

FORTY-FOURTH DAY

St. Paul, Minnesota, Wednesday, April 25, 1973.

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

Prayer by the Chaplain.

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

Anderson	Doty	Kirchner	Ogdahl	Sillers
Arnold	Dunn	Kleinbaum	Olhoft	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	Larson	O'Neill	Tennessen
Blatz	Hansen, Mel	Laufenburger	Patton	Thorup
Borden	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Brown	Hughes	Lord	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	

Quorum present.

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

MEMBERS EXCUSED

Mr. McCutcheon was excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

The Honorable Alec G. Olson, President
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of the 1973 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
655		Chapter 124	April 23, 1973	April 23, 1973

Sincerely,
Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Messrs. Borden, Gearty and Pillsbury introduced—

S. F. No. 2301: A bill for an act relating to registration and regulation of landscape architects; amending Minnesota Statutes 1971, Sections 326.02, Subdivisions 1 and 5, and by adding a subdivision; 326.03, Subdivisions 1 and 4; 326.04; 326.05; 326.06; 326.07; 326.08, Subdivision 2; 326.09; 326.10, Subdivisions 1, 2, and 7; 326.11, Subdivision 1; 326.12, Subdivisions 1, 2, and 3; 326.13; and 326.14.

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

Messrs. Perpich, A. J.; Chmielewski and Laufenburger introduced—

S. F. No. 2302: A bill for an act relating to counties; limiting appointment of deputies by county officers; amending Minnesota Statutes 1971, Sections 384.08; 384.151, Subdivision 6; 385.02, Subdivisions 1 and 2; 385.373, Subdivision 6; 386.33; 387.14; 388.10; 388.18, Subdivision 5; and 389.02.

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

Messrs. Renneke, Coleman and Konzemius introduced—

S. F. No. 2303: A bill for an act relating to power plants; placing a one year moratorium on the construction or placement of additional power generating plants in Minnesota.

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

Messrs. Schaaf, Thorup and Milton introduced—

S. F. No. 2304: A bill for an act relating to unemployment compensation; definitions; excluding certain volunteer fire departments from the term employer; amending Minnesota Statutes 1971, Section 268.04, Subdivision 10.

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

Mr. Novak for the Committee on Finance introduced—

S. F. No. 2305: A bill for an act relating to the organization and operation of the state government; appropriating moneys therefor, permitting transfers in certain cases and limiting the use thereof, including appropriations for the departments of public welfare, corrections, health, commission on alcohol problems, board of examiners for nursing home administrators, public assistance programs, old age assistance, aid to dependent children, aid to the blind, aid to the disabled, and public relief; creating a welfare general assistance program and providing for the administration of welfare programs; providing penalties; amending Minnesota Statutes 1971, Sections 245.77; 261.04, Subdivision 1; 261.063; 275.09, Subdivision 3; 376.424; 393.01, Subdivision 3; 393.07, Subdivision 2; and 393.08, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 245.46; 261.01; 261.02; 261.03; 261.05; 261.06; 261.061; 261.064; 261.065; 261.066; 261.067; 261.07; 261.08; 261.10; 261.11; 261.123; 261.124; 261.125; 261.126; 261.14; 261.141; 261.142; 261.143; 261.26; and 393.08, Subdivision 2.

Which was read the first time and under the rules of the Senate, to lie over one day.

Mr. Laufenburger introduced—

S. F. No. 2306: A bill for an act authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article IX, Section 6; and Article XVI, Section 12; and the expenditure of the proceeds thereof.

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

Mr. Lord introduced—

S. F. No. 2307: A bill for an act relating to Carver county; soil and water conservation; expenditures from general revenue fund.

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

Mr. Brown introduced—

S. F. No. 2308: A bill for an act relating to income tax on corporations; providing for an income tax on railroad companies; amending Minnesota Statutes 1971, Section 290.02.

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

Messrs. Keefe, S. and Laufenburger introduced—

S. F. No. 2309: A bill for an act relating to elections; providing that incumbent judges seeking reelection be placed at the top of

the list of candidates for such office on every ballot; amending Minnesota Statutes 1971, Section 203.34, Subdivision 1.

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

Mr. Gearty introduced—

S. F. No. 2310: A bill for an act relating to the handicapped; creating and prescribing duties of an ombudsman for the handicapped; providing a penalty; appropriating money.

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

Messrs. Chenoweth, Ogdahl and Gearty introduced—

S. F. No. 2311: A bill for an act relating to retirement, establishing a board to coordinate certain activities of various state-wide retirement associations and systems.

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

Messrs. Milton, O'Neill and Schaaf introduced—

S. F. No. 2312: A bill for an act relating to the metropolitan council; powers and duties; development guide, review of municipal plans, special studies and reports; amending Minnesota Statutes 1971, Sections 473B.06, Subdivisions 5 and 7; and 473B.07, by adding a subdivision.

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

Messrs. Milton, O'Neill and Schaaf introduced—

S. F. No. 2313: A bill for an act relating to Ramsey county; granting the Ramsey county board certain powers with respect to use and regulation of lakes within the county; authorizing a tax levy.

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

Mr. North introduced—

S. F. No. 2314: A bill for an act relating to the village of Falcon Heights; providing that no sports stadium may be built within the corporate limits of the village of Falcon Heights without first obtaining the approval of the voters at an election.

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

Mr. O'Neill introduced—

S. F. No. 2315: A bill for an act relating to metropolitan government; creating a metropolitan sports commission and prescribing its powers and duties.

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

Messrs. Schrom and Jensen introduced—

S. F. No. 2316: A bill for an act relating to taxation; providing certain rebates for brewers; amending Minnesota Statutes 1971, Section 340.47, Subdivision 2.

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

Messrs. Solon and Doty introduced—

S. F. No. 2317: A bill for an act relating to Independent School District No. 709, St. Louis county; the payment of the net salary or wages of the employees; authorizing the "direct deposit" of said sums in a bank account in the name of the individual employee of the school district.

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

Messrs. Olson, A. G.; Josefson and Olhoft introduced—

S. F. No. 2318: A bill for an act relating to aeronautics; financial assistance to commuter airlines; appropriating money; amending Minnesota Statutes 1971, Sections 360.013, by adding a subdivision; 360.015, Subdivision 13; 360.038, by adding a subdivision; and 360.305, by adding a subdivision.

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

Mr. Borden introduced—

S. F. No. 2319: A bill for an act relating to Aitken county; authorizing the county board to levy a special tax for the maintenance and operation of the Aitken county airport.

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

Messrs. Ashbach, Milton and McCutcheon introduced—

S. F. No. 2320: A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property under certain conditions; authorizing

the expenditure of county road and bridge funds for the construction and maintenance of bicycle paths on roads under county jurisdiction; amending Laws 1971, Chapter 950, Sections 2, by adding a subdivision; and 7.

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

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

S. F. No. 2321: A bill for an act relating to taxation; sales and use tax; exemptions; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1, as amended by Laws 1973, Chapter 75, Section 1.

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

Mr. Kirchner introduced—

S. F. No. 2322: A bill for an act relating to Hennepin county; recovery of by-products of solid waste; marketing and sale thereof; authority to contract.

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

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. 801, 922, 1277 and 1501.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned April 23, 1973

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 117 and 425.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned April 24, 1973

Mr. President:

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

S. F. No. 342: A bill for an act relating to motor vehicles; definition and length of trailers and vehicle combinations; amending Minnesota Statutes 1971, Sections 168.011, Subdivisions 13, 14, and 16; and 169.81, by adding a subdivision.

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

LaVoy, Carlson, B. and Long.

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

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

Returned April 23, 1973

Mr. President:

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

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

Senate File No. 160 is herewith returned to the Senate.

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

Returned April 24, 1973

Mr. North moved that S. F. No. 160 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 347:

H. F. No. 347: A bill for an act relating to wild animals; taking of small game by an owner or lessee of the land; amending Minnesota Statutes 1971, Section 98.47, Subdivision 10.

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

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

House File No. 347 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

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

Transmitted April 23, 1973

Mr. Purfeerst moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 347 and that a Conference Committee of 3 members be appointed by the Commit-

tee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 917.

H. F. No. 917: A bill for an act relating to the city of North Mankato; authorizing the common council of the city of North Mankato to annually levy money as a contingent fund for use by the common council for incidental and promotional expenses.

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

Cummiskey; Johnson, C. and Wigley have been appointed as such committee on the part of the House.

House File No. 917 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

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

Transmitted April 23, 1973

Mr. Ueland moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 917 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 487, 1121, 1302, 1511, 1230, 1327, 1631, 1638, 1655, 1873, 1874, 813, 1058, 1308, 1415, 1591 and 1789.

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

Transmitted April 23, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 491, 835, 1023 and 1041.

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

Transmitted April 24, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 487: A bill for an act relating to divorce and separate maintenance; appointment of guardians for minor children in

actions for; amending Minnesota Statutes 1971, Chapter 518, by adding a section.

H. F. No. 1121: A bill for an act relating to charitable funds; enacting the uniform management of institutional funds act.

H. F. No. 1302: A bill for an act relating to abandoned motor vehicles; amending Minnesota Statutes 1971, Sections 168B.02, Subdivision 2; 168B.05; 168B.06; 168B.08; 168B.09; 168B.10, Subdivisions 1, 2, and 3; repealing Minnesota Statutes 1971, Sections 168B.12 and 168B.13.

H. F. No. 1511: A bill for an act relating to mileage allowances of public officers and employees; amending Minnesota Statutes 1971, Sections 15A.20, Subdivisions 1 and 3; and 387.29, Subdivision 2; and repealing Minnesota Statutes 1971, Section 387.29, Subdivisions 1 and 3.

H. F. No. 1230: A bill for an act relating to Hennepin county; medical care for the poor; amending Laws 1963, Chapter 738, Section 1, Subdivision 2.

H. F. No. 1327: A bill for an act relating to the state college board; authorizing the board to apply and receive federal funds for the planning and construction of an emergency driving and research facility and for the construction and operation of the facility; appropriating money for the operation and maintenance thereof.

H. F. No. 1631: A resolution memorializing the President and Congress to re-introduce legislation or take steps to have the federal government release money already appropriated for the continuation of the Community Action Agency program.

H. F. No. 1638: A bill for an act relating to labor relations; charitable hospitals; amending Minnesota Statutes 1971, Section 179.35, Subdivision 2.

H. F. No. 1655: A bill for an act relating to intoxicating liquor; services available in municipal stores; amending Minnesota Statutes 1971, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

H. F. No. 1873: A bill for an act authorizing the city of Saint Paul to utilize certain power and authority to provide automobile parking facilities; amending Minnesota Statutes 1971, Section 459.14, by adding a subdivision.

H. F. No. 1874: A bill for an act relating to the city of Saint Paul; authorizing the levy, cancellation, and relevy of special assessments for automobile parking facilities.

H. F. No. 813: A bill for an act relating to state parks; providing free admission to such parks for certain senior and handicapped persons.

H. F. No. 1058: A bill for an act relating to education; extending the program of instruction review authority of the Minnesota higher education coordinating commission to include private col-

legiate and non-collegiate institutions offering post-secondary education; amending Minnesota Statutes 1971, Section 136A.04.

H. F. No. 1308: A bill for an act relating to telegraph and telephone companies; regulating corporate bonds issued by telegraph and telephone companies; amending Minnesota Statutes 1971, Chapter 222, by adding a section; repealing Minnesota Statutes 1971, Section 222.14.

H. F. No. 1415: A bill for an act relating to health; developmentally disabled; amending Minnesota Statutes 1971, Sections 252.24, Subdivisions 1 and 4; 252.25; 252.26; 252.27; and 252.28.

H. F. No. 1591: A bill for an act relating to Hennepin county; establishing powers, duties and rights of the public defender.

H. F. No. 1789: A bill for an act relating to workmen's compensation; liability of self-insured employers for benefits to employees and dependents; amending Minnesota Statutes 1971, Section 176.183, Subdivision 2, and by adding a subdivision.

