of Hutchinson; authorizing the city to acquire and develop an off-street parking area to serve the central business district, and to issue bonds therefor.

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

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

S. F. No. 1741: A bill for an act relating to taxation; levy limitations; amending Minnesota Statutes 1971, Section 275.56.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 275.11, is amended by adding a subdivision to read:

*Subd. 3. Nothing in this section shall be construed to reduce levies of any municipality below the per capita levy spread in 1970.*

Sec. 2. Minnesota Statutes 1971, Section 412.251, is amended to read:

412.251 [ANNUAL TAX LEVY.] The council shall make its annual tax levy by resolution within the per capita limits established by statute. The amount of taxes levied for general village purposes shall not exceed 35 mills on each dollar of the assessed valuation of the property taxable in the village in villages having an assessed valuation of less than \$500,000 and 30 mills on each dollar in villages having an assessed valuation of more than \$500,000. In calculating such limit property used for homestead purposes shall be figured as provided in Minnesota Statutes, Section 273.13, Subdivision 7a. The following taxes may be levied in addition to the levies above authorized:

(1) A tax for the payment of principal and interest on outstanding obligations of the village as provided by Minnesota Statutes, Sections 475.61, 475.73 and 475.74.

(2) A tax for the payment of judgments as authorized by Minnesota Statutes, Section 465.14.

(3) A tax for the support and relief of the poor, as authorized by section 261.064.

(4) A maximum of one mill but not to exceed \$500 to provide musical entertainment to the public in public buildings or on public grounds.

(5) A tax for band purposes as authorized by Minnesota Statutes, Section 449.09.

(6) A tax for the support of a municipal forest, as authorized by Minnesota Statutes, Section 459.06.

(7) A tax for advertising purposes, as authorized by Minnesota Statutes, Sections 465.56 and 465.57.

(8) A tax for forest fire protection in any village in a forest area, as authorized by Minnesota Statutes, Section 88.04.

(9) A maximum of five mills for the utilities fund in any village whose utilities are under the jurisdiction of a public utilities commission. Such tax shall be levied for the purpose of paying the cost of the utility service or other services supplied to the village.

(10) A tax for the support of a public library, as authorized by Minnesota Statutes, Section 134.07.

(11) A tax for firemen's relief association purposes as authorized by Minnesota Statutes, Section 424.30, or other statutes.

(12) Such other special taxes as may be authorized by law.

*Nothing in this section shall be construed to reduce levies of any municipality below the per capita levy spread in 1970."*

Amend the title as follows:

Page 1, line 4, strike "Section 275.56" and insert "Sections 275.11, by adding a subdivision; and 412.251"

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. 261: A bill for an act relating to taxation; income tax deductions for adoption expenses; amending Minnesota Statutes 1971, Section 290.09, Subdivision 27.

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

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

S. F. No. 1925: A bill for an act relating to Pipestone county; fees of registered abstractors who are county employees; repealing Laws 1971, Chapter 439.

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

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

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

Reports the same back with the recommendation that the bill be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

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

S. F. No. 523: A bill for an act relating to hearing aids; permitting sales only upon the recommendation of persons licensed to practice medicine; providing a penalty.

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

Page 1, line 8, strike "For purposes of this section,"

Page 1, strike lines 9-14 and insert in lieu thereof " "Hearing Aid" means any instrument or device designed for or represented as aiding defective human hearing, and its parts, attachments, or accessories, including but not limited to ear molds. Batteries and cords shall not be considered parts, attachments, or accessories of a hearing aid."

Page 1, line 18, strike "medical"

Page 1, line 18, after "person" and before the period insert "who is neither employed by, nor in a business relationship with, a seller of hearing aids"

Page 1, line 19, strike "medical"

Page 1, line 20, strike " , laryngologist,"

Page 1, line 20, strike "otologist." and insert in lieu thereof "licensed medical doctor. "Audiologist" means an individual who holds a master's degree or doctor's degree in audiology from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools or an equivalent accrediting association."

Page 1, at the end of line 25, insert "nothing in this act shall apply to a sale solely limited to either repair services or replacement parts, or both, for a hearing aid already owned by a consumer."

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. 1465: A bill for an act relating to the county of Ramsey and the city of Saint Paul; authorizing the rendering of emergency or lifesaving service by a physician's trained mobile intensive care paramedic; under certain circumstances granting immunity from civil liability for good faith emergency lifesaving services rendered by physician's trained mobile intensive care paramedics and also for physicians who render medical advice and instructions to such paramedics while the paramedics are in the performance of lifesaving services.

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

Page 1, line 30, after "Sec. 3." insert "Subdivision 1."

Page 3, after line 1, insert the following:

"Subd. 2. Nothing contained in this act shall be construed to prevent a licensed physician from delegating any act, task or function described in section 3, subdivision 1, of this act to persons other than physicians' trained mobile intensive care paramedics or from delegating any other act, task or function to anyone."

Page 3, line 3, after "faith" insert "and in the exercise of reasonable care"

Line 9, after "faith" insert "and in the exercise of reasonable care"

Line 11, strike "chapter" and insert in lieu thereof "act"

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. 328: A bill for an act relating to motor fuel; requiring display of octane rating; amending Minnesota Statutes 1971, Section 325.77, Subdivisions 1, 3, and 4, and by adding a subdivision.

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

Page 1, line 19, after "*the*" insert "*minimum*"

Page 1, line 27, after "*the*" insert "*minimum*"

Page 2, line 1, after "*the*" insert "*minimum*"

Page 2, line 7, after "*the*" insert "*minimum*"

Page 2, line 15, after "*the*" insert "*minimum*"

Page 2, line 17, after "*the*" insert "*minimum*"

Page 2, line 21, after "*the*" insert "*minimum*"

Page 3, after line 12, add:

"Sec. 5. *This act shall take effect January 1, 1974.*"

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

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

S. F. No. 754: A bill for an act relating to landlords and tenants; restriction on automatic renewals of leases; amending Minnesota Statutes 1971; Chapter 504, by adding a section.

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

Page 1, line 11 after the word "*property*" and before the ",", insert "*used for residential purposes*"

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

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

S. F. No. 961: A bill for an act relating to real estate; forcible entry and unlawful detainer; landlord and tenant; creating remedies for tenants of substandard housing; amending Minnesota Statutes 1971, Sections 566.01; 566.02; 566.05; 566.06; 566.09; 566.15; 566.16; and Chapter 566, by adding sections.

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

Page 7, line 8, strike the word "*this*" and insert in lieu thereof: "*sections 8 to 23*"

Page 7, line 9, strike the word "*act*"

Page 8, line 10, strike "*council or other*"

Page 8, line 10, strike the word "*for*" and insert in lieu thereof "*of*"

Page 11, line 25, after "*malicious,*" insert "*negligent*"

Page 12, line 28, strike "*(1)*" and insert in lieu thereof "*(c)*"

Page 13, line 2, strike "*(2)*" and insert in lieu thereof "*(1)*"

Page 13, line 3, strike "*(i)*" and insert in lieu thereof "*(a)*"

Page 13, line 5, strike "*(ii)*" and insert in lieu thereof "*(b)*"

Page 13, line 9, strike "*(3)*" and insert in lieu thereof "*(2)*"

Page 13, line 16, strike "*(c)*" and insert in lieu thereof "*(d)*"

Page 13, line 23, strike "*(d)*" and insert in lieu thereof "*(e)*"

Page 15, line 5, after the word "*building*" strike the word "*or*" and insert in lieu thereof "*, the inspector,*"

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

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

S. F. No. 965: A bill for an act relating to real estate; landlord and tenant; deposit of money; amending Minnesota Statutes 1971, Chapter 504, by adding a section; and repealing Minnesota Statutes 1971, Section 504.19.

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

Page 1, line 17, after "*money*" insert "*shall not be considered received in a fiduciary capacity within the meaning of Minnesota Statutes, Section 87.17, Subdivision 7, but*"

Page 1, line 18, strike "*part*" and insert in lieu thereof "*party*"

Page 1, line 25, strike "*of*" and insert in lieu thereof "*after*"

Page 3, line 10, after "*object*" insert "*to the stated amount*"

Page 3, line 24, strike "*conclusively*"

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

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

S. F. No. 1893: A bill for an act relating to public welfare; authorizing the commissioner of public welfare, and certain counties and municipalities to make grants for child care service and for certain programs for child care.

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

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

"Section 1. Minnesota Statutes 1971, Section 245.83, Subdivision 2, is amended to read:

Subd. 2. "Child care service" means a family day care home, group day care center for six or more children, nursery schools, day nurseries, child day care centers and play groups and *group family day care homes*, as defined by such rules and regulations as the commissioner shall promulgate from time to time.

Sec. 2. Minnesota Statutes 1971, Section 245.83, Subdivision 3, is amended to read:

Subd. 3. "Child" means any person ~~12~~ 14 years of age or younger.

Sec. 3. Minnesota Statutes 1971, Section 245.83, is amended by adding a subdivision to read:

*Subd. 5. "Interim financing" means funds to carry out such activities as are necessary for family day care homes, group family day care homes and cooperative child care centers to receive state licensing, and operating funds for a period of six consecutive months following receipt of state licensing by a family day care home, group family day care home, or cooperative child care centers. Interim financing may not exceed a period of 18 months except under such conditions as the commissioner may promulgate from time to time.*

Sec. 4. Minnesota Statutes 1971, Section 245.84, is amended to read:

245.84 [AUTHORIZATION TO MAKE PROVISIONAL GRANTS.] The commissioner is authorized to make such provisional grants from the general fund in the state treasury to any municipality, county, corporation or combination thereof for planning, establishing, maintaining or operating a child care service as the commissioner deems necessary or proper to carry out the purposes of sections 245.83 to 245.87. The planning, establishing, maintaining or operating of a child care service may include but is not limited to the leasing, renting, constructing, *renovating*, or purchasing of necessary facilities, equipment or supplies for such service.

The commissioner is further authorized to make provisional grants as provided by sections 245.83 to 245.87 to any such municipality, county, or private corporation or combination thereof, to establish and operate a program to aid in the coordination of child care within a defined community, to aid in the development of social, emotional, educational and physical conditions under which children can best develop within a defined community and to provide for the needs of economically disadvantaged children. No grant shall exceed 50 percent of the total cost of the establishment and operation of a child care service or a program as set forth in this section *except for an interim financing grant which shall not exceed 75 per cent.*

*The commissioner shall appoint an advisory committee on child care of not more than 25 people which shall advise the commissioner on grants-in-aid to licensed child care facilities, one-third of those appointed shall consist of parent users of licensed child day care facilities.*

Sec. 5. Minnesota Statutes 1971, Section 245.85, is amended to read:

245.85 [TERMINATION OF ALL OR PART OF A GRANT.] The commissioner shall supervise and coordinate all child care services and programs for which a grant has been made pursuant to sections 245.83 to 245.87, and shall endeavor insofar as possible to establish a set of program standards and uniform regulations to coordinate child care services and programs at the state and local level. The commissioner shall, from time to time, review the budgets, expenditures and development of each child care service and program to which a grant has been made pursuant to sections 245.83 to 245.87. If ~~he~~ *the commissioner* determines that any portion of the grants made to establish and operate a child care service or a program are no longer needed, that local support is not available to finance the local share of the cost of such service or programs, or that such service or programs do not comply with the rules, regulations, standards or requirements of the commissioner, the commissioner may, upon 30 days notice, withdraw any funds not allocated prior to the delivery of such notice and cancel the grant to the extent of such withdrawal.

*Funds which have not been allocated by the end of the 18th month of the biennium shall be allocated without regard to area restrictions set forth in section 6.*

Sec. 6. Minnesota Statutes 1971, Section 245.86, is amended to read:

245.86 [AUTHORIZATION TO COUNTIES AND MUNICIPALITIES TO MAKE GRANTS.] Any county or municipality may make grants from special tax revenues or from its general fund to any organization, governmental or corporate, for the same purposes for which the commissioner is authorized to make grants by sections 245.83 to 245.87. The above funds *and an amount of funds established as a usual rate for donations of time or services, or any combination thereof,* are to provide for a 50 percent matching of county, local or private funds.

Sec. 7. Minnesota Statutes 1971, Section 245.87, is amended to read:

245.87 [ALLOCATIONS.] For the purposes of sections 245.83 to 245.87 ~~not more than 30 percent of the amount allocated shall go to counties containing a city of the first class grants shall be equally distributed between the metropolitan area, comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, and the outstate area so that no more than 55 percent of the total fund goes to either area. At least ten percent of the total allocation shall be designated for interim financing. For the purposes of this act, the commissioner is further instructed~~

*that the allocation in each area be based on a need and population basis."*

Further, amend the title as follows:

Page 1, line 6, after "care" and before the period, insert: "; amending Minnesota Statutes 1971, Sections 245.83, Subdivisions 2 and 3, and by adding a subdivision; 245.84; 245.85; 245.86; and 245.87"

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

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

S. F. No. 1091: A bill for an act relating to health, authorizing the commissioner of public welfare to make grants to aid in the purchase, construction or remodeling of community residential facilities for the mentally retarded; directing the commissioner of public welfare to establish an advisory board on community residential facilities for the mentally retarded; appropriating money.

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

Page 1, line 16, after "retarded" insert "and cerebral palsied"

Page 1, line 17, strike "concerned nonprofit"

Page 1, line 18, strike "with experience" and insert "experienced"

Page 1, line 18, after "mentally retarded" insert "and cerebral palsied"

Page 1, line 20, strike "such" and insert "the"

Page 1, line 21, strike "such" and insert "the"

Page 1, line 26, strike "50" and insert "25"

Page 1, line 28, after "retarded" insert "and cerebral palsied"

Page 1, line 30, after "families." and before "The" insert "Up to one-fifth of the grant may be used for equipment and initial staff costs. No aid under this section shall be granted to a facility providing for more than 16 residents in a living unit and with more than two living units."

Page 2, line 8, after "sources," and before "and" insert "gifts"

Amend the title as follows:

Page 1, line 7, after "retarded" and before the semicolon, insert "and cerebral palsied"

Page 1, line 10, after "retarded" and before the semicolon, insert "and cerebral palsied"

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

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

H. F. No. 1624: A bill for an act relating to voting machines; substituting secretary of state for the attorney general on the Minnesota voting machine commission; amending Minnesota Statutes 1971, Section 206.08.

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

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

S. F. No. 1724: A bill for an act relating to election matters; authorizing political party organization in legislative districts; amending Minnesota Statutes 1971, Sections 202.21; 202.22, Subdivisions 2 and 3; 202.25; and 202.26, Subdivision 4.

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

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

S. F. No. 1592: A bill for an act relating to elections; defining "county auditor" for the purpose of the election laws; amending Minnesota Statutes 1971, Section 200.02, by adding a subdivision.

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

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

S. F. No. 1872: A bill for an act relating to counties; removing numerous limitations on tax levies; amending Minnesota Statutes 1971, Sections 12.26, Subdivisions 2 and 4; 18.022, Subdivision 2; 38.27, Subdivision 1; 38.36; 40.07, Subdivision 15; 121.712, Subdivision 2; 134.12, Subdivision 3; 145.51, Subdivisions 1 and 2; 163.05, Subdivision 1; 163.06, Subdivision 1; 193.145, Subdivision 2; 245.62; 245.65, Subdivision 1; 252.22; 252.24, Subdivision 4; 275.09, Subdivision 2; 282.38, Subdivision 2; 373.25, Subdivision 1; 373.27, Subdivisions 1 and 2; 375.33, Subdivisions 1 and 2; 376.19; 376.20; 376.28; 381.12, Subdivision 2; 398.33, Subdivisions 1 and 6; 399.07, Subdivision 2; 400.11; 471.16, Subdivision 2; 471.63, Subdivision 2; and Laws 1951, Chapter 289, Section 3; repealing Minnesota Statutes 1971, Sections 38.27, Subdivision 2; 163.05, Subdivisions 2, 3, 4 and 5; 400.12; and Laws 1969, Chapter 905, Section 2.

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

Page 5, line 28, strike "within the limits of the appropriation"

Page 6, line 1, strike "hereinbefore specified"

Page 6, line 14, strike "This levy shall be allowed in addition to any"

Page 6, strike lines 15, 16, 17

Page 6, line 18, strike "reduced in any amount whatsoever."

Page 7, line 7, strike "The levy of such taxes shall not cause"

Page 7, strike lines 8 and 9

Page 7, line 10, strike "to be reduced in any amount whatsoever."

Page 8, line 23, strike "when" and insert "When"

Page 25, line 25, strike "shall be"

Page 25, strike line 26

Page 25, line 27, strike "authorized by law, and"

Page 27, line 28, strike "This levy shall be in excess of any limitation as"

Page 28, strike line 1

Page 28, line 9, strike "Such levy may be made"

Page 28, strike lines 10, and 12 through 14

Page 31, after line 19, add a section to read:

*"Sec. 37. Nothing in this act shall be construed to permit any county to levy in excess of the levy limitation imposed by Minnesota Statutes, Sections 275.50 to 275.56."*

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. 1628: A bill for an act relating to the organization and operation of state government; creating a department of transportation; prescribing its duties and responsibilities; amending Minnesota Statutes 1971, Sections 123.18, Subdivision 1; 123.39, Subdivision 1; 299D.01, Subdivision 1; and 473A.06, Subdivision 3; repealing Minnesota Statutes 1971, Sections 4.20; 161.03; 168.325, Subdivisions 1 and 3; 171.015, Subdivision 1; and 360.014.

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

Page 6, line 15, delete "an"

Page 6, line 16, delete "assistant commissioner for safety,"

Page 9, delete all of lines 7 through 23

Page 16, line 21, strike "216.10" and insert "216A.10"; strike "216.13" and insert "216A.13"

Page 19, line 20, delete "168.325, Subdivisions 1 and 3; 171.015, Subdivision"

Page 19, line 21, before "and" delete "1;"

Renumber the sections accordingly.

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

Line 9, strike "219D.01, Subdivision 1;"

Line 12, strike "168.325, Subdivisions 1 and 3; 171.015,"

Line 13, strike "Subdivision 1;"

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

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

S. F. No. 1215: A bill for an act relating to the Minnesota higher education coordinating commission; appropriating money for community service and continuing education projects.

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

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

S. F. No. 1232: A bill for an act relating to education; defining gifted pupil; permitting school districts to provide services for gifted pupils.

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

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

S. F. No. 770: A bill for an act relating to pollution control; imposing certain duties in relation thereto on the Minnesota pollution control agency, the state soil and water conservation commission, watershed districts, the state board of health, the department of agriculture and the department of natural resources; authorizing the Minnesota pollution control agency to promulgate rules and regulations and prescribe fees for certain activities relating to pollution; requiring a study and report on the financial impact on small communities of being required to provide secondary sewage treatment; prescribing penalties and appropriating money; amending Minnesota Statutes 1971, Sections 40.01, by adding subdivisions; 40.07, by adding a subdivision; 112.43, Subdivision 1; 115.03, Subdivision 1; 115.06, Subdivision 1; 114.12; 394.25, by adding a subdivision; 462.358, Subdivision 2; Chapter 40, by adding sections; and Chapter 115, by adding sections; repealing Minnesota Statutes 1971, Sections 115.07, Subdivisions 4 and 6; 115.45; 115.47; 115.81; 116.08; 116.30; 116.31; 116.32; 144.35; 144.36; and 144.37.

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

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

"Section 1. Minnesota Statutes 1971, Section 40.01, is amended by adding a subdivision to read:

*Subd. 15. "Land-disturbing activity" means any land change which may result in soil erosion from water or wind and the movement of sediments into waters or onto lands in the state, including, but not limited to, tilling, clearing, grading, excavating, transporting, and filling of land, other than federal lands, except that the term shall not include such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, and other minor activities as specified by the soil and water conservation commission by regulation.*

Sec. 2. Minnesota Statutes 1971, Section 40.01, is amended by adding a subdivision to read:

*Subd. 16. "Person" shall have the meaning given it in section 115.01, subdivision 10.*

Sec. 3. Minnesota Statutes 1971, Section 40.01, is amended by adding a subdivision to read:

*Subd. 17. "State waters" shall have the same meaning as given "waters of the state" in section 115.01, subdivision 9.*

Sec. 4. Minnesota Statutes 1971, Section 40.02, is amended to read:

**40.02 [PUBLIC POLICY; PURPOSE.]** As a guide to the interpretation and application of this chapter, the public policy of the state is declared to be as follows. Improper land-use practices have caused and contributed to serious erosion of farm and grazing lands of this state by wind and water and that thereby topsoil is being washed out of fields and pastures and has speeded up the removal of the absorptive top soil causing exposure of less absorptive and less protective, but more erosive, subsoil; and that land occupiers have failed to cause the discontinuance of such practice as creates this condition, and the consequences there of have caused the deterioration of soil and its fertility and the deterioration of crops grown thereon, and declining yields therefrom, and diminishing of the underground water reserve, all of which have caused water shortages, intensified periods of drought, and crop failure, and thus brought about suffering, disease, and impoverishment of families and the damage of property from floods and dust storms; and that all of these effects may be prevented by land-use practices contributing to the conservation of top soil by carrying on of engineering operations such as the construction of terraces, check dams, dikes, ponds, ditches, and the utilization of strip cropping, lister furrowing, contour cultivating, land irrigation, seeding and planting of waste, sloping, abandoned, or eroded lands to water-conserving and erosion-preventing plants, trees, and grasses, and that rapid shifts in land use from agricultural and

rural to nonagricultural and urbanizing uses, changes in farm and ranch enterprises, operations, and ownership, construction of housing, industrial, and commercial developments, streets, highways, recreation areas, schools and universities, public utilities and facilities, and other land disturbing activities and accelerated and process of soil erosion and sediment deposition resulting in pollution of the waters of the state and damage to domestic, agricultural, industrial, recreational, fish and wildlife, and other resource uses.