H. F. No. 491: A bill for an act relating to labor and industry; providing for safe and healthful working conditions for working men and women; authorizing the commissioner of labor and industry to promulgate standards and rules and regulations therefor; creating an occupational safety and health advisory board; prescribing penalties; amending Minnesota Statutes 1971, Section 175.16; repealing Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

H. F. No. 835: A bill for an act relating to divorce; abolishing the action and substituting proceedings for dissolution; amending Minnesota Statutes 1971, Sections 518.001; 518.01; 518.03; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.14; 518.15; 518.16; 518.17; 518.175, Subdivision 1; 518.25; 518.27; 518.54; 518.55; 518.551; 518.57; 518.58; 518.59; 518.62; 518.63; 518.64 and 518.66; repealing Minnesota Statutes 1971, Sections 518.08; 518.26 and 518.28.

H. F. No. 1023: A bill for an act relating to home rule charters and charter commissions; amending Minnesota Statutes 1971, Sections 410.05, by adding a subdivision; 410.12, by adding subdivisions; and 410.30; repealing Minnesota Statutes 1971, Sections 410.17; 410.22; 410.27; and 410.31.

H. F. No. 1041: A bill for an act relating to the organization and administration of state government; providing changes in the distribution of receipts credited to the state forest suspense account; amending Minnesota Statutes 1971, Section 16.20, Subdivision 5.

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

S. F. No. 1224: A bill for an act relating to public health; venereal disease; requiring instruction and training in venereal disease in junior and senior high schools and for teachers; providing for the establishment of venereal disease treatment centers; providing for certain medical tests and examinations prior to marriage; relating to the sale of articles for the prevention of conception or disease; removing a restriction on certain medical advertisements; appropriating funds; amending Minnesota Statutes 1971, Sections 126.02, Subdivision 2, and by adding a subdivision; Chapter 144, by adding a section; Sections 518.08, by adding subdivisions; 617.251; and 617.28, Subdivision 1.

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

Page 1, line 35, after "all" and before "junior" insert "public and nonpublic"

Page 2, line 2, strike "January" and insert "September"

Page 2, line 6, strike "January" and insert "September"

Page 2, line 17, strike "a program" and insert "instruction"

Page 2, line 23, strike "a program" and insert "instruction"

Page 3, line 6, after "appropriate" and before "information" insert "educational"

Page 3, strike lines 14-28

Page 4, strike lines 1-27, and insert in lieu thereof:

Sec. 4. Minnesota Statutes 1971, Section 151.01, is amended by adding a subdivision to read:

"Subd. 24. [PRESCRIPTION DEVICE.] "Prescription device" means any device which is required by federal law or regulation to bear the statement "Caution, federal law restricts this device to sale by or on the order of a physician", or words of similar effect."

Sec. 5. Minnesota Statutes 1971, Section 151.37, is amended by adding a subdivision to read:

Subd. 9. [PRESCRIPTION DEVICE.] Prescription devices shall be sold or dispensed only by those persons permitted to sell or dispense legend drugs pursuant to subdivisions 1 through 8 of this section, or by a nonprofit organization permitted to do so by rule, pursuant to the administrative procedures act, by the state board of health."

Page 5, after line 28, insert:

"Sec. 8. Minnesota Statutes 1971, Section 617.251, is repealed."

Amend the title as follows:

Page 1, line 8, strike "providing for certain"

Page 1, strike line 9

Page 1, line 10, strike "marriage;"

Page 1, line 14, after "advertisements;" insert "providing a penalty;"

Page 1, line 17, after "subdivision;" insert "151.01, by adding a subdivision; 151.37, by adding a subdivision; 617.28, Subdivision 1; and"

Page 1, line 18, after "section;" insert "repealing Minnesota Statutes 1971, Section 617.251." and strike the balance of the line.

Page 1, strike lines 19 and 20

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

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

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

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 84.029, Subdivision 2, is amended to read:

Subd. 2. [ACQUISITION OF LAND FOR TRAILS.] The commissioner may acquire, by gift, purchase, or lease, easements or other interests in land for trails, and recreational uses related to trails, where necessary to complete trails established primarily in state forests, state parks, or other public land under the jurisdiction of the commissioner, *when railroad right-of-ways are abandoned, when the use of township roads is compatible with vehicular travel, and when needed to complete trails established by the legislature.*

Sec. 2. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

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

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

S. F. No. 1686: A bill for an act relating to state parks; authorizing additional lands to be included within the boundaries of William O'Brien state park.

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

Page 1, line 12, strike the comma after "gift" and insert "or"

Page 1, lines 12 and 13, delete the language "or if expressly authorized by law, by condemnation proceedings"

Page 2, line 24, strike the language "the North"

Page 2, line 25, strike the language "Half of the Southwest Quarter of the Southeast Quarter;"

Page 3, line 21, after "effective" and before "final" strike "upon" and insert in lieu thereof "the day following"

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

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

S. F. No. 692: A bill for an act relating to the Minnesota water resources board; appropriating money.

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. For the purposes of encouraging and assisting in total flood plain management, in soil conservation practices, and the reduction of pollution on agricultural land within the boundaries of established watershed districts during the biennium commencing July 1, 1973, there is appropriated to the office of local and urban affairs from the general fund the sum of \$250,000, or so much thereof as may be required. The office of local and urban affairs shall secure the recommendation of the water resources board before making any grants."

Strike the title and insert in lieu thereof:

"A bill for an act relating to the office of local and urban affairs and watershed districts; appropriating money."

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. 1713: A bill for an act proposing an amendment to the Minnesota Constitution in all its articles; reforming its structure, style and form.

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

Page 1, line 22, after "government" strike the comma

Page 2, line 25, after "Favor" strike the comma

Page 3, line 25, after "seizures" strike the comma

Page 4, line 17, strike "incurred"

Page 6, line 3, strike "and known by the"

Page 6, line 4, strike "name of"

Page 6, line 4, after "Minnesota" strike the comma

Page 8, line 11, strike "shall consist" and insert in lieu thereof "consists"

Page 9, line 2, strike "also"

Page 9, line 24, before "election" insert "first"

Page 9, line 24, strike "next" and insert in lieu thereof "after"

Page 9, line 25, strike "succeeding"

Page 10, line 22, after "shall" strike the comma

Page 11, line 8, after "cases" strike the comma

Page 11, line 16, after "individual" strike the comma

Page 11, line 17, strike "upon" and insert in lieu thereof "in"

Page 12, line 13, strike "may"

Page 13, line 8, after "enrolled" strike the comma

Page 13, line 14, after "shall" strike the comma

Page 13, line 15, after "rule" strike the comma

Page 13, line 22, after "bill" strike the comma

Page 13, line 24, after "committees" strike the comma

Page 14, line 2, strike "upon" and insert in lieu thereof "in"

Page 14, line 9, strike "and" and insert in lieu thereof a comma

Page 14, line 12, after "bill" insert a comma

Page 15, line 1, after "legislature" strike the comma

Page 15, line 10, after "state" strike the comma

Page 16, line 2, after "house" and before "it" insert a comma

Page 16, line 3, after "law" strike the comma

Page 16, line 20, after "member" strike the comma

Page 19, line 2, after "years" and before "and" strike the comma

Page 19, line 19, after "public" and before "and" strike the comma

Page 20, line 1, after "general" and before "and" strike the comma

Page 20, line 2, after "law" and before "until" strike the comma

Page 20, line 9, after "general" and before "and" strike the comma

Page 20, line 10, delete the comma

Page 21, line 1, after "to" and before "succession" insert a comma

Page 21, line 27, after "state" and before "except" strike the comma

Page 22, line 4, after "court" and before "and" strike the comma

Page 22, line 15, at the beginning of the sentence insert "As provided by law"

Page 22, lines 15, and 16, strike "as provided by law"

Page 24, line 14, and before "jurisdiction" insert "has"

Page 25, line 13, after "entitled" insert "or permitted"

Page 25, line 23, after "residence" insert "solely"

Page 26, line 10, after "held" strike the comma

Page 26, line 25, strike "shall"

Page 27, line 6, after "court" strike the comma

Page 27, line 23, after "general" strike the comma

Page 27, line 24, after "courts" strike the comma

Page 29, line 19, after "as" and before "the" insert "there are members of"

Page 31, lines 15 and 16, strike "Provided, that"

Page 31, line 16, capitalize "the"

Page 31, line 18, after "to" strike "a"

Page 31, line 19, strike "may"

Page 31, line 19, after "law" insert "may"

Page 31, line 20, after "section" strike the comma

Page 32, line 2, strike "upon" and insert in lieu thereof "on"

Page 34, line 14, strike "upon" and insert in lieu thereof "on"

Page 34, line 15, strike "upon" and insert in lieu thereof "on"

Page 34, line 26, strike "upon" and insert "on"

Page 35, line 11, strike "ever"

Page 36, line 8, reinsert the comma following "purposes"

Page 36, line 10, after "purposes" strike the comma

Page 36, line 14, after "credit" strike the comma

Page 36, line 15, after "pledged" strike the comma

Page 36, line 28, strike "moneys" and insert in lieu thereof "money"

Page 37, line 10, strike "subdivision 3" and insert in lieu thereof "section 6"

Page 39, line 2, strike "moneys" and insert in lieu thereof "money"

Page 39, line 7, strike "moneys" and insert in lieu thereof "money"

Page 42, line 9, after "general" strike the comma

Page 42, line 21, strike "designated by law to regulate the"

Page 42, line 22, strike "investment of the"

Page 42, line 23, strike "funds of this state"

Page 42, line 27, after "town" strike the comma

Page 43, line 26, after "agriculture" strike the comma

Page 44, line 5, after "township" strike the comma

Page 44, line 8, strike "percentum" and insert in lieu thereof "percent"

Page 44, line 10, after "township" strike the comma

Page 44, line 19, strike "safe keeping" and insert in lieu thereof "safekeeping"

Page 44, line 28, after "persons" strike the comma

Page 47, line 18, strike "upon" and insert in lieu thereof "on"

Page 48, line 6, reinsert the comma after "or" and before "in"

Page 48, line 7, reinsert the comma after "case"

Page 48, line 22, after "division" strike the comma

Page 49, line 1, strike "the voters" and insert in lieu thereof "those"

Page 51, line 18, strike "the"

Page 51, line 19, strike "such"

Page 51, line 27, strike "have"

Page 52, line 20, strike "at" and insert in lieu thereof "in"

Page 52, line 23, reinsert "or may locate the same upon"

Page 52, reinsert the stricken language in line 24

Page 56, line 17, after "constructed" strike the comma

Page 58, line 5, strike "moneys" and insert in lieu thereof "money"

Page 60, line 2, reinsert "by law"

Page 60, line 9, strike "upon" and insert in lieu thereof "on"

Page 60, line 13, strike "upon" and insert in lieu thereof "on"

Page 61, line 14, after "\$150,000,000" strike the comma

Page 61, line 23, after "*due*" insert a comma

Page 61, line 26, strike "moneys" and insert in lieu thereof "*money*"

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

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

S. F. No. 1859: A bill for an act relating to courts; prescribing times for general terms of district court, fifth judicial district; amending Minnesota Statutes 1971, Section 484.13.

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

Page 1, line 15, strike "May" and insert in lieu thereof "*March*"

Page 1, line 18, strike "May" and insert in lieu thereof "*March*"

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

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

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

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

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

S. F. No. 1943: A bill for an act relating to unemployment compensation; limiting the contribution required of any employing unit or units controlled by the same interests as to any employee; amending Minnesota Statutes 1971, Section 268.04, Subdivision 10.

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

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

S. F. No. 1526: A bill for an act relating to welfare; assistance, claim against a blind person's estate; repealing Minnesota Statutes 1971, Section 256.65.

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

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

S. F. No. 96: A bill for an act relating to motor vehicle insurance; providing for basic reparation insurance benefits, regardless of fault, in cases of accident and for the partial abolition of tort liability; requiring no-fault reparation insurance and liability insurance; providing for the administration of a no-fault reparation insurance system and providing penalties; repealing Minnesota Statutes 1971, Sections 65B.01 to 65B.27, and 170.21 to 170.58.

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

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 48, the terms defined in this section shall have the meanings given them.

Subd. 2. "Added reparation benefits" means benefits provided by optional added reparation insurance.

Subd. 3. "Basic reparation benefits" means benefits providing reimbursement for net loss suffered through injury arising out of the maintenance or use of a motor vehicle, subject, where applicable, to the limits, deductibles, exclusions, disqualifications, and other conditions provided in this act. Basic reparation benefits shall be subject to a maximum payment of \$46,000 to any one person as the result of any accident.