It is, therefore, further declared to be the policy of sections 1 to 13 of this act to strengthen and extend the present erosion and sediment control activities and programs of this state for both rural and urban lands, and to establish and implement, through the state soil and water conservation commission, hereinafter referred to as the "commission", and the soil and water conservation districts, hereinafter referred to as "districts", in cooperation with counties, municipalities and other local governments and subdivisions of this state, and other public and private entities, a statewide comprehensive and coordinated erosion and sediment control program to conserve and protect land, water, air, and other resources of the state. In recognition of the ever increasing demands on the natural resources of the state and of the need to preserve, protect, and develop such resources at such a rate and at such levels of quality as will meet the needs of the people of the state, it is hereby declared that it is for the public welfare, health, and safety of the people of Minnesota to provide for the conservation of the soil and soil water resources of this state, and for the control and prevention of soil erosion and resulting sedimentation, for land use resource planning and development, and for implementation of land protective practices that effectively reduce siltation and loss of the land base through activities associated with farming, mining, construction, forestry, and other activities of man, and for flood prevention or the conservation development, utilization, and disposal of water, including but not limited to, measures for fish and wildlife and recreational development, and thereby ~~preserve~~ conserve and develop natural resources, control floods, assist in the control of pollution, prevent impairment of dams and reservoirs, assist in flood plain and shoreland management, assist in maintaining the navigability of rivers and harbors, ~~preserve~~ conserve natural beauty and wildlife, assist in promoting the development of the recreational potential, protect the tax base, and protect public lands by land-use practices, and protect and promote the health, safety, and general welfare of the people of this state, as herein provided for. It is further declared to be the policy of this state to authorize soil and water conservation districts established under Minnesota Statutes, Chapter 40, to serve as one of the local units of government responsible for the conservation and utilization of the natural resources of this state and competent to administer, in close cooperation with land owners and occupiers, with other local governmental units, and with agencies of the government of this state and the United States, projects, programs, and activities suitable for effectuating the policy of Minnesota Statutes, Chapter 40.

Sec. 5. Minnesota Statutes 1971, Chapter 40, is amended by adding a section to read:

[40.031] [SEDIMENT CONTROL ORDINANCE.] *Subdivision 1. [RULES AND REGULATIONS.] On or before July 1, 1974, the state soil and water conservation commission after consultation with the Minnesota pollution control agency and in accordance with the administrative procedure act, shall promulgate regulations governing land disturbing activities to control soil erosion and sedimentation. To assist in the development of such program, the commission shall name an advisory board of not less than seven nor more than eleven members, representing such interests as housing, financing, industry, agriculture, recreation, and local governments, and their planning, transportation, health, public works, and zoning commissions or agencies. The regulations shall:*

*(a) be based upon relevant physical and developmental information concerning the watersheds and drainage basins of the state, including, but not limited to, data relating to land use, soils, hydrology, geology, size of land area being disturbed, proximate water bodies and their characteristics, transportation, and public facilities and services;*

*(b) include such survey of lands and waters as may be deemed appropriate by the commission or required by any applicable law to identify areas, including multijurisdictional and watershed areas, with critical erosion and sediment problems;*

*(c) contain conservation standards for various types of soils and land uses, which standards shall include criteria, techniques, and methods for the control of erosion and sediment resulting from land-disturbing activities; and*

*(d) include a model sediment control ordinance which may be adopted by a county, or a city, village, or borough, hereinafter referred to as municipalities, as its sediment control ordinance, or which may be modified or adopted by a county or municipality to meet its particular needs; provided that every county or municipal sediment control ordinance shall meet the minimum requirements of the regulations of the state soil and water conservation commission.*

*The regulations shall be made available for inspection at the office of the commission.*

*Subd. 2. [REVIEW AND RECOMMENDATIONS.] Each district in the state shall by January 1, 1975, review the regulations for erosion and sediment control and the program for implementation of the regulations as promulgated by the commission, and shall make specific recommendations to the counties, cities, villages and boroughs within the district concerning the inclusion of sediment and erosion controls as part of the land and water use controls of the county, city, village or borough.*

*Subd. 3. [COUNTY AND MUNICIPAL ORDINANCES PERMITTED.] After July 1, 1975, any county that has not enacted a sediment control ordinance for unincorporated areas, and any mu-*

nicipality that has not enacted a sediment control ordinance for incorporated areas meeting the minimum requirements of the regulations provided for in subdivision 1 relating to practices other than agricultural and forest practices may be ordered by the commission, after notice and hearing, to enact such an ordinance. Upon the request of a county or municipality, the commission shall assist in the preparation of the county's or municipality's ordinance. Upon adoption of its ordinance, the county or municipality shall submit the program to the district and to the commission for review and approval. If a county or municipality fails to enact a sediment control ordinance within six months after ordered to do so by the commission, or if the commission at any time thereafter, after notice and hearing as provided in section 105.44, finds that a county or municipality has adopted a sediment control ordinance that fails to meet the minimum standards specified in this subdivision, the commission shall adopt the model sediment control ordinance provisions relating to practices other than agricultural and forest practices to the county or municipality. The commission shall hold at least one public hearing on the proposed ordinance in the manner provided in section 394.26 or 462.357, as applicable, after giving notice as provided in section 394.26 or 462.357, as applicable. The ordinance is effective for the county or municipality on the date and in accordance with such regulations relating to compliance as the commission shall prescribe. Any costs incurred by the commission in adopting the model sediment control ordinance to the county or municipality shall be paid by the county or municipality and such costs may be collected in the manner prescribed in section 105.485, subdivision 5. The governing body of a county or municipality may levy a tax in such amount as may be required to pay the costs of complying with an order of the commission to adopt a sediment control ordinance, including the costs of complying with the provisions of sections 1 to 13 of this act. This tax shall be levied in excess of any limitation as to rate or amount, but shall not cause the amount of other taxes which are subject to any limitation to be reduced in any amount whatsoever.

Sec. 6. Minnesota Statutes 1971, Chapter 40, is amended by adding a section to read:

[40.032] [PROHIBITED LAND-DISTURBING ACTIVITIES.] Subdivision 1. Where a county or municipality has enacted a sediment control ordinance meeting the minimum requirements of section 5 of this act and any regulations promulgated pursuant thereto, and subject to the exceptions provided in subdivision 6 of this section, no person may engage in any land-disturbing activity until he has submitted to the county, for activities in unincorporated areas, or to the municipality, for activities in incorporated areas, a plan for erosion and sediment control for such land-disturbing activity and such plan has been reviewed and approved by the county or municipality, except that (1) when proposed land-disturbing activities are to be performed on state lands or by or on behalf of a state agency, plans for erosion and sediment control shall be submitted to the commission instead of the county or municipality for review and approval, and (2) where land-disturbing activities involve lands in more than one county or municipality,

plans for erosion and sediment control may, as an alternative to submission to each county or municipality concerned, be submitted to the commission for review and approval.

Subd. 2. Upon submission of an erosion and sediment control plan to a county or municipality or to the commission:

(a) the county or municipality shall review plans submitted to it and shall approve any such plan if it determines that the plan meets the conservation standards of the county or municipality, and if the person responsible for carrying out the plan certifies that he will properly perform the erosion and sediment control measures included in the plan and will conform to the provisions of sections 1 to 13 of this act;

(b) the commission shall review plans submitted to it and shall approve any such plan if it determines that the plan is adequate in consideration of the commission's guidelines and the conservation standards of the counties or municipalities involved, and if the person responsible for carrying out the plan certifies that he will properly perform the conservation measures included in the plan and will conform to the provisions of sections 1 to 13 of this act.

Subd. 3. When a plan submitted for approval under this section is found, upon review by a county or municipality, or the commission, to be inadequate, the county, municipality, or the commission, as the case may be, may require such modifications, terms, and conditions as will permit approval of the plan.

Subd. 4. Plans shall be acted upon at the first reasonable opportunity. If a plan is not acted upon by the county, municipality, or commission within 35 days after it is submitted, the plan shall be deemed to be approved.

Subd. 5. An approved plan may be changed by the county or municipality which has approved the plan or by the commission when it has approved the plan, where:

(a) inspection has revealed the inadequacy of the plan to accomplish the erosion and sediment control objectives of the plan, and appropriate modifications to correct the deficiencies of the plan are agreed to by the plan-approving authority and the person responsible for carrying out the plan; or

(b) the person responsible for carrying out the approved plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this act, are agreed to by the plan-approving authority and the person responsible for carrying out the plan.

Subd. 6. (a) Any person owning, occupying, or operating private agricultural and forest lands who has a soil and water conservation plan approved by the district and is implementing and maintaining such plan with respect to normal agricultural and forestry activities, shall not be deemed to be engaged in prohibited land-disturbing activity. If there is not available to any such owner, operator, or occupier at least 50 percent cost-sharing assistance or adequate

*technical assistance for the installation of erosion and sediment control measures required in an approved farm or ranch plan, or for measures to conform agricultural and forestry practices to conservation standards established pursuant to sections 1 to 13 of this act, any such owner, occupier, or operator who shall fail to install erosion and sediment control measures required in an approved soil and water conservation plan, or to conform his agricultural and forestry practices to such conservation standards, shall not be deemed to be engaged in prohibited land-disturbing activity subject to penalties under section 12 of this act.*

*(b) A state agency or political subdivision owning public lands that are being managed in accordance with a soil and water conservation plan approved by the district or that are being managed in accordance with a resource management plan that is in conformance with the conservation standards established pursuant to sections 1 to 13 of this act, shall not be deemed to be engaged in prohibited land-disturbing activity.*

Sec. 7. Minnesota Statutes 1971, Chapter 40, is amended by adding a section to read:

**[40.033] [APPROVED PLAN REQUIRED FOR ISSUANCE OF GRADING, BUILDING, OR OTHER PERMITS.]** *Where a county or municipality has enacted a sediment control ordinance meeting the minimum requirements of section 5 of this act and any regulations promulgated pursuant thereto, no agency or officer authorized under any other law to issue grading, building, or other permits for activities involving land-disturbing activities may issue any such permits unless the projects comply with an erosion and sediment control plan approved by the district, or by the commission where appropriate, and his certification that such plan will be followed. These requirements are in addition to all other provisions of law relating to the issuance of such permits and are not intended to otherwise affect the requirements for such permits.*

Sec. 8. Minnesota Statutes 1971, Chapter 40, is amended by adding a section to read:

**[40.034] [MONITORING, REPORTS, AND INSPECTIONS.]** *Subdivision 1. [LAND-DISTURBING ACTIVITIES WHERE PERMIT IS ISSUED.] With respect to approved plans for erosion and sediment control in connection with land-disturbing activities which involve the issuance of a grading, building, or other permit, the district shall provide for periodic inspections of the land-disturbing activity to insure compliance with the approved plan, and to determine whether the measures required in the plan are effective in controlling erosion and sediment resulting from the land-disturbing activities. Notice of such right of inspection shall be included in the permit. If the permit-issuing authority determines that the permittee has failed to comply with the plan, the authority shall immediately serve upon the permittee by registered mail to the address specified by the permittee in his permit application a notice to comply. Such notice shall set forth the measures needed to come into compliance with such plan and shall specify the time within which such measures shall be completed. If the permittee fails to*

*comply within the time specified, he shall be deemed to be in violation of sections 1 to 13 of this act and upon conviction shall be subject to the penalties provided by section 12 of this act.*

**Subd. 2. [OTHER LAND-DISTURBING ACTIVITIES EXCEPT AGRICULTURAL AND FORESTRY OPERATIONS.]** *With respect to approved plans for erosion and sediment control in connection with all other land-disturbing activities except agricultural and forestry operations, the county, municipality, or the commission in connection with plans approved by it, may require of the person responsible for carrying out the plan such monitoring and reports, and may make such on-site inspections after notice to the resident owner, occupier, or operator, as are deemed necessary to determine whether the soil erosion and sediment control measures required by the approved plan are being properly performed, and whether such measures are effective in controlling soil erosion and sediment resulting from the land-disturbing activity. Such resident owner, occupier, or operator shall be given an opportunity to accompany the inspectors. If it is determined that there is failure to comply with the approved plan, the county, municipality, or the commission where appropriate, shall serve upon the person who is responsible for carrying out the approved plan a notice to comply, setting forth the measures needed to be taken and specifying the time in which such measures shall be completed. Such notice shall be by registered mail to the person responsible for carrying out the plan at the address specified by him in his certification at the time of obtaining his approved plan. Upon failure of such person to comply within the specified period, he will be deemed to be in violation of sections 1 to 13 of this act and subject to the penalties provided by section 12 of this act.*

**Subd. 3. [AGRICULTURAL AND FORESTRY OPERATIONS.]** *With respect to agricultural and forestry operations, the county or municipality shall have authority to make on-site inspections to determine if the approved soil and water conservation plan is being followed, or where there is no such plan, to determine if the agricultural and forestry practices are being carried out in conformance with conservation standards established pursuant to sections 1 to 13 of this act. On-site inspections may be made after notice to the resident owner, operator, or occupier of the land involved, and such person shall be given an opportunity to accompany the inspector. If such inspections reveal that an owner, operator, or occupier of agricultural or forestry lands is not complying with the approved soil and water conservation plan or is not carrying out his agricultural and forestry practices in conformance with conservation standards established pursuant to sections 1 to 13 of this act, such owner, operator, or occupier shall be notified by registered mail addressed to him at his usual abode or customary place of business of the measures needed for compliance. Such notice shall require that such resident owner, occupier, or operator shall commence such measures within six months from the date of the notice and shall complete the same within 12 months of such date. Upon failure to comply with such notice, the owner, occupier, or operator will be deemed in violation of sections 1 to 13 of this act and subject to the penalties provided by section 12 of this act.*

Sec. 9. Minneosta Statutes 1971, Chapter 40, is amended by adding a section to read:

[40.035] [COOPERATION WITH FEDERAL AGENCIES.] *The county, municipality and the commission are authorized to cooperate and enter into agreements with any federal agency in connection with plans for erosion and sediment control with respect to land-disturbing activities on lands which are under the jurisdiction of such federal agency.*

Sec. 10. Minnesota Statutes 1971, Chapter 40, is amended by adding a section to read:

[40.036] [FINANCIAL AND OTHER ASSISTANCE.] *The commission, counties, and municipalities are authorized to receive from federal, state, or other public or private sources financial, technical, or other assistance for use in accomplishing the purposes of sections 1 to 13 of this act.*

Sec. 11. Minnesota Statutes 1971, Chapter 40, is amended by adding a section to read:

[40.037] [APPEALS.] *Decisions of the counties, municipalities, the commission, and the permit-issuing authorities under the provisions of sections 1 to 13 of this act shall be subject to review by the district court; provided, an appeal is filed within 30 days from the date of any such decision.*

Sec. 12. Minnesota Statutes 1971, Chapter 40, is amended by adding a section to read:

[40.038] [PENALTIES, INJUNCTIONS AND OTHER LEGAL ACTIONS.] *Subdivision 1. A violation under section 6 or 8 of this act shall be a misdemeanor. Plans and ordinances shall be enforced as provided in section 394.37 or 462.362, as applicable, except as otherwise provided in this section.*

*Subd. 2. The appropriate permit-issuing authority, the county, the municipality, the commission, or any aggrieved person who suffers damage or is likely to suffer damage because of a violation may apply to the district court for injunctive relief to enjoin a violation or threatened violation under section 6 or 8.*

*Subd. 3. The appropriate county or municipal attorney shall, upon request of a county, municipality, or the permit-issuing authority, take legal action to enforce the provisions of sections 1 to 13 of this act. The attorney general shall, upon request of the commission, take appropriate legal action on behalf of the commission to enforce the provisions of sections 1 to 13 of this act.*

Sec. 13. Minnesota Statutes 1971, Section 40.07, is amended by adding a subdivision to read:

*Subd. 16. If a county or municipality adopts erosion and sediment controls, the district shall review any application for a land-disturbing permit required by ordinance and report its recommendations to the planning agency or official authorized to issue a land-disturbing permit. Each appropriate district shall assist the county or municipality in the development of such ordinances or*

*portions thereof as are necessary to control sediment and erosion, and shall assist in the on-site inspection and make recommendations for enforcement of the ordinance according to the provisions of the ordinance.*

Sec. 14. Minnesota Statutes 1971, Section 112.43, Subdivision 1, is amended to read:

112.43 [MANAGERS; POWERS, DUTIES.] Subdivision 1. The managers, in order to give effect to the purposes of this chapter may:

(1) Make necessary surveys or utilize other reliable surveys and data and develop projects to accomplish the purposes for which the district is organized and may initiate, undertake, and construct projects not required to be instituted by a petition under section 112.47.

(2) Cooperate or contract with any state or subdivision thereof or federal agency or private or public corporation or cooperative association.

(3) Construct, clean, repair, alter, abandon, consolidate, reclaim or change the course or terminus of any public ditch, drain, sewer, river, watercourse, natural or artificial, within the district.

(4) Acquire, operate, construct, and maintain dams, dikes, reservoirs, water supply systems, and appurtenant works.

(5) Regulate, conserve, and control the use of water within the district.

(6) Acquire by gift, purchase, or the right of eminent domain necessary real and personal property. The district may acquire such property without the district where necessary for a water supply system.

(7) Contract for or purchase such insurance as the managers deem necessary for the protection of the district.

(8) Establish and maintain devices for acquiring and recording hydrological data.

(9) Enter into all contracts of construction authorized by this chapter.

(10) Enter upon lands within or without the district to make surveys and investigations to accomplish the purposes of the district. The district shall be liable for actual damages resulting therefrom.

(11) To take over when directed by the district court or county board all judicial and county drainage systems within the district, together with the right to repair, maintain, and improve the same. Whenever such judicial or county drainage system is taken over in whole or in part, the same, to the extent so taken over, shall become a part of the works of the district.

(12) Provide for sanitation and public health and regulate the use of streams, ditches, or watercourses for the purpose of disposing of waste and preventing pollution.

(13) Borrow funds from the following: (a) any agency of the federal government; (b) any county in which the district is located in whole or in part, provided assessments are pledged to repay the amount of the loan. A county board may lend the amount requested by a district. No district may have more than \$20,000 in loans from counties under this clause outstanding at any time.

(14) Prepare a flood plain map of the lands of the district which are in the flood plain of lakes and watercourses, which map shall be made available to the counties and local municipalities for inclusion in flood plain ordinances and shall be in conformity with state regulations setting standards and criteria for designation of flood plain areas.

(15) Prepare an open space and greenbelt map of the lands of the district which should be preserved and included in the open space and greenbelt land areas of the district, which map shall be made available to the counties and local municipalities for inclusion in flood plain and shoreland ordinances.

(16) Appropriate necessary funds to provide for membership in a state association of watershed districts which has as its purpose the betterment and improvement of watershed governmental operations.

(17) Adopt rules and regulations to effectuate the purposes of the act and the powers of the managers. In the protection and the control of the use and development of land in the flood plain and the greenbelt and open space areas of the district, the managers shall have a limited authority to adopt ordinances to control encroachments, the changing of land contours, the placement of fill and structures of every type, to prevent the placement of encumbrances or obstructions and to require the landowner to remove such fill, structures, encumbrances, or other obstructions and to restore the previously existing land contours and vegetation. The managers may by ordinance provide a procedure whereby the district can do the work required and assess the cost thereof against the affected property as a special assessment. Such ordinances shall be applicable only in the absence of county or municipal ordinances for the regulation of those items set forth in this paragraph. Every ordinance shall be enacted by a majority vote of the managers of the district. The ordinance shall be signed by the secretary of the district and published once in a legal newspaper of the district. Proof of the publication shall be attached to and filed with the ordinance. Every ordinance shall be recorded in the official minute book and shall be substantially in the style, "The managers of the ..... Watershed District ordain:".