Subd. 4. "Basic reparation insured" means:

(1) a person identified by name as an insured in a contract of basic reparation insurance complying with this act; and

(2) while residing in the same household with a named insured, the following persons not identified by name as an insured in any other contract of basic reparation insurance complying with this act: a spouse or other relative of a named insured; and a minor in the custody of a named insured or of a relative residing in the same household with a named insured. A person resides in the same household if he usually makes his home in the same family unit, even though he temporarily lives elsewhere.

Subd. 5. "Injury" and "injury to person" mean accidentally sustained bodily harm to a person and that person's sickness, disease, or death.

Subd. 6. "Loss" means accrued economic detriment consisting only of allowable expense, work loss, replacement services loss, and, if injury causes death, survivor's economic loss and survivor's replacement services loss. Noneconomic detriment is not loss. However, economic detriment is loss although caused by pain and suffering or physical impairment.

(1) "Allowable expense" means reasonable charges incurred for reasonably needed products, services, and accommodations, including those for medical care, rehabilitation, rehabilitative occu-

pational training, and other remedial treatment and care. The term includes a reasonable charge for expenses in any way related to funeral, cremation, and burial. It does not include that portion of a charge for a room in a hospital, clinic, convalescent or nursing home, or any other institution engaged in providing nursing care and related services, in excess of a reasonable and customary charge for semi-private accommodations, unless intensive care is medically required. It does not include any amount includable in work loss, replacement services loss, survivor's economic loss, or survivor's replacement services loss. Allowable expense includes non-medical remedial care and treatment rendered in accordance with a recognized religious method of healing.

(2) "Work loss" means loss of income the injured person would have received from work he would have performed if he had not been injured, and expenses reasonably incurred by him in obtaining substitute services to avoid part or all of the loss of income, reduced by any income from substitute work actually performed by him. Work loss does not include loss of income attributable to the injured person's unreasonable failure to perform other work or to engage substitute services of another. "Loss of income" includes income that would have been lost but for any income continuation plan providing income to the injured person.

(3) "Replacement services loss" means expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the injured person would have performed, not for income but for the benefit of himself or his family, if he had not been injured.

(4) "Survivor's economic loss" means loss after decedent's death of contributions of things of economic value to his survivors, not including services they would have received from the decedent if he had not suffered the fatal injury, less expenses of the survivors avoided by reason of decedent's death.

(5) "Survivor's replacement services loss" means expenses reasonably incurred by survivors after decedent's death in obtaining ordinary and necessary services in lieu of those the decedent would have performed for their benefit if he had not suffered the fatal injury, less expenses of the survivors avoided by reason of the decedent's death and not subtracted in calculating survivor's economic loss.

Subd. 7. "Maintenance or use of a motor vehicle" means maintenance or use of a motor vehicle as a vehicle, including, incident to its maintenance or use as a vehicle, occupying, entering into, and alighting from it. Maintenance or use of a motor vehicle does not include (1) conduct within the course of a business of repairing, servicing, or otherwise maintaining motor vehicles unless the conduct occurs off the business premises, or (2) conduct in the course of loading and unloading the vehicle unless the conduct occurs while occupying, entering into or alighting from it.

Subd. 8. "Motor vehicle" means:

(1) a vehicle having four or more wheels of a kind required to be registered under Minnesota Statutes 1971, Chapter 168, exclud-

ing mobile homes and house trailers, as defined in Minnesota Statutes 1971, Section 168.011, Subdivision 8; or

(2) a vehicle having four or more wheels, including a trailer, designed for operation upon a public roadway by other than muscular power, except a vehicle used exclusively upon stationary rails or tracks. "Public roadway" means a way open to the use of the public for purposes of automobile travel.

Subd. 9. "Net loss" means loss less benefits or advantages, from sources other than basic and added reparation insurance, required to be subtracted from loss in calculating net loss.

Subd. 10. "Noneconomic detriment" means pain, suffering, inconvenience, physical impairment, and other nonpecuniary damage recoverable under the tort law of this state. The term does not include punitive or exemplary damages.

Subd. 11. "Owner" means a person, other than a lienholder or secured party, who owns or has title to a motor vehicle or is entitled to the use and possession of a motor vehicle subject to a security interest held by another person. The term does not include a lessee under a lease not intended as security.

Subd. 12. "Reparation obligor" means an insurer, self-insurer, obligated government or assigned claims bureau providing basic or added reparation benefits under this act.

Subd. 13. "Survivor" means a person identified in Minnesota Statutes 1971, Section 573.02, Subdivision 1, as one entitled to receive benefits by reason of the death of another person.

Subd. 14. Other definitions appearing in this act and the sections in which they appear are:

- (1) Basic reparation insurance—section 7, subdivision 9.
- (2) Obligated government—section 7, subdivision 7.
- (3) Secured vehicle—section 7, subdivision 8.
- (4) Security covering the vehicle—section 7, subdivision 8.
- (5) Self-insurer—section 7, subdivision 7.

Sec. 2. [RIGHT TO BASIC REPARATION BENEFITS.] Subdivision 1. If the accident causing injury occurs in this state, every person suffering loss from injury arising out of maintenance or use of a motor vehicle has a right to basic reparation benefits.

Subd. 2. If the accident causing injury occurs outside this state, the following persons and their survivors suffering loss from injury arising out of maintenance or use of a motor vehicle have a right to basic reparation benefits:

- (1) basic reparation insured, and
- (2) the driver and other occupants of a secured vehicle, other than (a) a vehicle which is regularly used in the course of the business of transporting persons or property and which is one of five or more vehicles under common ownership, or (b) a vehicle owned by

an obligated government other than this state, its political subdivisions, municipal corporations, or public agencies.

Sec. 3. [OBLIGATION TO PAY BASIC REPARATION BENEFITS.] Subdivision 1. Basic reparation benefits shall be paid without regard to fault.

Subd. 2. Basic reparation obligors and the assigned claims plan shall pay basic reparation benefits, under the terms and conditions stated in this act, for loss from injury arising out of maintenance or use of a motor vehicle. This obligation exists without regard to immunity from liability or suit which might otherwise be applicable.

Sec. 4. [PRIORITY OF APPLICABILITY OF SECURITY FOR PAYMENT OF BASIC REPARATION BENEFITS.] Subdivision 1. In case of injury to the driver or other occupant of a motor vehicle, if the accident causing the injury occurs while the vehicle is being used in the business of transporting persons or property, the security for payment of basic reparation benefits is the security covering the vehicle or, if none, the security under which the injured person is a basic reparation insured.

Subd. 2. In case of injury to an employee, or to his spouse or other relative residing in the same household, if the accident causing the injury occurs while the injured person is driving or occupying a motor vehicle furnished by the employer, the security for payment of basic reparation benefits is the security covering the vehicle or, if none, the security under which the injured person is a basic reparation insured.

Subd. 2A. In the case of any other person whose injury arises from the maintenance or use of a motor vehicle described in subdivisions 1 or 2, the security for payment of basic reparation benefits is the security covering the vehicle, or, if none, the security under which the injured person is a basic reparation insured.

Subd. 3. In all other cases, the following priorities apply.

(1) The security for payment of basic reparation benefits applicable to injury to a basic reparation insured is the security under which the injured person is a basic reparation insured.

(2) The security for payment of basic reparation benefits applicable to injury to the driver or other occupant of an involved motor vehicle who is not a basic reparation insured is the security covering that vehicle.

(3) The security for payment of basic reparation benefits applicable to injury to a person not otherwise covered who is not the driver or other occupant of an involved motor vehicle is the security covering any involved motor vehicle. An unoccupied parked vehicle is not an involved motor vehicle unless it was parked so as to cause unreasonable risk of injury.

Subd. 4. If two or more obligations to pay basic reparation benefits are applicable to an injury under the priorities set out in this section, benefits are payable only once and the reparation

obligor against whom a claim is asserted shall process and pay the claim as if wholly responsible, but he is thereafter entitled to recover contribution pro rata for the basic reparation benefits paid and the costs of processing the claim. Where contribution is sought among reparation obligors responsible under clause (3) of subdivision 3, proration shall be based on the number of involved motor vehicles.

Subd. 5. Where a reparation obligor pays basic reparation benefits which another reparation obligor is obligated to pay under the priority provided in this section, the reparation obligor is subrogated to all rights of the person to whom benefits are paid, including the rights to recover interest and attorney's fees for basic reparation benefits paid.

Sec. 5. [LIMITATION OF GENERAL DAMAGES.] Subdivision 1. In any action in tort brought as a result of bodily injury, sickness or disease arising out of the operation, ownership, maintenance or use of a motor vehicle in the manner described in section 2, there shall be no damages recoverable for pain, suffering, mental anguish and inconvenience, except as provided in subdivision 2.

Subd. 2. The general limitation prescribed in subdivision 1 shall not apply in cases in which the injured person, (a) dies; (b) sustains permanent disfigurement, dismemberment or permanent loss of a bodily function; or (c) sustains an injury resulting in disability rendering the injured person incapable of performing his principal activity and a substantial portion of his other daily activities for not less than 90 days.

Sec. 6. [SUBROGATION AND ARBITRATION BETWEEN OBLIGORS.] Subdivision 1. Except as otherwise provided in this section, where a reparation obligor has paid benefits provided under this act to an injured person, the obligor paying such benefits is, to the extent of such payments, subrogated to any right of action for damages by the injured person against the alleged wrongdoer. However, where such wrongdoer is covered by a policy of liability insurance or other plan of security underwritten by another reparation obligor, the right of the subrogated obligor shall be exercisable only as provided in subdivision 2.

Subd. 2. Every company licensed to write insurance in this state is deemed to have agreed, as a condition of doing business in the state or maintaining its license after the effective date of this act, that (a) where its insured is or would be held legally liable for damages or injuries sustained by any person to whom basic or added reparation benefits have been paid by another obligor or person, it will reimburse such other obligor or person to the extent of such benefits, but not in excess of the amount of damages so recoverable for the types of loss covered by such benefits, or in excess of the limits of its liability under its contract of insurance, or other plan of reparation security; (b) where its insured is or would be held legally liable for property damage or destruction sustained by any claimant to whom payment has been made by another person, it will reimburse such other person

to the extent of such payment, but not in excess of the amount of damages so recoverable for the types of loss covered by such reparation security or insurance or in excess of the limits of its liability under its contract of insurance or plan of reparation security; and (c) that the issue of liability for such reimbursement and the amount thereof must be decided by mandatory, good faith, and binding inter-obligor arbitration procedures approved by the commissioner of insurance. Such procedure shall utilize determinations of the comparative negligence of those insureds represented by a reparation obligor at the arbitration proceeding.

Subd. 3. Any evidence or decision in the arbitration proceedings is privileged and is not admissible in any action at law or in equity by any party.

Subd. 4. If any reparation obligor in such an arbitration proceeding also has provided coverage to the same policyholder for collision or upset arising out of the same occurrence, such obligor shall also submit the issue of recovery of any payments thereunder to the same mandatory and binding arbitration proceedings as herein provided.

Subd. 5. Arbitration proceedings need not await final payment of benefits, and the award, if any, shall include provision for reimbursement of subsequent benefits, but no question of fact decided by a prior award shall be reconsidered in any such subsequent arbitration hearing.

Sec. 6A. [MANDATORY ARBITRATION OF CERTAIN CLAIMS; SUPREME COURT TO PROMULGATE RULES OF PROCEDURE.] Subdivision 1. The supreme court and the several courts of general trial jurisdiction of this state may, on or before the effective date of this act, by rules of court or other constitutionally permissible device, provide for the mandatory submission to arbitration of all cases at issue where a claim in an amount of \$5,000 or less is made by motor vehicle accident victim, whether in a tort action to collect special or general damages for the allegedly negligent operation, maintenance, or use of a motor vehicle within this state, or against any reparation obligor for benefits as provided in this act. In the promulgation of such arbitration provisions, the courts may evaluate, adopt, or adapt for the purposes of this act procedures employed by the American Arbitration Association.

Subd. 2. The determination of whether the amount in controversy is \$5,000 or less shall be based upon a statement made in good faith and filed with the district court by the attorney for the plaintiff or by the plaintiff himself.

Subd. 3. The rules of court may provide that cases which are not at issue and whether or not suit has been filed may be referred to arbitration by agreement of reference signed by counsel for both sides, or by the parties themselves. Such agreement of reference shall define the issues involved for determination by arbitration and, when agreeable, shall also contain stipulations with respect to facts submitted or agreed or defenses waived. In such cases, the

agreement of reference shall take the place of the pleadings in the case and be filed of record.

Sec. 7. [SECURITY COVERING MOTOR VEHICLE.] Subdivision 1. This state, its political subdivisions, municipal corporations, and public agencies shall continuously provide pursuant to subdivision 4 security for the payment of basic reparation benefits in accordance with this act for injury arising from maintenance or use of motor vehicles owned by those entities.

Subd. 2. The United States and its public agencies and any other state, its political subdivisions, municipal corporations, and public agencies who own motor vehicles operated in this state with their permission may provide pursuant to subdivision 4 security for the payment of basic reparation benefits in accordance with this act for injury arising from maintenance or use of those motor vehicles.

Subd. 3. Except for entities described in subdivisions 1 and 2, every owner of a motor vehicle registered in this state, or operated in this state by him or with his permission, shall continuously provide with respect to the motor vehicle while it is either present or registered in this state, and any other person may provide with respect to any motor vehicle, by a contract of insurance or by qualifying as a self-insurer, security for the payment of basic reparation benefits in accordance with this act and security for payment of tort liabilities, arising from maintenance or use of the motor vehicle.

Subd. 4. Security may be provided by a contract of insurance or by qualifying as a self-insurer or obligated government in compliance with this act.

Subd. 5. Self-insurance, subject to approval of the commissioner of insurance of the state of Minnesota, is effected by filing with the commissioner in satisfactory form:

(1) a continuing undertaking by the owner or other appropriate person to pay tort liabilities or basic reparation benefits, or both, and to perform all other obligations imposed by this act;

(2) evidence that appropriate provision exists for prompt and efficient administration of all claims, benefits, and obligations provided by this act; and

(3) evidence that reliable financial arrangements, deposits, or commitments exist providing assurance, substantially equivalent to that afforded by a policy of insurance complying with this act, for payment of tort liabilities, basic reparation benefits, and all other obligations imposed by this act.

Subd. 6. An entity described in subdivision 1 or 2 may provide security by lawfully obligating itself to pay basic reparation benefits in accordance with this act.

Subd. 7. A person providing security pursuant to subdivision 5 is a "self-insurer." An entity described in subdivision 1 or 2 that has provided security pursuant to subdivision 4 is an "obligated government."

Subd. 8. "Security covering the vehicle" is the insurance or other security so provided. The vehicle for which the security is so provided is the "secured vehicle."

Subd. 9. "Basic reparation insurance" includes a contract, self-insurance, or other legal means under which the obligation to pay basic reparation benefits arises.

Sec. 8. [OBLIGATIONS UPON TERMINATION OF SECURITY.] Subdivision 1. An owner of a motor vehicle registered in this state who ceases to maintain security as required by the provisions on security may not operate or permit operation of the vehicle in this state until security has again been provided as required by this act.

Subd. 2. An insurer who has issued a contract of insurance and knows or has reason to believe the contract is for the purpose of providing security shall immediately give notice to the registrar of motor vehicles of the termination of the insurance.

Subd. 3. If the commissioner of insurance withdraws approval of security provided by a self-insurer or knows that the conditions for self-insurance have ceased to exist, he shall immediately give notice thereof to the registrar of motor vehicles.

Subd. 4. The requirements of subdivisions 2 and 3 may be waived or modified by rule of the registrar of motor vehicles.

Sec. 9. [INCLUDED COVERAGES.] Subdivision 1. An insurance contract which purports to provide coverage for basic reparation benefits or is sold with representation that it provides security covering a motor vehicle has the legal effect of including all coverages required by this act.

Subd. 2. Notwithstanding any contrary provision in it, every contract of liability insurance for injury, wherever issued, covering ownership, maintenance, or use of a motor vehicle, except a contract which provides coverage only for liability in excess of required minimum tort liability coverages, includes basic reparation benefit coverages and minimum security for tort liabilities required by this act, while the vehicle is in this state, and qualifies as security covering the vehicle.

Subd. 3. An insurer authorized to transact or transacting business in this state may not exclude, in any contract of liability insurance for injury, wherever issued, covering ownership, maintenance, or use of a motor vehicle, except a contract providing coverage only for liability in excess of required minimum tort liability coverage, the basic reparation benefit coverages and required minimum security for tort liabilities required by this act, while the vehicle is in this state.

Sec. 10. [REQUIRED MINIMUM TORT LIABILITY INSURANCE AND TERRITORIAL COVERAGE.] Subdivision 1. The requirement of security for payment of tort liabilities is fulfilled by providing:

(1) liability coverage of not less than \$25,000 for all damages

arising out of bodily injury sustained by any one person as a result of any one accident applicable to each person sustaining injury caused by accident arising out of ownership, maintenance, use, loading, or unloading, of the secured vehicle, subject to a limitation of \$100,000 as to any one accident.

(2) liability coverage of not less than \$10,000 for all damages arising out of injury to or destruction of property, including the loss of use thereof, as result of any one accident arising out of ownership, maintenance, use, loading, or unloading, of the secured vehicle; and

(3) that the liability coverages apply to accidents during the contract period in a territorial area not less than the United States of America, its territories and possessions, and Canada.

Subd. 2. The tort liability coverages required by this act need not include coverage for the tort liability of a converter. For the purposes of this section, a person is not a converter if he uses the motor vehicle in the good faith belief he is legally entitled to do so.

Subd. 3. Subject to the provisions on approval of terms and forms, the requirement of security for payment of tort liabilities may be met by a contract the coverage of which is secondary or excess to other applicable valid and collectible liability insurance. To the extent the secondary or excess coverage applies to liability within the minimum security required by this act, it must be subject to conditions consistent with the system of compulsory liability insurance established by this act.

Subd. 4. (1) No automobile liability insurance contract shall contain an exclusion of liability for damages for bodily injury solely because the injured person is a resident or member of an insured's household or related to the insured by blood or marriage.

(2) No automobile liability insurance contract shall contain an exclusion of liability for damages for bodily injury sustained by any person who is a named insured.

Subd. 5. Every motor vehicle liability insurance contract shall be subject to the following provisions which need not be contained therein:

(1) The liability of the insurance carrier shall become absolute whenever injury or damage covered by the motor vehicle liability contract occurs; the contract may not be canceled or annulled as to such liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage; no statement made by the insured or on his behalf and no violation of the contract shall defeat or void the contract.

(2) The satisfaction by the insured of a judgment for an injury or damage is not a condition precedent to the right or duty of the insurance carrier to make payment on account of the injury or damage.

(3) The insurance carrier has the right to settle any claim

covered by the contract, and if the settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in the insurance contract for the accident out of which the claim arose.

Sec. 11. [CALCULATION OF NET LOSS.] Subdivision 1. All benefits or advantages reduced by reasonably incurred collection costs a person receives or is entitled to receive because of the injury from social security, workmen's compensation, and any state-required temporary, nonoccupational disability insurance are subtracted in calculating net loss.

Subd. 2. If a benefit or advantage received to compensate for loss of income because of injury, whether from basic reparation benefits or from any source of benefits or advantages subtracted under subdivision 1, is not taxable income, the income tax saving that is attributable to his loss of income because of injury is subtracted in calculating net loss. Subtraction may not exceed 15 percent of the net loss of taxable income and shall be in a lesser amount if the claimant furnishes to the insurer reasonable proof of a lower value of the income tax advantage.

Sec. 12. [STANDARD REPLACEMENT SERVICES LOSS EXCLUSION.] All replacement services loss sustained on the date of injury and the first seven days thereafter is excluded in calculating basic reparation benefits.

Sec. 13. [STANDARD WEEKLY LIMIT ON BENEFITS FOR CERTAIN LOSSES.] Basic reparation benefits payable for work loss, survivor's economic loss, replacement services loss, and survivor's replacement services loss arising from injury to one person and attributable to the calendar week during which the accident causing injury occurs and to each calendar week thereafter may not exceed \$200. If the injured person's earnings or work is seasonal or irregular, the weekly limit shall be equitably adjusted or apportioned on an annual basis.

Sec. 14. [OPTIONAL DEDUCTIBLES AND EXCLUSIONS.] Subdivision 1. At appropriately reduced premium rates, basic reparation insurers shall offer each of the following deductibles and exclusions, applicable only to claims of basic reparation insureds and, in case of death of a basic reparation insured, of his survivors:

(1) deductibles in the amounts of \$100, \$300, and \$500 from all basic reparation benefits otherwise payable, except that if two or more basic reparation insureds to whom the deductible is applicable under the contract of insurance are injured in the same accident, the aggregate amount of the deductible applicable to all of them shall not exceed the specified deductible, which amount where necessary shall be allocated equally among them;

(2) an exclusion, in calculation of net loss, of ten percent of work loss and survivor's economic loss;

(3) an exclusion, in calculation of net loss, of all replacement services loss and survivor's replacement services loss; and

(4) a deductible, in the amount of \$1000 per accident from all basic reparation benefits otherwise payable for injury to a person which occurs while he is operating or is a passenger on a two-wheeled motor vehicle.

Subd. 2. Subject to the provisions on approval of terms and forms, basic reparation insurers may offer the following additional exclusions, applicable only to claims of some or all basic reparation insureds and, in case of death of a basic reparation insured, of his survivors:

(1) exclusions, in calculation of net loss, of a part of replacement services loss and survivor's replacement services loss; and

(2) exclusions, in calculation of net loss, of any of those amounts and kinds of loss otherwise compensated by benefits or advantages a person receives or is unconditionally entitled to receive from any other specified source, if the other source has been approved specifically or as to type of source by the commissioner of insurance by rule or order adopted upon a determination by the commissioner (1) that the other source or type of source is reliable and that approval of it is consonant with the purposes of this act, and (2) if the other source is a contract of insurance, that it provides benefits for accidental injuries generally and in amounts at least as great for other injuries as for injuries resulting from motor vehicle accidents.

Sec. 15. [PROPERTY DAMAGE EXCLUSION.] Basic reparation benefits do not include benefits for harm to property.

Sec. 16. [BENEFITS PROVIDED BY OPTIONAL ADDED REPARATION INSURANCE.] Subdivision 1. Basic reparation insurers may offer optional added reparation coverages providing other benefits as compensation for injury or harm arising from ownership, maintenance, or use of a motor vehicle, including benefits for loss excluded by limits on hospital charges and funeral, cremation, and burial expenses, loss excluded by limits on work loss, replacement services loss, survivor's economic loss, and survivor's replacement services loss, harm to property, loss of use of motor vehicles, and noneconomic detriment. The commissioner of insurance may adopt rules requiring that specified optional added reparation coverages be offered by insurers writing basic reparation insurance.

Subd. 2. Basic reparation insurers shall offer the following optional added reparation coverages for physical damage to motor vehicles:

(1) a coverage for all collision and upset damage, subject to a deductible of \$100;

(2) a coverage for all collision and upset damage to the extent that the insured has a valid claim in tort against another identified person or would have had such a valid claim but for the abolition of tort liability for damages for harm to motor vehicles; and

(3) the same coverage as in clause (2), but subject to a deductible of \$100;

Subd. 3. Subject to the provision on approval of terms and forms, basic reparation insurers may offer other optional added reparation coverages for harm to motor vehicles or their contents, or both, or other like coverages subject to different deductibles or without deductibles.

Subd. 4. An insurer of the insured's choice may write separately coverages for harm to motor vehicles.

Subd. 5. All added reparation coverages offered apply to injuries or harm arising out of accidents and occurrences during the contract period in a territorial area not less than the United States, its territories and possessions, and Canada.

Sec. 17. [APPROVAL OF TERMS AND FORMS.] Terms and conditions of contracts and certificates or other evidence of insurance coverage sold or issued in this state providing motor vehicle tort liability, basic reparation, and added reparation insurance coverages, and of forms used by insurers offering these coverages, are subject to approval and regulation by the commissioner of insurance. The commissioner shall approve only terms and conditions consistent with the purposes of this act and fair and equitable to all persons whose interests may be affected. The commissioner may limit by rule the variety of coverages available in order to give insurance purchasers reasonable opportunity to compare the cost of insuring with various insurers.