*(18) Advise and assist soil and water conservation districts, municipalities and counties, within the overall plan of the watershed district, in developing and implementing an erosion and sedimentation control program.*

Sec. 15. Minnesota Statutes 1971, Section 115.03, Subdivision 1, is amended to read:

115.03 [POWERS AND DUTIES.] Subdivision 1. The agency is hereby given and charged with the following powers and duties:

To administer and enforce all laws relating to the pollution of any of the waters of the state;

To investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;

To establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of sections 115.01 to 115.09;

*To encourage waste treatment, including advanced waste treatment, instead of stream low-flow augmentation for dilution purposes to control and prevent pollution;*

To make and alter reasonable orders requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the state resulting in pollution in excess of the applicable pollution standard established under this subdivision;

To require to be submitted and to approve plans for disposal systems or any part thereof and to inspect the construction thereof for compliance with the approved plans thereof;

To issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the discharge of sewage, industrial waste or other wastes, or for the installation or operation of disposal systems or parts thereof;

To revoke or modify any permit issued under sections 115.01 to 115.09 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution of any waters of the state;

To prescribe and alter rules and regulations, not inconsistent with law, for the conduct of the agency and other matters within the scope of the powers granted to and imposed upon it by sections 115.01 to 115.09, provided that every rule or regulation affecting any other department or agency of the state or any person other than a member or employee of the agency shall be filed with the secretary of state; and

To conduct such investigations and hold such hearings as it may deem advisable and necessary for the discharge of its duties under sections 115.01 to 115.09, and to authorize any member, employee, or agent appointed by it to conduct such investigations or hold such hearings.

Sec. 16. Minnesota Statutes 1971, Section 115.06, Subdivision 1, is amended to read:

**115.06 [COOPERATION.]** Subdivision 1. **[WITH OTHER SOVEREIGN STATES.]** The agency, so far as it is not inconsistent with its duties under the laws of this state, may assist and cooperate with any agency of another state, of the United States of America or of the Dominion of Canada or any province thereof in any matter relating to water pollution control. *The agency shall continue to encourage the adoption by the federal government of nationwide and international water pollution standards and enforcement that are at least as stringent as the standards in force in this state. It shall urge the adoption of equally stringent water pollution control and enforcement standards in neighboring states.*

Sec. 17. Minnesota Statutes 1971, Chapter 115, is amended by adding a section to read:

**[115.11] [WATER POLLUTION STUDIES.]** Subdivision 1. **[COMMISSIONER OF NATURAL RESOURCES TO COMPILE DATA.]** *As part of the department of natural resources water resource program, the commissioner of natural resources shall compile and evaluate on a statewide basis general water quality data which show the chemical and biological characteristics of surface and ground waters. The more specific data to be compiled and evaluated, and the completion date thereof, shall be determined jointly by the agency and the commissioner. The compilation and evaluation thereof shall be furnished to the agency.*

Subd. 2. **[STUDIES AND RECOMMENDATIONS BY DEPARTMENT OF AGRICULTURE.]** *The commissioner of agriculture, with the assistance of the department of natural resources, the department of health, the university of Minnesota institute of agriculture and such other state and federal agencies and public and private institutions as may be helpful, shall make a study to determine the extent, if any, that agricultural uses, including but not limited to chemical fertilizers and pesticides, contribute to water pollution. The results of the study, together with recommendations for abatement of any pollution caused by agricultural uses, shall be furnished to the agency.*

Subd. 3. **[AGENCY COMPILATION; INCORPORATION IN PLAN.]** *The agency shall study and evaluate the information, data and recommendations furnished by the commissioners and the secretary and executive officer of the state department of health. On or before November 15, 1974, the agency shall determine and identify, for the state as a whole, and in report form, the amount of waters that are polluted; the amount of pollution due to natural causes; the amount due to man's activities; the amount due to man's activities caused by each source, including municipal sewage, industrial wastes, agricultural runoff, boat toilets, and any other large source of pollution; and the location of the pollution. The agency shall compile and evaluate the data, information and recommendations furnished by the commissioner of natural resources and the commissioner of agriculture and the secretary and executive officer of the state department of health, and such other relevant data on water pollution, including data on the status and trends in water quality throughout the state, and incorporate it into the agency's long range plan for water pollution control.*

*Subd. 4. [SAVINGS CLAUSE.] Nothing in this section shall be construed to limit or alter any existing authority of the agency to investigate and identify sources of pollution and polluted waters.*

*Subd. 5. [FINANCIAL IMPACT STUDY.] The agency shall conduct an in-depth study to determine the financial impact on small communities of being required to provide secondary or advanced treatment of sewage. The results of the study, together with the recommendations of the agency based on the study, shall be presented to the legislature by November 15, 1974.*

Sec. 18. Minnesota Statutes 1971, Section 115.01, is amended by adding a subdivision to read:

*Subd. 18. "Scavenging" means the business of servicing disposal systems by removal therefrom for disposal of any of the sewage, industrial wastes, or other wastes therein.*

Sec. 19. Minnesota Statutes 1971, Section 115.01, is amended by adding a subdivision to read:

*Subd. 19. "Scavenger" means a person engaged in scavenging.*

Sec. 20. Minnesota Statutes 1971, Chapter 115, is amended by adding a section to read:

[115.851] SCAVENGERS; REGULATION, LICENSING.]  
*Subdivision 1. [LICENSE REQUIRED.] After March 1, 1974, a person shall not engage in scavenging without first having obtained a license therefor from the agency. Nothing in this section shall be construed to require a license for: (a) a property owner to clean his own septic tank, cesspool, or boat holding tank, or (b) a municipality operating and maintaining a public sewage disposal system; provided that such property owners and municipalities shall otherwise comply with rules and regulations regulating scavenging.*

*Subd. 2. [RULES AND REGULATIONS.] On or before January 1, 1974, the agency, in accordance with chapter 15 shall promulgate rules and regulations governing scavengers and scavenging. The rules and regulations shall prescribe (1) the manner of disposal of scavenged wastes in order to prevent pollution; (2) regular reports concerning the operation of each licensee; (3) the form of the license application and the information to be contained therein; (4) a schedule of fees for licensure which reflects the costs of processing applications, and the cost of monitoring the scavenging operation and disposal of the scavenged wastes; (5) the equipment and vehicles to be used by scavengers; (6) the requirements which a person may properly impose as a precondition to the receipt for disposal of scavenged wastes; (7) the conditions, if any, under which scavenged wastes may be disposed of on private property, or in municipal treatment works, or by incineration or by on-land or other methods of disposal; (8) the procedures to be employed in collection, storing, pumping, transporting, securing, and disposing of scavenged wastes; and (9) other provisions necessary to implement and administer the requirements of this section.*

*Subd. 3. [ESTABLISHMENT OF FEE SCHEDULE.] Each application shall be accompanied by a fee which shall not exceed \$50, payable to the state treasurer to be deposited in the general fund. License application renewal fees may be less than the initial license fee. The application for such license shall be made to the agency prior to March 1 of each even numbered year. In addition, each application shall be accompanied by a vehicle license fee, which shall not exceed \$20, for each vehicle to be used by the applicant. This license is not transferable from one vehicle to another, and all licenses shall expire on the last day of February of each even numbered year. The fees schedules so established by the agency shall be related to the actual cost of the scavenging regulatory program.*

*Subd. 4. [SURETY BOND.] The application shall be accompanied by a surety bond covering the period for which the license shall be issued by a surety company registered in the state of Minnesota, to indemnify persons for whom service and maintenance work is performed. Such bonds shall be \$1,000 for residents of the state of Minnesota and \$5,000 for nonresidents. The agency shall be the obligee, and the bond shall be for the benefit and purpose to protect all persons damaged by faulty workmanship by a scavenger. Such bonds shall be conditioned upon the performance of the services in a workmanlike and hygienic manner, and in accordance with the rules and regulations of the agency.*

*Subd. 5. [ENFORCEMENT.] In addition to other penalties provided by chapter 115, the agency, following a hearing, may revoke, deny, suspend, or refuse to renew the license of a scavenger who violates any rule or regulation promulgated pursuant to this section.*

*Subd. 6. [DELEGATION OF EXCLUSIVE AUTHORITY.] After January 1, 1974, the agency has the exclusive authority to license scavengers and no political subdivision of the state nor other state agency shall issue a scavenger license unless such subdivision or other state agency has been duly authorized to do so by agreement with the agency. Upon authorization by the agency, a political subdivision of the state may regulate the business of scavenging. Such regulation shall be in accordance with the rules promulgated by the agency and the political subdivision may: (1) charge fees and levy taxes as may be necessary to support the program; and (2) adopt rules and ordinances not less stringent than state laws and regulations for the conduct of the program.*

Sec. 21. Minnesota Statutes 1971, Section 144.12, is amended to read:

**144.12 [REGULATIONS, ENFORCEMENT.]** The board may adopt, alter, and enforce reasonable regulations of permanent application throughout the whole or any portion of the state, or for specified periods in parts thereof, for the preservation of the public health. Upon the approval of the attorney general and the due publication thereof, such regulations shall have the force of law, except insofar as they may conflict with a statute or with the charter or ordinance of a city of the first class upon the same

subject. In and by the same the board may control, by requiring the taking out of licenses or permits, or by other appropriate means, any of the following matters:

(1) The manufacture into articles of commerce, other than food, of diseased, tainted, or decayed animal or vegetable matter;

~~(2) The business of scavenging and the disposal of sewage;~~

~~(3)~~ (2) The location of mortuaries and cemeteries and the removal and burial of the dead;

~~(4)~~ (3) The management of lying-in houses and boarding places for infants and the treatment of infants therein;

~~(5)~~ (4) The pollution of streams and other waters and The distribution of water by private persons for drinking or domestic use;

~~(6)~~ (5) The construction and equipment, in respect to sanitary conditions, of schools, hospitals, almshouses, prisons, and other public institutions, and of lodging houses and other public sleeping places kept for gain;

~~(7)~~ (6) The treatment, in hospitals and elsewhere, of persons suffering from communicable diseases, including all manner of venereal disease and infection, the disinfection and quarantine of persons and places in case of such disease, and the reporting of sicknesses and deaths therefrom;

Provided, that neither the board nor any local board of health nor director of public health shall have authority to make or adopt any rule or regulation for the treatment in any penal or correctional institution of any person suffering from any such communicable disease or venereal disease or infection, which rule or regulation requires the involuntary detention therein of any person after the expiration of his period of sentence to such penal or correctional institution, or after the expiration of the period to which the sentence may be reduced by good time allowance or by the lawful order of any judge or magistrate, or of any parole board;

~~(8)~~ (7) The prevention of infant blindness and infection of the eyes of the newly born by the designation, from time to time, of one or more prophylactics to be used in such cases and in such manner as the board may direct, unless specifically objected to by the parents or a parent of such infant;

~~(9)~~ (8) The furnishing of vaccine matter; the assembling, during epidemics of smallpox, with other persons not vaccinated, but no rule of the board or of any public board or officer shall at any time compel the vaccination of a child, or exclude, except during epidemics of smallpox and when approved by the local board of education, a child from the public schools for the reason that such child has not been vaccinated; any person thus required to be vaccinated may select for that purpose any licensed physician and no rule shall require the vaccination of any child whose physician shall certify that by reason of his physical condition vaccination would be dangerous;

(10) (9) The accumulation of filthy and unwholesome matter to the injury of the public health and the removal thereof;

(11) (10) The collection, recording, and reporting of vital statistics by public officers and the furnishing of information to such officers by physicians, undertakers, and others of births, deaths, causes of death, and other pertinent facts;

(12) (11) The construction, equipment, and maintenance in respect to sanitary conditions of lumber camps, migratory or migrant labor camps, and other industrial camps;

(13) (12) The general sanitation of tourist camps, summer hotels, and resorts in respect to water supplies, disposal of sewage, garbage, and other wastes in the prevention and control of communicable diseases; and, to that end, may prescribe the respective duties of county and local health officers; and all county and local boards of health shall make such investigations and reports and obey such directions as the board may require or give and, under the supervision of the board, enforce such regulations;

(14) (13) Atmospheric pollution of the indoor atmosphere which may be injurious or detrimental to public health; and

(15) (14) Sources of ionizing radiation, and the handling, storage, transportation, use and disposal of radioactive isotopes and fissionable materials.