Sec. 18. [ASSIGNED CLAIMS.] Subdivision 1. A person entitled to basic reparation benefits because of injury covered by this act may obtain them through the assigned claims plan established pursuant to the provisions relating thereto and in accordance with the provisions on time for presenting claims under the assigned claims plan if:

(1) basic reparation insurance is not applicable to the injury for a reason other than those specified in the provisions on converted vehicles and intentional injuries;

(2) basic reparation insurance is not applicable to the injury because the injured person converted a motor vehicle and if the conversion occurred while he was under 15 years of age;

(3) basic reparation insurance applicable to the injury cannot be identified;

(4) basic reparation insurance applicable to the injury is inadequate to provide the contracted-for benefits because of financial inability of a reparation obligor to fulfill its obligation; or

(5) a claim for basic reparation benefits is rejected by a reparation obligor for a reason other than that the person is not entitled under this act to the basic reparation benefits claimed.

Subd. 2. If a claim qualifies for assignment under clauses (3), (4), or (5) of subdivision 1, the assigned claims bureau or any reparation obligor to whom the claim is assigned is subrogated to all rights of the claimant against any reparation obligor, its successor in interest or substitute, legally obligated to provide

basic reparation benefits to the claimant, for basic reparation benefits provided by the assignee.

Subd. 3. Except in case of a claim assigned under subdivision 1 (4), if a person receives basic reparation benefits through the assigned claims plan, all benefits or advantages he receives or is entitled to receive as a result of the injury, other than by way of succession at death, death benefits from life insurance, or in discharge of familial obligations of support, are subtracted in calculating net loss.

Subd. 4. An assigned claim of a person who does not comply with the requirement of providing security for the payment of basic reparation benefits, or of a person as to whom the security is invalidated because of his fraud or willful misconduct, is subject to (1) all the optional deductibles and exclusions to the maximum required to be offered under this act and (2) a deduction in the amount of \$500 for each year or part thereof of the period of his continuous failure to provide security, applicable to any benefits otherwise payable.

Sec. 19. [ASSIGNED CLAIMS PLAN.] Subdivision 1. Reparation obligors providing basic reparation insurance in this state may organize and maintain, subject to approval and regulation by the commissioner of insurance, an assigned claims bureau and an assigned claims plan and adopt rules for their operation and for assessment of costs on a fair and equitable basis consistent with this act. If they do not organize and continuously maintain an assigned claims bureau and an assigned claims plan in a manner considered by the commissioner of insurance to be consistent with this act, he shall organize and maintain an assigned claims bureau and an assigned claims plan. Each reparation obligor providing basic reparation insurance in this state shall participate in the assigned claims bureau and the assigned claims plan. Costs incurred shall be allocated fairly and equitably among the reparation obligors.

Subd. 2. The assigned claims bureau shall promptly assign each claim and notify the claimant of the identity and address of the assignee of the claim. Claims shall be assigned so as to minimize inconvenience to claimants. The assignee thereafter has rights and obligations as if he had issued a policy of basic reparation insurance complying with this act applicable to the injury or, in case of financial inability of a reparation obligor to perform its obligations, as if the assignee had written the applicable basic reparation insurance, undertaken the self-insurance, or lawfully obligated itself to pay reparation benefits.

Sec. 20. [TIME FOR PRESENTING CLAIMS UNDER ASSIGNED CLAIMS PLAN.] Subdivision 1. Except as provided in subdivision 2, a person authorized to obtain basic reparation benefits through the assigned claims plan shall notify the bureau of his claim within the time that would have been allowed for commencing an action for those benefits if there had been identifiable coverage in effect and applicable to the claim.

Subd. 2. If timely action for basic reparation benefits is com-

menced against a reparation obligor who is unable to fulfill his obligations because of financial inability, a person authorized to obtain basic reparation benefits through the assigned claims plan shall notify the bureau of his claim within six months after discovery of the financial inability.

Sec. 21. [CONVERTED MOTOR VEHICLES.] Except as provided for assigned claims, a person who converts a motor vehicle is disqualified from basic or added reparation benefits, including benefits otherwise due him as a survivor, from any source other than an insurance contract under which the converter is a basic or added reparation insured, for injuries arising from maintenance or use of the converted vehicle; If the converter dies from the injuries, his survivors are not entitled to basic or added reparation benefits from any source other than an insurance contract under which the converter is a basic reparation insured. For the purpose of this section, a person is not a converter if he uses the motor vehicle in the good faith belief that he is legally entitled to do so.

Sec. 21A. A person who

- (1) is occupying a motor vehicle while used as a temporary or permanent living quarters; or
- (2) is injured while operating a motor vehicle in the course of an officiated, conducted racing or speed contest, or in practice or preparation therefor;

is disqualified from basic or added reparation benefits, including benefits otherwise due him as a survivor.

Sec. 22. [INTENTIONAL INJURIES.] A person intentionally causing or attempting to cause injury to himself or another person is disqualified from basic or added reparation benefits for injury arising from his acts, including benefits otherwise due him as a survivor. If a person dies as a result of intentionally causing or attempting to cause injury to himself, his survivors are not entitled to basic or added reparation benefits for loss arising from his death. A person intentionally causes or attempts to cause injury if he acts or fails to act for the purpose of causing injury or with knowledge that injury is substantially certain to follow. A person does not intentionally cause or attempt to cause injury (1) merely because his act or failure to act is intentional or done with his realization that it creates a grave risk of causing injury or (2) if the act or omission causing the injury is for the purpose of averting bodily harm to himself or another person.

Sec. 23. [REPARATION OBLIGOR'S DUTY TO RESPOND TO CLAIMS.] Subdivision 1. Basic and added reparation benefits are payable monthly as loss accrues. Loss accrues not when injury occurs, but as work loss, replacement services loss, survivor's economic loss, survivor's replacement services loss, or allowable expense is incurred. Benefits are overdue if not paid within 30 days after the reparation obligor receives reasonable proof of the fact and amount of loss realized, unless the reparation obligor elects to accumulate claims for periods not exceeding 31 days and pays

them within 15 days after the period of accumulation. If reasonable proof is supplied as to only part of a claim, and the part totals \$100 or more, the part is overdue if not paid within the time provided by this section. Allowable expense benefits may be paid by the reparation obligor directly to persons supplying products, services, or accommodations to the claimant.

Subd. 2. Overdue payments bear interest at the rate of 12 percent per annum.

Subd. 3. A claim for basic or added reparation benefits shall be paid without deduction for the benefits which are to be subtracted pursuant to the provisions on calculation of net loss, and to the exclusions authorized under section 14, subdivision 2, clause (2), if these benefits have not been paid to the claimant before the reparation benefits are overdue or the claim is paid. The reparation obligor is entitled to reimbursement from the person obligated to make the payments or from the claimant who actually receives the payments.

Subd. 4. A reparation obligor may bring an action to recover benefits which are not payable, but are in fact paid, because of an intentional misrepresentation of a material fact, upon which the reparation obligor relies, by the insured or by a person providing an item of allowable expense. The action may be brought only against the person providing the item of allowable expense, unless the insured has intentionally misrepresented the facts or knew of the misrepresentation. An insurer may offset amounts he is entitled to recover from the insured under this subdivision against any basic or added reparation benefits otherwise due.

Subd. 5. A reparation obligor who rejects a claim for basic reparation benefits shall give to the claimant prompt written notice of the rejection, specifying the reason. If a claim is rejected for a reason other than that the person is not entitled to the basic reparation benefits claimed, the written notice shall inform the claimant that he may file his claim with the assigned claims bureau and shall give the name and address of the bureau.

Sec. 24. [FEES OF CLAIMANT'S ATTORNEY.] Subdivision 1. If overdue benefits are recovered in an action against the reparation obligor or paid by the reparation obligor after receipt of notice of the attorney's representation, a reasonable attorney's fee for advising and representing a claimant on a claim or in an action for basic reparation benefits shall be paid by the reparation obligor to the attorney. No part of the fee for representing the claimant in connection with these benefits is a charge against benefits otherwise due the claimant. All or part of the fee may be deducted from the benefits otherwise due the claimant if any significant part of his claim for benefits was fraudulent or so excessive as to have no reasonable foundation.

Subd. 2. In any action brought against the insured by the reparation obligor, the court may award the insured's attorney a reasonable attorney's fee for defending the action.

Sec. 25. [FEES OF REPARATION OBLIGOR'S ATTOR-

NEY.] A reparation obligor shall be allowed a reasonable attorney's fee for defending a claim for benefits that is fraudulent or so excessive as to have no reasonable foundation. The fee may be treated as an offset to benefits due or which thereafter accrue. The reparation obligor may recover from the claimant any part of the fee not offset or otherwise paid.

Sec. 26. [LUMP SUM AND INSTALLMENT SETTLEMENTS.] Subdivision 1. If the reasonably anticipated net loss subject to the settlement does not exceed \$2,500, a claim of an individual for basic or added reparation benefits arising from injury, including a claim for future loss other than allowable expense, may be discharged by a settlement for an agreed amount payable in installments, or in a lump sum. If the reasonably anticipated net loss subject to the settlement exceeds \$2,500, the settlement may be made with approval of the district court upon a finding by the court that the settlement is in the best interest of the claimant. Upon approval of the settlement, the court may make appropriate orders concerning the safeguarding and disposing of the proceeds of the settlement. A settlement agreement may also provide that the reparation obligor shall pay the reasonable cost of appropriate medical treatment or procedures, with reference to a specified condition, to be performed in the future.

Subd. 2. A settlement agreement for an amount payable in installments may be modified as to amounts to be paid in the future, if it is shown that a material and substantial change of circumstances has occurred or that there is newly-discovered evidence concerning the claimant's physical condition, loss, or rehabilitation, which could not have been known previously or discovered in the exercise of reasonable diligence.

Subd. 3. A settlement agreement may be set aside if it is procured by fraud or its terms are unconscionable.

Sec. 27. [JUDGMENTS FOR FUTURE BENEFITS.] Subdivision 1. In an action by a claimant, a lump sum or installment judgment may be entered for basic or added reparation benefits, other than allowable expense, that would accrue after the date of the award. A judgment for benefits for allowable expense that would accrue after the date of the award may not be entered. In an action for reparation benefits or to enforce rights under this act, however, the court may enter a judgment declaring that the reparation obligor is liable for the reasonable cost of appropriate medical treatment or procedures, with reference to a specified condition, to be performed in the future if it is ascertainable or foreseeable that treatment will be required as a result of the injury for which the claim is made.

Subd. 2. At the instance of the claimant, a court may commute all or part of future losses, other than allowable expense, to a fixed sum, but only upon a finding of one or more of the following:

(1) that the award will promote the health and contribute to the rehabilitation of the injured person;

(2) that the present value of all benefits other than allowable expense to accrue thereafter does not exceed \$1,000; or

(3) that the parties consent and the award is in the best interest of the claimant.

Subd. 3. An installment judgment for benefits, other than allowable expense, that will accrue thereafter may be entered only for a period as to which the court can reasonably determine future net loss. An installment judgment may be modified as to amounts to be paid in the future upon a finding that a material and substantial change of circumstances has occurred, or that there is newly-discovered evidence concerning the claimant's physical condition, loss, or rehabilitation, which could not have been known previously or discovered in the exercise of reasonable diligence.

Subd. 4. The court may make appropriate orders concerning the safeguarding and disposing of funds collected under the judgment.

Subd. 5. Appeals from a judgment for basic or added reparation benefits may be taken in accordance with the laws or rules of civil procedure of this state.

Sec. 28. [LIMITATION OF ACTIONS.] Subdivision 1. If no basic or added reparation benefits have been paid for loss arising otherwise than from death, an action therefor may be commenced not later than two years after the injured person suffers the loss and either knows, or in the exercise of reasonable diligence should know, that the loss was caused by the accident, or not later than four years after the accident, whichever is earlier. If basic or added reparation benefits have been paid for loss arising otherwise than from death; an action for further benefits; other than survivor's benefits, by either the same or another claimant, may be commenced not later than two years after the last payment of benefits.