Sec. 22. Minnesota Statutes 1971, Section 361.29, Subdivision 1, is amended to read:

361.29 [MARINE TOILETS.] Subdivision 1. (a) For the purposes of this section the term "watercraft" has the meaning given to it by section 361.02, subdivision 7, and acts amendatory thereof. (b) No person owning or operating a watercraft or other marine conveyance upon the waters of the state of Minnesota shall use, operate or permit the use or operation of any marine toilet or similar device for the disposition of sewage or other wastes, unless the toilet wastes are retained for disposition on land by means of facilities constructed and operated in accordance with rules and regulations adopted by the state board of health and approved by the pollution control agency of the state of Minnesota. No person shall discharge into the waters of this state, directly or indirectly from a watercraft or other marine conveyance, any sewage or other wastes, nor shall any container of sewage or other wastes be placed, left, discharged, or caused to be placed, left or discharged into any waters of this state by any person or persons at any time whether or not the owner, operator, guest or occupant of a watercraft or other marine conveyance. All toilets must be sealed or otherwise rendered inoperative so that no human or other waste can be discharged from such toilet into state waters.

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

"A bill for an act relating to pollution control; imposing certain duties in relation thereto on the Minnesota pollution control agency, the state soil and water conservation commission, watershed districts, the state board of health, the department of agricul-

ture and the department of natural resources; authorizing the Minnesota pollution control agency to promulgate rules and regulations and prescribe fees for certain activities relating to pollution; requiring a study and report on the financial impact on small communities of being required to provide secondary sewage treatment; appropriating money; amending Minnesota Statutes 1971, Sections 40.01, by adding subdivisions; 40.02; 40.07, by adding a subdivision; 112.43, Subdivision 1; 115.03, Subdivision 1; 115.06, Subdivision 1; 144.12; 361.29, Subdivision 1; 394.25, by adding a subdivision; Chapter 40, by adding sections; and Chapter 115, by adding sections."

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

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

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

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

Page 1, following line 10, insert two sections as follows:

"Section 1. Minnesota Statutes 1971, Section 609.36, Subdivision 1, is amended to read:

609.36 [ADULTERY.] Subdivision 1. [ACTS CONSTITUTING.] When a married ~~Woman~~ person has sexual intercourse with a man other than her husband, ~~whether married or not, person not his spouse~~ both are guilty of adultery and may be sentenced to imprisonment for not more than one year or to payment of a fine of more than \$1,000 or both, which is a misdemeanor.

Sec. 2. Minnesota Statutes 1971, Section 609.36, Subdivision 3, is amended to read:

Subd. 3. [DEFENSE.] *If the defendant is unmarried it is a defense to violation of this section if that the marital status of the woman other person was not known to the defendant him at the time of the act of adultery.*

Renumber Section 1 as Sec. 3.

Page 1, line 12, strike "609.294;"

Page 1, line 12, strike "609.36;"

Page 1, line 12, strike "617.28;"

Page 1, line 13, strike "624.49; 624.50; 624.51; 624.62;"

Amend the title in line 3 by inserting before "repealing" "amending and"

Following line 3, insert a new line as follows: "amending Minnesota Statutes, Sections 609.36, Subdivisions 1 and 3;"

Line 6, strike "609.294;" and "609.36;"

Line 7, strike "617.28;" and "624.49;"

Line 8, strike "624.50; 624.51; 624.62;"

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. 1394: A bill for an act relating to education; prescribing additional duties for the higher education coordinating commission; appropriating money; amending Minnesota Statutes 1971, Sections 136A.04 and 136A.05.

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

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

S. F. No. 1522: A bill for an act relating to elections; providing for financial disclosures by candidates for Congress; amending Minnesota Statutes 1971, Section 211.20, by adding a subdivision.

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

Page 1, line 12, after "*Senate*" add "*and any political committees raising funds and making expenditures exclusively on behalf of any one of those candidates*"

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

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

S. F. No. 1247: A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

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

Page 6, line 15, strike "*municipality*" and insert "*address*"

Line 19, strike "*a registered*" and insert "*an eligible*"

Line 20, strike "*municipality*" and insert "*county, who has voted within the last four years*"

Page 7, line 4, strike "*a registered*" and insert "*an eligible*";

strike "*municipality*" and insert "*county, who has voted in the last four years*"

Page 7, line 24, strike "*a*"

Line 25, strike "*registered*" and insert "*an eligible*"; strike "*municipality*" and insert "*county*"

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

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

S. F. No. 775: A bill for an act relating to crimes and criminals; making uniform the penalties for various misdemeanors and other similar type offenses; amending Minnesota Statutes 1971, Sections 12.34, Subdivision 3; 12.45; 17.23, Subdivision 3; 21.122; 21.58, Subdivision 1; 24.077; 24.181; 29.091, Subdivision 7; 29.28; 31.185, Subdivision 13; 31.403; 31.405; 31.58; 31.611; 32.101; 32.205; 32.534; 32.645, Subdivision 2; 33.091; 33.171; 34.113; 35.70, Subdivision 1; 54.28; 64A.46, Subdivision 2; 69.58; 71A.08, Subdivision 1; 72A.14; 79.23; 85.20, Subdivisions 3 and 5; 88.11, Subdivision 2; 88.13, Subdivision 3; 88.19; 97.55, Subdivisions 1, 2, 3, and 4; 127.17, Subdivision 4; 127.19; 127.20; 145.24, Subdivision 3; 145.35, Subdivision 2; 153.15; 154.19; 157.08; 168.013, Subdivision 3; 168.275; 168.36, Subdivision 2; 169.121, Subdivisions 3 and 4; 175.34; 177.19; 180.10; 181.20; 181.21; 181.30; 182.19; 182.28; 182.49; 183.61, Subdivision 6; 197.59; 211.15, Subdivision 1; 218.071, Subdivision 2; 219.383, Subdivision 5; 219.57; 219.97, Subdivisions 1, 6, 8, 9, and 16; 222.06; 223.08, Subdivision 1; 229.19; 229.20; 232.06, Subdivision 7; 233.35; 235.04; 239.23; 239.24; 239.44; 239.45; 239.511, Subdivision 3; 248.06, Subdivision 3; 297.25, Subdivision 1; 299G.10; 299H.28; 299I.22; 325.245, Subdivision 7; 325.48; 325.77, Subdivision 6; 325.83, Subdivision 2; 325.84, Subdivision 5; 326.337; 327.07; 329.17, Subdivision 2; 333.13; 333.135; 340.78; 340.81; 340.83, Subdivision 1; 340.90; 346.23; 346.26; 346.28; 346.29; 373.26, Subdivision 5; 395.22; 426.10; 481.05; 488A.06, Subdivision 4; 509.02; 509.03; 514.66; 609.17, Subdivision 4; 617.23; 624.03; 624.65, Subdivision 3; 624.701; 631.04; and 641.10; repealing Minnesota Statutes 1971, Section 35.70, Subdivision 2.

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

Page 2, line 20, after "*guilty of a*" insert "*petty*"

Page 3, line 5, after "*guilty of a*" insert "*petty*"

Page 3, line 10, strike "*gross*" and strike "*and shall be punished by a*"

Page 3, strike all of lines 11 and 12

Page 3, line 13, strike "*months*"

Page 3, line 23, after "*guilty of a*" insert "*petty*"

Page 3, line 27, strike "gross" and strike "and shall be fined not less than \$50 nor"

Page 3, strike all of line 28

Page 4, line 1, strike "months"

Page 4, line 18, after "guilty of a" insert "petty" and after "misdemeanor" insert "for a first offense or a misdemeanor for a second or subsequent offense"

Page 5, line 11, after "guilty of a" insert "petty"

Page 5, line 12, after "misdemeanor" insert "for a first offense, a misdemeanor for a second offense, or a gross misdemeanor for a third or subsequent offense"

Page 5, line 26, after "guilty of a" insert "petty" and after "misdemeanor" insert "for a first offense or a misdemeanor for a second or subsequent offense"

Page 6, delete lines 20 through 27

Page 8, line 2, after "guilty of a" insert "petty"

Page 9, line 8, after "of a" insert "petty"

Page 9, line 24, after "guilty of a" insert "petty"

Page 11, line 1, after "guilty of a" insert "gross"

Page 12, line 7, after "guilty of a" insert "petty"

Page 12, after line 15, insert a new section as follows:

"Sec. 24. Minnesota Statutes 1971, Section 65B.13, is amended to read:

65B.13 [AUTOMOBILE INSURANCE, DISCRIMINATION IN AUTOMOBILE POLICIES FORBIDDEN.] No insurance company, or its agent, shall refuse to issue any standard policy of automobile liability insurance or make any discrimination in the acceptance of risks, in rates, premiums, dividends, or benefits of any kind, or by way of rebate between persons of the same class, nor on account of race. Every company or agent violating any of the foregoing provisions shall be fined not less than \$50, nor more than \$100, and every officer, agent, or solicitor violating the same shall be guilty of a misdemeanor."