Subd. 2. If no basic or added reparation benefits have been paid to the decedent or his survivors, an action for survivor's benefits may be commenced no later than one year after the death or four years after the accident from which death results, whichever is earlier. If survivor's benefits have been paid to any survivor, an action for further survivor's benefits by either the same or another claimant may be commenced not later than two years after the last payment of benefits. If basic or added reparation benefits have been paid for loss suffered by an injured person before his death resulting from the injury, an action for survivor's benefits may be commenced not later than one year after the death or four years after the last payment of benefits, whichever is earlier.

Subd. 3. If timely action for basic reparation benefits is commenced against a reparation obligor and benefits are denied because of a determination that the reparation obligor's coverage is not applicable to the claimant under the provisions on priority of applicability of basic reparation security, an action against the applicable reparation obligor or the reparation obli-

gor to whom a claim has been assigned under the assigned claims plan (section 19) may be commenced not later than 60 days after the determination becomes final or the last date on which the action could otherwise have been commenced, whichever is later.

Subd. 4. Except as subdivisions 1, 2, and 3 prescribe a longer period, an action by a claimant on an assigned claim which has been timely presented may be commenced not later than 60 days after the claimant receives written notice of rejection of the claim by the reparation obligor to which it was assigned.

Subd. 5. A calendar month during which a person does not suffer loss for which he is entitled to basic or added reparation benefits is not a part of the time limited for commencing an action, except that the months excluded for this reason may not exceed 120.

Subd. 6. If a person entitled to basic or added reparation benefits is under legal disability as described in Minnesota Statutes 1971, Section 541.15, the period of his disability is not a part of the time limited for commencement of the action.

Sec. 29. [ASSIGNMENT OF BENEFITS.] An assignment of or agreement to assign any right to benefits under this act for loss accruing in the future is unenforceable except as to benefits for:

(1) work loss to secure payment of alimony, maintenance, or child support; or

(2) allowable expense to the extent the benefits are for the cost of products, services, or accommodations provided or to be provided by the assignee.

Sec. 30. [DEDUCTION AND SET-OFF.] Except as otherwise provided in this act, basic reparation benefits shall be paid without deduction or set-off.

Sec. 31. [EXEMPTION OF BENEFITS.] Subdivision 1. Basic or added reparation benefits for allowable expense are exempt from garnishment, attachment, execution, and any other process or claim, except upon a claim of a creditor who has provided products, services, or accommodations to the extent benefits are for allowable expense for those products, services, or accommodations.

Subd. 2. Basic reparation benefits other than those for allowable expense are exempt from garnishment, attachment, execution, and any other process or claim to the extent that wages or earnings are exempt under any applicable law exempting wages or earnings from process or claims.

Sec. 32. [MENTAL OR PHYSICAL EXAMINATIONS.] Subdivision 1. If the mental or physical condition of a person is material to a claim for past or future basic or added reparation benefits, the reparation obligor may petition the district court for an order directing the person to submit to a mental or physical examination by a physician. Upon notice to the person to be examined and all persons having an interest, the court may make the order for good

cause shown. The order shall specify the time, place, manner, conditions, scope of the examination, and the physician by whom it is to be made.

Subd. 2. If requested by the person examined, the reparation obligor causing a mental or physical examination to be made shall deliver to the person examined a copy of a detailed written report of the examining physician setting out his findings, including results of all tests made, diagnoses, and conclusions, and reports of earlier examinations of the same condition. By requesting and obtaining a report of the examination ordered or by taking the deposition of the physician, the person examined waives any privilege he may have, in relation to the claim for basic or added reparation benefits, regarding the testimony of every other person who has examined or may thereafter examine him respecting the same condition. This subdivision does not preclude discovery of a report of an examining physician, taking a deposition of the physician, or other discovery procedures in accordance with any rule of court or other provision of law. This subdivision applies to examinations made by agreement of the person examined and the reparation obligor, unless the agreement provides otherwise.

Subd. 3. If any person refuses to comply with an order entered under this section the court may make any just order as to the refusal, but may not find a person in contempt for failure to submit to a mental or physical examination.

Sec. 33. [DISCLOSURE OF FACTS ABOUT INJURED PERSON.] Subdivision 1. Upon request of a basic or added reparation claimant or reparation obligor, information relevant to a claim for basic or added reparation benefits shall be disclosed as follows:

(1) An employer shall furnish a statement of the work record and earnings of an employee upon whose injury the claim is based. The statement shall cover the period specified by the claimant or reparation obligor making the request and may include a reasonable period before, and the entire period after, the injury.

(2) The claimant shall deliver to the reparation obligor a copy of every written report, previously or thereafter made, relevant to the claim, and available to him, concerning any medical treatment or examination of a person upon whose injury the claim is based, and the names and addresses of physicians and medical care facilities rendering diagnoses or treatment in regard to the injury or to a relevant past injury, and the claimant shall authorize the reparation obligor to inspect and copy relevant records of physicians and of hospitals, clinics, and other medical facilities.

(3) A physician or hospital, clinic, or other medical facility furnishing examinations, services, or accommodations to an injured person in connection with a condition alleged to be connected with an injury upon which a claim is based, upon authorization of the claimant, shall furnish a written report of the history, condition, diagnoses, medical tests, treatment, and dates and cost of treatment of the injured person, and permit inspection and copying of all records and reports as to the history, condition, treatment, and dates and cost of treatment.

Subd. 2. Any person other than the claimant providing information under this section may charge the person requesting the information for the reasonable cost of providing it.

Subd. 3. In case of dispute as to the right of a claimant or reparation obligor to discover information required to be disclosed, the claimant or reparation obligor may petition the district court for an order for discovery including the right to take written or oral depositions. Upon notice to all persons having an interest, the order may be made for good cause shown. It shall specify the time, place, manner, conditions, and scope of the discovery. To protect against annoyance, embarrassment, or oppression, the court may enter an order refusing discovery or specifying conditions of discovery and directing payment of costs and expenses of the proceeding, including reasonable attorney's fees.

Sec. 34. [REHABILITATION TREATMENT AND OCCUPATIONAL TRAINING.] Subdivision 1. A basic reparation obligor is responsible for the cost of a procedure or treatment for rehabilitation or a course of rehabilitative occupational training if the procedure, treatment, or training is reasonable and appropriate for the particular case, its cost is reasonable in relation to its probable rehabilitative effects, and it is likely to contribute substantially to rehabilitation, even though it will not enhance the injured person's earning capacity.

Subd. 2. An injured person who has undertaken a procedure or treatment for rehabilitation or a course of rehabilitative occupational training, other than medical rehabilitation procedure or treatment, shall notify the basic reparation obligor that he has undertaken the procedure, treatment, or training within 60 days after an allowable expense exceeding \$1,000 has been incurred for the procedure, treatment, or training, unless the basic reparation obligor knows or has reason to know of the undertaking. If the injured person does not give the required notice within the prescribed time, the basic reparation obligor is responsible only for \$1,000 or the expense incurred after the notice is given and within the 60 days before the notice, whichever is greater, unless failure to give timely notice is the result of excusable neglect.

Subd. 3. If the injured person notifies the reparation obligor of a proposed specified procedure or treatment for rehabilitation, or a proposed specified course of rehabilitative occupational training, and the reparation obligor does not promptly thereafter accept responsibility for its cost, the injured person may move the court in an action to adjudicate his claim, or, if no action is pending, bring an action in the district court, for a determination that the reparation obligor is responsible for its cost. A reparation obligor may move the court in an action to adjudicate the injured person's claim, or, if no action is pending, bring an action in the district court, for a determination that it is not responsible for the cost of a procedure, treatment, or course of training which the injured person has undertaken or proposes to undertake. A determination by the court that the reparation obligor is not responsible for the cost of a procedure, treatment, or course of training is not res judicata as to the propriety of any other proposal or the injured person's

right to other benefits. This subdivision does not preclude an action by the basic reparation obligor or the injured person for declaratory relief under any other law of this state, nor an action by the injured person to recover basic reparation benefits.

Subd. 4. If an injured person unreasonably refuses to accept a rehabilitative procedure, treatment, or course of occupational training, a basic reparation obligor may move the court, in an action to adjudicate the injured person's claim, or if no action is pending, may bring an action in the district court, for a determination that future benefits will be reduced or terminated to limit recovery of benefits to an amount equal to benefits that in reasonable probability would be due if the injured person had submitted to the procedure, treatment, or training, and for other reasonable orders. In determining whether an injured person has reasonable ground for refusal to undertake the procedure, treatment, or training, the court shall consider all relevant factors, including the risks to the injured person, the extent of the probable benefit, the place where the procedure, treatment, or training is offered, the extent to which the procedure, treatment, or training is recognized as standard and customary, and whether the imposition of sanctions because of the person's refusal would abridge his right to the free exercise of his religion.

Sec. 35. [AVAILABILITY OF INSURANCE.] Subdivision 1. the commissioner of insurance shall establish and implement or approve and supervise a plan assuring that liability and basic and added reparation insurance for motor vehicles will be conveniently and expeditiously afforded, subject only to payment or provision for payment of the premium, to all applicants for insurance required by this act to provide security for payment of tort liabilities and basic reparation benefits and who cannot conveniently obtain insurance through ordinary methods at rates not in excess of those applicable to applicants under the plan. The plan may be by assignment of applicants among insurers, pooling, other joint insuring or reinsuring arrangement, or any other method that will reasonably accomplish the purposes of this section, including any arrangement or undertaking by insurers that results in all applicants being conveniently afforded the insurance coverages on reasonable and not unfairly discriminatory terms through ordinary markets.

Subd. 2. The plan shall make available optional added reparation and tort liability coverages and other contract provisions the commissioner of insurance determines are reasonably needed by applicants and are commonly afforded in voluntary markets. The plan shall provide for the availability of financing or installment payments of premiums on reasonable and customary terms and conditions.

Subd. 3. All insurers authorized in this state to write motor vehicle liability, basic reparation, or optional added reparation coverages which the commissioner requires to be offered under subdivision 2, shall participate in the plan. The plan shall provide for equitable apportionment, among all participating insurers writing any insurance coverage required under the plan, of the finan-

cial burdens of insurance provided to applicants under the plan and costs of operation of the plan.

Subd. 4. Subject to supervision and approval of the commissioner of insurance, insurers may consult and agree with each other and with other appropriate persons as to the organization, administration, and operation of the plan and as to rates and rate modifications for insurance coverages provided under the plan. Rates and rate modifications adopted or charged for insurance coverages provided under the plan shall be first adopted or approved by the commissioner of insurance and be reasonable and not unfairly discriminatory among applicants for insurance under the plan.

Subd. 5. To carry out the objectives of this section the commissioner of insurance may adopt rules, make orders, enter into agreements with other governmental and private entities and persons, and form and operate or authorize the formation and operation of bureaus and other legal entities.

Sec. 36. [TERMINATION OR MODIFICATION OF INSURANCE BY INSURER.] Subdivision 1. Every contract of insurance providing security under this act (section 7) for a motor vehicle which is registered in this state and is not one of five or more motor vehicles under common ownership insured under a single insuring agreement except as provided by subdivisions 2 and 6, may be cancelled, modified, not renewed, or otherwise terminated by the insurer only at specified dates or intervals which may not be less than one year after the inception of coverage or thereafter less than one year apart.

Subd. 2. An insurer may terminate insurance if written notice of termination is mailed or delivered to the insured at least 15 days before the effective date of termination:

(1) By cancellation at any time within 75 days after the inception of initial coverage; or

(2) for nonpayment of premium when due.

Subd. 3. Except as permitted in subdivision 2, any termination of insurance by an insurer which is permitted by the insurance contract and not prohibited by subdivisions 1 or 9, including any refusal by the insurer to renew the insurance at the expiration of its term and any modification by the insurer of the terms and conditions of the insurance unfavorable to the insured, is nevertheless ineffective, unless written notice of intention to modify, not to renew or otherwise to terminate the insurance has been mailed or delivered to the insured at least 20 days before the effective date of the modification, expiration, or other termination of the insurance.

Subd. 4. An insurer who has cancelled, refused to renew, or otherwise terminated insurance shall mail or deliver to the insured, within ten days after receipt of a written request, a statement of the reasons for the cancellation, refusal to renew, or other termination of the insurance coverage.

Subd. 5. For purposes of this section only:

(1) "nonpayment of premium when due" includes the nonpayment when due of any installment of premium or of any financial obligation to any person who has financed the payment of the premium under any premium finance plan, agreement, or arrangement; and

(2) a cancellation or refusal to renew by or at the direction of any person acting pursuant to any power or authority under any premium finance plan, agreement, or arrangement, whether or not with power of attorney or assignment from the insured, constitutes a cancellation or refusal to renew by the insurer.

Subd. 6. Except as otherwise stated in subdivision 5, this section does not limit or apply to any termination, modification, or cancellation of the insurance, or to any suspension of insurance coverage, by or at the request of the insured.

Subd. 7. This section does not affect any right an insurer has under other law to rescind or otherwise terminate insurance because of fraud or other willful misconduct of the insured at the inception of the insuring transaction or the right of either party to reform the contract on the basis of mutual mistake of fact.

Subd. 8. An insurer, his authorized agents and employees, and any other person furnishing information upon which he has relied, are not liable for any statement made in good faith pursuant to subdivision 4.

Subd. 9. Nothing contained in this section shall allow an insurer to terminate insurance solely because of the age of the insured or for reasons which are arbitrary or capricious. No insurer shall terminate insurance on the statements or charges of any person made to the insurer concerning alleged unsafe driving habits of an insured unless the insurer shall concurrently disclose to the insured the name and address of the person from whom the insurer received the information.

Subd. 10. Proof of mailing of notice of termination or modification of insurance and, if required herein, the reason or reasons therefor to the named insured at the address shown in the policy, shall be sufficient proof that notice required herein has been given. A certificate of mailing on United States Postal Form 3817, as defined in Part 165 of the United States Postal Manual as now existing or hereafter changed by the United States Postal Department, shall constitute proof of mailing.

Subd. 11. When the insurer notifies the policyholder of termination or modification of insurance, the insurer shall also notify the named insured of his right to complain within 14 days of his receipt of notice to the commissioner of insurance of such action and of the nature of and his possible eligibility for insurance under the plan established in section 35.

Subd. 12. (1) Any individual who believes the termination or modification of his insurance is in violation of law, may, not later than 14 days after receipt of notice thereof, file in writing an objection to such action with the commissioner of insurance.

(2) Upon receipt of a written objection the commissioner of insurance shall notify the insurer of receipt of the objection and of the right of the insurer to file a written response thereto within ten days of receipt of notification. The commissioner of insurance in his discretion may also order an investigation of the objection or complaint, the submission of additional information by the insured or the insurer about the action by the insurer or the objections of the insured, or such other procedure as he deems appropriate or necessary. Within 23 days of receipt of written objection by an insured the commissioner of insurance shall approve or disapprove the insurer's action and shall notify the insured and insurer of his final decision. Either party may institute proceedings for judicial review of the commissioner's decision; provided, however, that the commissioner's final decision shall be binding pending judicial review.

Sec. 37. [PENALTIES.] Subdivision 1. An owner of a motor vehicle who operates the vehicle or permits it to be operated in this state when he knows or should know that he has failed to comply with the requirement that he provide security covering the vehicle, is guilty of a misdemeanor and upon conviction may be fined not more than \$300 or imprisoned for not more than 90 days, or both. The court may recommend the suspension of the driver's license or operating privilege of the person so convicted and the commissioner of public safety shall suspend the license or privilege as recommended without the hearing provided for in subdivision 5.

Subd. 2. If an owner of a motor vehicle has operated it or permitted it to be operated in this state when he has failed to comply with the security requirements of section 7, the commissioner of public safety may suspend the driver's license or operating privilege for a period of not more than six months; provided, however, the person shall be eligible for the limited license authorized by Minnesota Statutes 1971, Section 171.30.

Subd. 3. When a nonresident's operating privilege is suspended pursuant to this section, the department shall transmit a copy of the record of such action to the official in charge of the issuance of licenses in the state in which the nonresident resides.

Subd. 4. Upon receipt of such notification that the operating privilege of a resident of this state has been suspended or revoked in any other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, or for failure to provide security covering a vehicle if required by the laws of that state, the commissioner of public safety shall suspend the license of the resident until he furnishes evidence of compliance with the laws of the other state.

Subd. 5. The commissioner shall not suspend a driver's license or nonresident's operating privilege pursuant to subdivision 2 unless he has first provided the person with notice of the proposed suspension and the reasons therefor and an opportunity for an evidentiary hearing appropriate to the nature of the case, at which the person may contest the commissioner's right to suspend by

confronting adverse witnesses and by orally presenting his own arguments and evidence. Notice shall be given either by personal delivery thereof to the person to be so notified or by deposit in the United States mail of such notice in an envelope with postage prepaid, addressed to such person at his address as shown by the records of the department. The giving of notice by mail is complete upon the expiration of 4 days after such deposit of said notice. Any person aggrieved by a final order of the commissioner under this section may review the order in the manner set forth in Minnesota Statutes 1971, Sections 15.0424, 15.0425, and 15.0426.

Subd. 6. A person who operates a motor vehicle on the highways of this state while his driver's license or operating privilege is suspended pursuant to this section or who fails to surrender his registration certificate and license plates when required to do so pursuant to section 42 is guilty of a misdemeanor.

Sec. 38. [RATES.] Rate making and regulation of rates for basic and added reparation insurance are governed by Minnesota Statutes 1971, Chapter 70 A.

Sec. 39. [RULES.] The commissioner of insurance may adopt rules to provide effective administration of this act which are consistent with the purposes of this act and fair and equitable to all persons whose interests may be affected.

Sec. 40. [RULES OF COMMISSIONER OF PUBLIC SAFETY.] Subdivision 1. The commissioner of public safety shall have the power and perform the duties imposed upon him by this act and may adopt rules to implement and provide effective administration of the provisions on evidence of security and termination of security.

Subd. 2. The commissioner of public safety may by rule provide that motor vehicles owned by certain persons may not be registered in this state unless satisfactory evidence is furnished that security has been provided as required by section 7 of this act. If a person who is required to furnish evidence ceases to maintain security, he shall immediately surrender the registration certificate and license plates for the vehicle. These requirements may be imposed if:

(1) The registrant has not previously registered a motor vehicle in this state; or

(2) An owner or operator of the vehicle has previously failed to comply with the security requirements of this act or of prior law; or

(3) The driving record of an owner or operator of the vehicle evidences his continuing disregard of the laws of this state enacted to protect the public safety; or

(4) Other circumstances indicate that such action is necessary to effectuate the purposes of this act.

Sec. 41. [UNIFORMITY OF APPLICATION AND CONSTRUCTION.] This act shall be so applied and construed as to

effectuate its general purpose and to make uniform the law with respect to the subject of this act among those states which enact it.

Sec. 42. [SEVERABILITY.] Subdivision 1. Except as provided in subdivision 2, if any provision of this act or application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the involved provision or application, and to this end the provisions of this act are severable.

Subd. 2. If any restriction on the retained tort liability in section 5, subdivision 1, clause (6) or clause (7), or application thereof to any person or circumstance, is held invalid, this act shall be interpreted as if the clause containing the invalid restriction had not been enacted.

Sec. 43. [SHORT TITLE.] Sections 1 to 43 may be cited as the "Uniform Motor Vehicle Accident Reparations Act".

Sec. 44. [DRIVER DEEMED AGENT OF OWNER.] Whenever any motor vehicle shall be operated within this state, by any person other than the owner, with the consent of the owner, express or implied, the operator thereof shall in case of accident, be deemed the agent of the owner of such motor vehicle in the operation thereof.

Sec. 45. [SERVICE OF PROCESS: RESIDENTS: NONRESIDENTS: COMMISSIONER OF PUBLIC SAFETY AS AGENT.] Subdivision 1. The use and operation by a resident of this state or his agent, or by a nonresident or his agent of a motor vehicle within the state of Minnesota, shall be deemed an irrevocable appointment by such resident when he has been absent from this state continuously for six months or more following an accident, or by such nonresident at any time, of the commissioner of public safety to be his true and lawful attorney upon whom may be served all legal process in any action or proceeding against him or his executor, administrator, or personal representative growing out of such use and operation of a motor vehicle within this state, resulting in damages or loss to person or property, whether the damage or loss occurs on a highway or on abutting public or private property. Such appointment is binding upon the nonresident's executor, administrator, or personal representative. Such use or operation of a motor vehicle by such resident or nonresident is a signification of his agreement that any such process in any action against him or his executor, administrator, or personal representative which is so served, shall be of the same legal force and validity as if served upon him personally or on his executor, administrator, or personal representative. Service of such process shall be made by serving a copy thereof upon the commissioner or by filing such copy in his office, together with payment of a fee of \$2, and such service shall be sufficient service upon the absent resident or the nonresident or his executor, administrator, or personal representative; provided that notice of such service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at his last known address and that

the plaintiff's affidavit of compliance with the provisions of this chapter is attached to the summons.

Subd. 2. The court in which the action is pending may order such continuance as may be necessary to afford the defendant reasonable opportunity to defend any such action, not exceeding 90 days from the date of filing of the action in such court. The fee of \$2 paid by the plaintiff to the commissioner at the time of service of such proceedings shall be taxed in his cost if he prevails in the suit. The said commissioner shall keep a record of all such processes so served which shall show the day and hour of such service.

Sec. 46. [ABSTRACTS; FEES.] The commissioner of public safety shall, upon payment of a \$2.50 fee, furnish any person a certified abstract of the operating record of any person, and if there is no record that he has been convicted of violating a law relating to the operation of a motor vehicle or has caused any injury or damage with a motor vehicle, the commissioner shall so certify.

Sec. 47. [REPEALS.] Minnesota Statutes 1971, Sections 65B.-01, 65B.02, 65B.03, 65B.04, 65B.05, 65B.06, 65B.07, 65B.08, 65B.09, 65B.10, 65B.11, 65B.12, 65B.13, 65B.14, 65B.15, 65B.16, 65B.17, 65B.18, 65B.19, 65B.20, 65B.21, 65B.22, 65B.23, 65B.24, 65B.25, 65B.26, 65B.27, 168.054, 168.833, 170.21, 170.22, 170.23, 170.231, 170.25, 170.26, 170.27, 170.28, 170.29, 170.30, 170.31, 170.32, 170.33, 170.34, 170.35, 170.36, 170.37, 170.38, 170.39, 170.40, 170.41, 170.42, 170.43, 170.44, 170.45, 170.46, 170.47, 170.48, 170.49, 170.50, 170.51, 170.52, 170.53, 170.54, 170.55, 170.56, 170.57, 170.58, 171.12, Subdivision 4 are repealed.

Sec. 48. [TIME OF TAKING EFFECT.] This act shall take effect July 1, 1973. Accidents occurring before this date are not covered by or subject to this act. The commissioner of insurance and the registrar of motor vehicles shall exercise prior to the effective date of this act, the authority vested in them under this act to do all things necessary to implement the act on the effective date.

Strike the title in its entirety and insert:

"A bill for an act relating to motor vehicle insurance; providing for basic reparation insurance benefits, regardless of fault, in cases of accident; limiting the recovery of general damages in bodily injury tort claims; requiring no-fault reparation insurance; providing for the administration of a no-fault reparation system and providing penalties; providing for subrogation by inter-company arbitration; providing for mandatory arbitration of certain claims; repealing Minnesota Statutes 1971, Sections 65B.01 to 65B.27; 168.054; 168.833; 170.21; 170.22; 170.23; 170.231; 170.25 to 170.58; and 171.12, Subdivision 4."

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. 1847: A bill for an act changing the name of the department of taxation to the department of revenue; amending Minnesota Statutes 1971, Section 270.02.

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

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

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

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

Page 1, line 25, after "*general*" strike "*revenue*"

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. 1374: A bill for an act relating to elections; nomination, affidavits and election of county court judges; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 202.04, Subdivisions 1 and 3; 203.41; 487.03, Subdivision 2; and repealing Minnesota Statutes 1971, Section 487.03, Subdivision 3.