Page 13, line 16, after "guilty of a" insert "petty"

Page 14, line 2, after "guilty of a" insert "gross"

Page 14, delete all of lines 5 through 17

Page 16, line 8, after "guilty of a" insert "petty"

Page 17, after line 5, insert:

"Sec. 33. Minnesota Statutes 1971, Section 88.14, Subdivision 2, is amended to read:

Subd. 2. When any person who has been directed by the commis-

sioner, or forest officers to dispose of such slashings, debris, or refuse fails to comply with these directions he shall be deemed guilty of a misdemeanor; and, on conviction thereof, punished by a fine of not less than \$25, and not exceeding \$100, and costs of prosecution; or by imprisonment in the county jail for not less than ten and not exceeding 90 days, and each day during which the failure to comply with the requirements of the commissioner continues shall be deemed a separate and distinct violation of sections 88.02 to 88.21; but any number of these offenses may be prosecuted as separate counts of one charge or information.

Page 20, line 20, strike "fined not"

Page 20, line 21, strike "more than" and delete "\$50"

Page 20, line 26, before the period insert "*guilty of a petty misdemeanor*"

Page 21, line 8, after "guilty of a" insert "*petty*"

Page 21, line 24, after "guilty of a" insert "*petty*"

Page 22, line 17, after "guilty of a" insert "*petty*"

Page 37, line 4, after the period, strike "Such a"

Page 37, line 5, strike "person upon conviction for the"

Page 37, line 7, strike "second offense shall pay a"

Page 37, strike all of lines 8 through 12

Page 39, line 6, after "guilty of a" insert "*petty*"

Page 40, line 15, after "guilty of a" insert "*petty*"

Page 40, line 21, after "*guilty of a*" insert "*petty*"

Page 41, line 13, after "guilty of a" insert "*petty*"

Page 42, line 22, after "guilty of a" insert "*petty*"

Page 43, line 17, after "guilty of a" insert "*petty*"

Page 44, line 9, after "guilty of a" insert "*petty*"

Page 45, line 4, after "guilty of a" insert "*petty*", after "hereof is a" insert "*petty*"

Page 45, line 11, before "*misdemeanor*" insert "*petty*"

Page 45, line 25, after the period, insert "*A second or subsequent violation of this subdivision shall be a misdemeanor.*"

Page 46, line 5, after "guilty of a" insert "*petty*"

Page 48, line 10, after "guilty of a" insert "*petty*"

Page 48, line 20, after "guilty of a" insert "*petty*"

Page 49, line 3, strike "All fines and penalties recovered by the state"

Page 49, strike line 4

- Page 49, line 10, after "guilty of a" insert "*petty*"
- Page 49, line 18, after "guilty of a" insert "*petty*"
- Page 49, line 26, after "guilty of a" insert "*petty*"
- Page 50, line 8, strike "All"
- Page 50, strike all of lines 9 through 11
- Page 52, line 27, after "guilty of a" insert "*petty*"
- Page 53, line 13, after "guilty of a" insert "*gross*"
- Page 54, line 19, after "guilty of a" insert "*petty*"
- Page 56, line 3, after "guilty of a" insert "*petty*"
- Page 58, line 7, after "guilty of a" insert "*petty*"
- Page 58, line 15, after "guilty of a" insert "*petty*"
- Page 58, line 24, after "guilty of a" insert "*petty*"
- Page 61, line 28, after "*guilty of a*" insert "*petty*"
- Page 62, line 18, strike "; and, upon conviction thereof, punished by a"
- Page 62, strike all of lines 19 and 20
- Page 62, line 21, strike "imprisonment"
- Page 63, line 3, reinstate the stricken "*gross*"
- Page 64, line 25, after "*of a*" insert "*gross*"
- Page 67, line 24, after "guilty of a" insert "*petty*"
- Page 70, delete lines 26 through 28
- Page 71, delete lines 1 through 13
- Page 73, line 17, reinstate the stricken "guilty of a misdemeanor" and before "misdemeanor" insert "*petty*"
- Page 73, line 17, after "and" strike "punished by a"
- Page 73, line 18, before the period, strike "fine of not less than ~~£1~~ \$10 nor more than ~~\$15~~ \$50"
- Page 74, line 16, reinstate the stricken "is guilty of a" and insert thereafter "*petty*"
- Page 74, line 17, reinstate the stricken "misdemeanor"
- Page 74, line 17, strike "may be punished by"
- Page 74, strike all of line 18
- Page 74, line 19, strike "jail for not more than five days,"
- Page 76, line 14, strike ", and shall be liable to a fine"
- Page 76, strike all of lines 15 and 16
- Page 76, line 17, strike "imprisonment"

Page 80, line 24, reinstate the stricken "guilty of a misdemeanor"

Page 80, line 24, before the restored "misdemeanor" insert "*petty*"

Page 80, line 24, strike "punished by a"

Page 80, line 25, strike all language

Page 80, line 27, delete "\$50"

Page 81, line 8, after "guilty of a" insert "*petty*"

Page 82, line 8, reinstate the stricken "guilty of a misdemeanor"

Page 82, line 8, before the restored "misdemeanor" insert "*petty*"

Page 82, line 8, strike "punished"

Page 82, line 9, before the period, strike "by a fine of not less than \$10 nor more than \$25 \$50"

Page 82, line 16, after the period, strike "The" and insert in lieu thereof "*Any*"

Page 82, line 17, strike "such"

Page 82, line 21, after "guilty of a" insert "*petty*"

Page 82, line 24, delete "*Section*" and insert in lieu thereof "*Sections 35.405;*"

Page 82, line 25, delete ", *is*" and insert in lieu thereof "; *and 340.83 are*"

Renumber the sections in sequence.

Further, amend the title in line 10, after "31.403;" by deleting "31.405;" in line 14 after "Subdivision 2;" by inserting "65B.13;" in line 15 by deleting "72A.14;" in line 17 after "Subdivision 3;" by inserting "88.14, Subdivision 2;" Lines 39 and 40, delete "340.83, Subdivision 1;" in line 47 by deleting "*Section*" and inserting in lieu thereof "*Sections 31.405;*" and in line 48, after "Subdivision 2" by inserting "; *and 340.83*"

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

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

H. F. No. 368: A bill for an act relating to the state college board; authorizing the establishment of educational television and telecommunication projects at the state college at Bemidji.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 443, 588, 793, 1036, 1203, 1376, 1556, 1712, 1715, 624, 735, 1172, 1486 and 1536 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. 1712 and 1715 to the Committee on Education.

H. F. Nos. 443 and 793 to the Committee on Finance.

H. F. No. 1036 to the Committee on Governmental Operations.

H. F. Nos. 1486 and 1536 to the Committee on Health, Welfare and Corrections.

H. F. No. 624 to the Committee on Judiciary.

H. F. Nos. 588 and 735 to the Committee on Labor and Commerce.

H. F. No. 1556 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 1203 and 1376 to the Committee on Natural Resources and Agriculture.

H. F. No. 1172 to the Committee on Transportation and General Legislation.

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

### **SECOND READING OF SENATE BILLS**

S. F. Nos. 1067, 1349, 1950, 1881, 1741, 261, 1925, 523, 1465, 328, 754, 961, 965, 1724, 1592, 1872, 1232, 1776, 1522, 1247 and 775 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H. F. Nos. 1624 and 368 were read the second time.

### **MOTIONS AND RESOLUTIONS**

Mr. Anderson moved that H. F. No. 942, No. 28 on the Calendar be stricken and placed at the top of General Orders. Which motion prevailed.

Mr. Willet moved that S. F. No. 1992 be withdrawn from the Committee on Local Government and re-referred to the Committee on Finance. Which motion prevailed.

Mr. Gearty moved that the report from the Committee on Governmental Operations reported April 18, 1973, pertaining to appointments be taken from the table. Which motion prevailed.

Mr. Gearty moved that the foregoing report be now adopted. Which motion prevailed.

**CONFIRMATION**

Mr. Gearty moved that in accordance with the report from the Committee on Governmental Operations, reported April 18, 1973, the Senate having advised with, do now consent to and confirm the appointments of:

**STATE BOARD OF HUMAN RIGHTS**

Leo Adams, 3657 Maryland Avenue, North, New Hope, Hennepin County, appointed effective the first Monday of January, 1973, for a term expiring the first Monday of January, 1976.

Mary Lou Hill, 432 Oliver Avenue, South, Minneapolis, Hennepin County, appointed effective the first Monday of January, 1973, for a term expiring the first Monday of January, 1976.

Jose Trejo, 841 Delaware Avenue, St. Paul, Ramsey County, appointed effective the first Monday of January, 1973, for a term expiring the first Monday of January, 1976.

Robert Bolle, 205 East Viking Drive, St. Paul Ramsey County, appointed effective the first Monday of January, 1973, for a term expiring the first Monday of January, 1976.

Duane Korbel, 3961 Zarthan Avenue, South, Bloomington, Hennepin County, appointed effective the first Monday of January, 1973, for a term expiring the first Monday of January, 1976.

Marie Martinez, 28 - 3rd Avenue, North, Madelia, Watonwan County, appointed effective the first Monday of January, 1973, for a term expiring the first Monday of January, 1976.

Ilene Jean Atwood, 5413 London Road, Duluth, St. Louis County, appointed effective the first Monday of January, 1973, for a term expiring the first Monday of January, 1976.

Which motion prevailed. Which appointments were confirmed.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Gearty moved that the report from the Committee on Governmental Operations reported April 18, 1973, pertaining to appointments be taken from the table. Which motion prevailed.

Mr. Gearty moved that the foregoing report be now adopted. Which motion prevailed.

**CONFIRMATION**

Mr. Gearty moved that in accordance with the report from the Committee on Governmental Operations, reported April 18, 1973, the Senate having advised with, do now consent to and confirm the appointment of:

**COMMISSIONER OF ECONOMIC DEVELOPMENT**

James R. Heltzer, 3857 Brookview Drive, St. Louis Park, Hennepin County, appointed effective March 14, 1973, for a term expiring January 1, 1975.

## CALL OF THE SENATE

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

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

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

The question recurring on the motion of Mr. Gearty,

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 40 and nays 25, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

Which motion prevailed. Which appointment was confirmed.

## MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Lord moved that the name of Mr. Wegener be added as co-author to S. F. No. 1464. Which motion prevailed.

## THIRD READING OF SENATE BILLS

S. F. No. 1498: A bill for an act relating to the state board of health; defining its functions; amending Minnesota Statutes 1971, Sections 144.03; and 144.05.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 973: A bill for an act relating to peace officer training; regulating certain peace officer training; amending Minnesota Statutes 1971, Sections 626.846; 626.847; 626.852; and 626.853.

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

The question being taken on the passage of the bill,

Mr. Jensen moved that those not voting be excused from voting. Which motion did not prevail.

Mr. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

|           |           |              |                |           |
|-----------|-----------|--------------|----------------|-----------|
| Anderson  | Davies    | Laufenburger | North          | Solon     |
| Arnold    | Doty      | Lewis        | Novak          | Spear     |
| Borden    | Gearty    | Lord         | Olhoft         | Stokowski |
| Brown     | Hughes    | McCutcheon   | Olson, A. G.   | Tennessen |
| Chenoweth | Humphrey  | Milton       | Perpich, A. J. | Thorup    |
| Coleman   | Keefe, S. | Moe          | Perpich, G.    | Wegener   |
| Conzemius | Kleinbaum | Nelson       | Schaaf         |           |

Those who voted in the negative were:

|             |               |              |           |         |
|-------------|---------------|--------------|-----------|---------|
| Ashbach     | Fitzsimons    | Kirchner     | O'Neill   | Stassen |
| Bang        | Frederick     | Knutson      | Patton    | Ueland  |
| Berg        | Hansen, Baldy | Kowalczyk    | Pillsbury | Willet  |
| Bernhagen   | Hansen, Mel   | Krieger      | Purfeerst |         |
| Blatz       | Hanson, R.    | Larson       | Renneke   |         |
| Chmielewski | Jensen        | Ogdahl       | Schrom    |         |
| Dunn        | Josefson      | Olson, J. L. | Sillers   |         |

So the bill passed and its title was agreed to.

S. F. No. 376: A bill for an act relating to railroads; disposal of certain abandoned property.

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 53 and nays 13, as follows:

Those who voted in the affirmative were:

|           |             |              |                |           |
|-----------|-------------|--------------|----------------|-----------|
| Anderson  | Fitzsimons  | Knutson      | North          | Schaaf    |
| Arnold    | Frederick   | Kowalczyk    | Novak          | Sillers   |
| Ashbach   | Gearty      | Krieger      | Ogdahl         | Solon     |
| Bang      | Hansen, Mel | Larson       | Olhott         | Spear     |
| Blatz     | Hanson, R.  | Laufenburger | Olson, A. G.   | Stokowski |
| Brown     | Hughes      | Lewis        | Olson, J. L.   | Tennessen |
| Chenoweth | Humphrey    | Lord         | O'Neill        | Thorup    |
| Coleman   | Keefe, J.   | McCutcheon   | Perpich, A. J. | Ueland    |
| Davies    | Keefe, S.   | Milton       | Perpich, G.    | Willet    |
| Doty      | Kirchner    | Moe          | Pillsbury      |           |
| Dunn      | Kleinbaum   | Nelson       | Purfeerst      |           |

Those who voted in the negative were:

|           |               |              |         |         |
|-----------|---------------|--------------|---------|---------|
| Berg      | Chmielewski   | Jensen       | Patton  | Schrom  |
| Bernhagen | Conzemius     | Josefson     | Renneke | Wegener |
| Borden    | Hansen, Baldy | Olson, H. D. |         |         |

So the bill passed and its title was agreed to.

S. F. No. 1026: A bill for an act relating to drainage; clarifying the power of county boards to construct flood control projects under the drainage laws; transferring the administration of judicial ditches to county boards; improving the power of county boards to repair, assess benefits and damages and construct laterals on county ditches; providing for appeal of decisions by a joint county ditch authority to the district court; providing a better procedure for abandonment of ditches in urban areas; providing for the termination of activities of conservancy district; amending Minnesota Statutes 1971, Sections 106.011, Subdivisions 4 and 17; 106.015, Subdivision 5; 106.471, Subdivisions 1 and 7; 106.521; 106.631, Subdivision 5; 106.661; 112.76; repealing Minnesota Statutes 1971, Sections 111.01 to 111.42.

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 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg      Bernhagen      Hansen, Baldy      Larson      Schrom

So the bill passed and its title was agreed to.

S. F. No. 1507: A bill for an act relating to public welfare; changing the method of determining rates for state hospital care; amending Minnesota Statutes 1971, Section 246.50, 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| 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        | Tennessen |
| Blatz       | Hansen, Mel   | Lewis        | Patton         | Thorup    |
| Borden      | Hanson, R.    | Lord         | Perpich, A. J. | Ueland    |
| Brown       | Hughes        | McCutcheon   | Perpich, G.    | Wegener   |
| Chenoweth   | Humphrey      | Milton       | Pillsbury      | Willet    |
| Chmielewski | Jensen        | Moe          | Purfeerst      |           |
| Coleman     | Josefson      | Nelson       | Renneke        |           |
| Conzemius   | Keefe, J.     | North        | Schaaf         |           |
| Davies      | Keefe, S.     | Novak        | Schrom         |           |

So the bill passed and its title was agreed to.

S. F. No. 138: A bill for an act relating to taxation; increasing the excise tax on gasoline used in motor vehicles using public highways; creating a separate account in the trunk highway fund for certain trunk highways; amending Minnesota Statutes 1971, Section 296.-02, 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 39 and nays 27, as follows:

Those who voted in the affirmative were:

|             |            |              |              |           |
|-------------|------------|--------------|--------------|-----------|
| Anderson    | Conzemius  | Josefson     | Olson, A. G. | Sillers   |
| Arnold      | Dunn       | Kirchner     | Olson, H. D. | Stassen   |
| Ashbach     | Fitzsimons | Kleinbaum    | Olson, J. L. | Stokowski |
| Berg        | Frederick  | Knutson      | Patton       | Thorup    |
| Bernhagen   | Gearty     | Larson       | Pillsbury    | Ueland    |
| Borden      | Hanson, R. | Laufenburger | Purfeerst    | Wegener   |
| Chmielewski | Hughes     | Moe          | Renneke      | Willet    |
| Coleman     | Jensen     | Olhott       | Schaaf       |           |

Those who voted in the negative were:

|               |             |            |                |           |
|---------------|-------------|------------|----------------|-----------|
| Bang          | Hansen, Mel | Lewis      | Novak          | Solon     |
| Blatz         | Humphrey    | Lord       | Ogdahl         | Spear     |
| Brown         | Keefe, J.   | McCutcheon | O'Neill        | Tennessen |
| Davies        | Keefe, S.   | Milton     | Perpich, A. J. |           |
| Doty          | Kowalczyk   | Nelson     | Perpich, G.    |           |
| Hansen, Baldy | Krieger     | North      | Schrom         |           |

So the bill passed and its title was agreed to.

S. F. No. 1282: A bill for an act relating to taxation; exempt property; providing that property exempt from taxation shall be taxed in full for the year in which it is sold or otherwise loses its exempt status; amending Minnesota Statutes 1971, Section 272.02. 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 59 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Blatz, Frederick and Krieger voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 605: A bill for an act relating to taxation; income and excise taxes; credit for pollution control equipment; amending Minnesota Statutes 1971, Section 290.06, Subdivision 9a.

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Davies, Lewis and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1056: A bill for an act relating to membership on certain boards of the city of Minneapolis; providing for representation of the Minneapolis library board on the city's board of estimate and taxation and eliminating representation of special school district No. 1 of the city of Minneapolis on the city's board of estimate and taxation and library board; amending Laws 1959, Chapter 462, Sections 2, as amended; and 3, Subdivision 2, 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1463: A bill for an act relating to municipalities; local improvements and special assessments; providing for separate sidewalk benefiting districts.

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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1436: A bill for an act relating to elections; providing for the payment of the expenses of special county elections; amending Minnesota Statutes 1971, Section 203.43.

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:

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

So the bill passed and its title was agreed to.

S. F. No. 1341: A bill for an act relating to local improvements; special assessments for certain services, including alley maintenance; amending Minnesota Statutes 1971, Section 429.101, 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1057: A bill for an act relating to special acts passed in accordance with the Constitution, Article XI, Section 2; requiring local approval in certain cases; amending Minnesota Statutes 1971, Sections 645.021 and 645.023, 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 66 and nays 1, as follows:

Those who voted in the affirmative were:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| Anderson    | Doty          | Kleinbaum    | Ogdahl         | Sillers   |
| Arnold      | Dunn          | Knutson      | Olhoft         | 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        | Tennessen |
| Blatz       | Hansen, Mel   | Lewis        | Patton         | Thorup    |
| Borden      | Hanson, 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         |           |

Mr. Jensen voted in the negative.

So the bill passed and its title was agreed to.

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

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Borden, Chenoweth, Coleman and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1386: A bill for an act relating to income taxation; defining a unit investment trust; providing a unit investment trust is not a person, corporation, partnership, trust or investment company; amending Minnesota Statutes 1971, Section 290.01, 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1503: A bill for an act relating to natural resources; the production, procurement, distribution, and planting of trees, shrubs, and vines for conservation purposes; amending Minnesota Statutes 1971, Sections 89.36, Subdivision 2; 89.37, by adding a subdivision; 89.38; and Chapter 89, by adding a section; repealing Minnesota Statutes 1971, Sections 89.31 through 89.34, and 89.40.

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:

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

So the bill passed and its title was agreed to.

S. F. No. 612: A bill for an act relating to employment; prohibiting polygraph or other tests purporting to test the honesty of employees or prospective employees; 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 44 and nays 20, as follows:

Those who voted in the affirmative were:

|             |           |              |                |           |
|-------------|-----------|--------------|----------------|-----------|
| Anderson    | Doty      | Kowalczyk    | Olhoft         | Solon     |
| Arnold      | Dunn      | Laufenburger | Olson, A. G.   | Spear     |
| Ashbach     | Gearty    | Lewis        | Olson, H. D.   | Stassen   |
| Borden      | Hughes    | Lord         | O'Neill        | Stokowski |
| Chenoweth   | Humphrey  | McCutcheon   | Perpich, A. J. | Tennessen |
| Chmielewski | Jensen    | Milton       | Perpich, G.    | Thorup    |
| Coleman     | Keefe, J. | Moe          | Schaaf         | Wegener   |
| Conzemius   | Keefe, S. | North        | Schrom         | Willet    |
| Davies      | Kirchner  | Novak        | Sillers        |           |

Those who voted in the negative were:

|            |               |          |              |           |
|------------|---------------|----------|--------------|-----------|
| Berg       | Frederick     | Josefson | Nelson       | Pillsbury |
| Bernhagen  | Hansen, Baldy | Knutson  | Ogdahl       | Purfeerst |
| Brown      | Hansen, Mel   | Krieger  | Olson, J. L. | Renneke   |
| Fitzsimons | Hanson, R.    | Larson   | Patton       | Ueland    |

So the bill passed and its title was agreed to.

S. F. No. 1035: A bill for an act relating to courts; setting compensation of jurors; amending Minnesota Statutes 1971, Section 357.26, 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Wednesday, April 25, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.