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

Page 1, line 15, after "*district*" strike "*and*" and insert ",'"

Page 1, line 16, reinstate the old language and after "*probate*" and before "*county*" insert "*and*"

Page 2, line 23, reinstate the old language and after "*probate*" and before "*county*" insert "*judge*," and after "*county*" and before "*judge*" insert "*court*"

Page 3, line 15, after "*county*" and before "*judge*" insert "*court*"

Page 3, line 25, after "*county*" and before "*judge*" insert "*court*"

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. 856: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 23 and 24; providing for congressional and legislative apportionments by a commission.

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

Page 2, line 1, after "*borough*" insert a comma.

Page 2, line 2, strike "*or*"; after "*town*" insert "*, or precinct*"

Page 3, line 22, strike "*, or two representatives appointed by them,*"

Line 24, strike "*, or two senators appointed by them,*" after "*members.*" insert "*The speaker of the house of representatives, the minority leader of the house of representatives, the majority leader of the senate and the minority leader of the senate each may have the right to appoint a member of his legislative body to serve on the districting commission in his place.*"

Page 4, line 14, after "*appoint*" insert "*its quota of*"

Line 20, strike "*or*" and insert in lieu thereof "*and*"

Line 22, after "*days*" insert "*thereafter*"

Page 5, line 16, strike "*by the authority that made*" and insert in lieu thereof "*in the manner provided for*"

Page 6, line 13, strike "*publish*" and insert "*make available*"; strike "*once in at*" and insert in lieu thereof "*to*"

Line 14, strike "*least one newspaper*" and insert "*the legal newspapers*"; strike "*general circulation in each*" and insert in lieu thereof "*the state*"

Line 15, strike "*congressional, senatorial and representative district*"

Page 7, line 21, strike "*a final plan*" and insert in lieu thereof "*final plans*"

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

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

S. F. No. 325: A bill for an act relating to the claim of Carlton county; arising from agreement of highway department to participate in costs of improvement of county road 6; appropriating money for the payment thereof.

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

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

S. F. No. 1288: A bill for an act relating to educational television broadcast; appropriating money.

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

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

S. F. No. 1308: A bill for an act relating to the state junior college board; increasing membership of the state junior college board from five to seven members; amending Minnesota Statutes 1971, Section 136.61, Subdivisions 1 and 2.

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

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

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

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

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

H. F. No. 255: A bill for an act relating to barbering by nursing aides; amending Minnesota Statutes 1971, Section 154.04.

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

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

S. F. No. 430: A bill for an act relating to education; school districts; permitting increased annual compensation to local school board members; amending Minnesota Statutes 1971, Section 123.33, Subdivision 12.

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

Page 1, line 16, after "transportation" insert "*to and from meetings attended in the conduct of their official duties*"

Page 1, line 17, after "15A.20", strike the comma and insert a period, and strike "except"

Page 1, strike lines 18 through 30

Page 2, strike lines 1 through 16 and 21 through 28

Page 3, strike line 1

Page 3, after line 1, add a new section at the end of the bill as follows:

"Sec. 2. *This act takes effect July 1, 1973.*"

Further, amend the title on page 1, line 3, after "compensation" by inserting "and extended transportation reimbursement"

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

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

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

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

Page 3, line 13, after "state" insert "*who shall be representative of different geographical regions*"

Page 3, line 28, before "Members" insert "*The contractor*"

Page 3, line 28, strike "serve without" and insert "*receive \$35 per diem and*"

Page 4, line 1, strike "compensation, but"

Page 5, line 16, after "*welfare*" strike the comma and insert "*and to assist in the development of*"

Page 7, after line 13 add a new section as follows:

"Sec. 13. *This act shall be effective on the day next following final enactment.*"

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

Mr. Hansen, Baldy, pursuant to Rule 35, requested that S. F. No. 1789 be re-referred to the Committee on Rules and Administration. So S. F. No. 1789 was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1125: A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes 1971, Section 626.851.

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

Page 1, line 13, strike "*attending or*"

Line 13, after "*completing*" and before "*a*" insert "*1500 hours of law enforcement instruction in*"

Line 14, strike "*requires*" and insert "*is approved by the Minnesota state department of education or an accredited institution of higher learning*"

Strike all of line 15

Line 16, strike "*eight weeks of training*" and insert "*the minimum basic police training as established under section 626.843*"

Strike lines 20 through 23

Line 24, at the end of the line, strike "*The*" and strike lines 25 and 26

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

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

H. F. No. 1219: A bill for an act relating to the organization and operation of state government; providing the commissioner of natural resources with additional power to organize and re-organize the department; amending Minnesota Statutes 1971, Sections 84.081, Subdivision 1; and 84.083, Subdivision 1.

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

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

S. F. No. 1460: A bill for an act relating to the state; regulating the unclassified service for state officers or employees; amending Minnesota Statutes 1971, Section 43.09, Subdivision 2.

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

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

S. F. No. 1174: A bill for an act relating to corrections; study and diagnosis of children and youth committed to the youth conservation commission; amending Minnesota Statutes 1971, Sections 242.18; 242.385, Subdivision 1; 260.151, Subdivision 1; and 260.175; repealing Minnesota Statutes 1971, Sections 242.385, Subdivision 2; and 242.386.

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

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

S. F. No. 1546: A bill for an act relating to the department of corrections; appropriating money to be used as a grant for the construction of a jail facility in Freeborn county.

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

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

S. F. No. 1167: A bill for an act relating to workmen's compensation, medical treatment; specifically including doctors of osteopathy and their services within certain definitions; amending Minnesota Statutes 1971, Section 176.135, by adding a subdivision.

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. 2156: A bill for an act relating to Mille Lacs county; permitting the county attorney to also act as village, city and school attorney.

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. 1955: A bill for an act directing conveyance of certain property by the state to the village of Crosby, Crow Wing county.

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

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

S. F. No. 1938: A bill for an act relating to the city of Duluth; Duluth airport authority; amending Laws 1969, Chapter 577, Section 14.

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 re-referred

H. F. No. 1312: A bill for an act relating to certificates of

election in cities; amending Minnesota Statutes 1971, Section 205.14, Subdivision 3.

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

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

S. F. No. 2125: A bill for an act relating to transportation; motor vehicle carriers; defining exempt carrier; amending Minnesota Statutes 1971, Section 221.011, Subdivision 22.

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

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

S. F. No. 1940: A bill for an act relating to Independent School District No. 709, St. Louis county; providing that such school district shall be subject to the same net debt limitations and have the same power to authorize obligations as are provided for other school districts in the state under certain provisions of law.

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

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

S. F. No. 1653: A bill for an act relating to education; the establishment of a pilot educational service area in southwest and west central Minnesota to provide educational services and programs on a regional basis; appropriating money therefor.

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. 1936: A bill for an act relating to Independent School District No. 709, St. Louis county; inclusion of other certificated employees in any teachers' retirement fund and association created pursuant to certain provisions of law.

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. 1921: A bill for an act proposing an amendment to the Minnesota Constitution, by adding an article; providing public policy and legislative responsibility relating to the environment.

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

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

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

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

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

S. F. No. 1480: A bill for an act relating to political subdivisions; meetings of governing bodies open to public; providing a penalty; amending Minnesota Statutes 1971, Section 471.705.

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

Page 1, line 12, strike "law" and insert "*statute*"

Page 1, line 12, after "sessions" add ","

Page 1, line 13, after "*department*," strike "of" and insert "*and*"

Page 1, line 16, after "*committee*," insert "*subcommittee*,"

Page 1, line 20, after "*committee*," insert "*subcommittee*,"

Page 2, line 2, strike "*second*" and insert "*third*"

Page 2, line 6 after "body" insert "*for a period of time equal to the term of office such person was then serving*"

Page 2, line 7 strike "*second*" and insert "*third*"

Page 2, line 7 after "*receive*" insert "*competent*,"

Page 2, line 9 strike "*second*" and insert "*separate third*"

Page 2, line after "*violation*," add "*unrelated to the previous violations*"

Page 2, line 10 after "*the*" and before "*clerk*" add "*appointing authority or*"

Page 2, line 11 strike "*At its next meeting*," and insert in lieu thereof "*As soon as practicable thereafter the appointing authority or*"

Page 2, after line 12, add new sections as follows:

"Sec. 2. [REPEAL.] *Minnesota Statutes 1971, Section 10.41, is repealed.*

Sec. 3. *This act may be cited as the "Minnesota Government in the Sunshine Act".*

Sec. 4. *The effective date of this act is May 1, 1974."*

Amend the title as follows:

Page 1, line 2, strike "political subdivisions;"

Page 1, line 3, after "of" add "state agencies and of"

Page 1, line 6, after "471.705" and before the period add "; repealing Minnesota Statutes 1971, Section 10.41"

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

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

H. F. Nos. 487, 1302, 1230, 1327, 1631, 1638, 1655, 1873, 1874, 1058, 1308, 1591, 1789, 491, 1023, 1399, 1059, 586 and 1201 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 1058 to the Committee on Education.

H. F. No. 1327 to the Committee on Finance.

H. F. No. 1023 to the Committee on Governmental Operations.

H. F. Nos. 1230 and 1631 to the Committee on Health, Welfare and Corrections.

H. F. Nos. 487 and 1591 to the Committee on Judiciary.

H. F. Nos. 1638, 1655, 1308, 1789 and 491 to the Committee on Labor and Commerce.

H. F. Nos. 1873 and 1874 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1302 to the Committee on Natural Resources and Agriculture.

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

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1399	1349				

And that the above Senate File be indefinitely postponed.

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

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1059	961			1201	1476
586	754				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1201 be amended as follows:

Page 1, line 22, delete "*cost of*"

Page 2, lines 22 through 24, delete "*All money received pursuant to this subdivision shall be deposited in the general fund.*"

Page 4, lines 1 and 2, delete "*All money received pursuant to this subdivision shall be deposited in the general fund.*"

And when so amended, H. F. No. 1201 will be identical to S. F. No. 1476 and further recommends that H. F. No. 1201 be given its second reading and substituted for S. F. No. 1476 and S. F. No. 1476 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1059 be amended as follows:

Page 1, delete lines 13 through 33

Page 2, delete lines 1 through 28

Page 3, delete lines 1 through 28

Page 4, delete lines 1 and 2

Page 12, line 4, delete "*county court, or municipal court in*"

Page 12, line 5, delete "*the counties of Hennepin, Ramsey or St. Louis,*" and insert in lieu thereof "*district court*"

Page 14, line 21, after "*malicious,*" insert "*negligent*"

Renumber the sections in sequence

Further, amend the title in line 6 by deleting "*487.17; 488.04,*"

Delete all of lines 7 and 8 of the title, and in line 9 delete "*Subdivision 2,*"

And when so amended, H. F. No. 1059 will be identical to S. F. No. 961 and further recommends that H. F. No. 1059 be given its second reading and substituted for S. F. No. 961 and S. F. No. 961 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 586 be amended as follows:

Page 1, line 11, strike "*property*" and insert in lieu thereof "*purposes*"

And when so amended, H. F. No. 586 will be identical to S. F.

No. 754 and further recommends that H. F. No. 586 be given its second reading and substituted for S. F. No. 754 and S. F. No. 754 be indefinitely postponed. Amendments adopted.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 2014, 1686, 1859, 2008, 1943, 1526, 96, 1847, 1374, 325, 1308, 430, 1125, 1460, 1174, 1167, 2156, 1955, 1938, 2125, 1940, 1936 and 1480 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 255, 1219, 1312, 1568, 1399, 1201, 1059 and 586 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Davies moved that S. F. No. 96, No 162 on General Orders be stricken and re-referred to the Committee on Judiciary. Which motion prevailed.

Mr. Thorup moved that the name of Mr. Lord be added as co-author to S. F. No. 2218. Which motion prevailed.

Mr. Thorup moved that the name of Mr. Lord be added as co-author to S. F. No. 2219. Which motion prevailed.

Mr. Josefson moved that the name of Mr. Perpich, G. be added as co-author to S. F. No. 2249. Which motion prevailed.

Mr. Doty moved that S. F. No. 267 be recalled from the House of Representatives and referred to the Committee on Rules and Administration for comparison with H. F. No. 813. Which motion prevailed.

Mr. Doty moved that S. F. No. 488 be taken from the table. Which motion prevailed.

Mr. Doty moved that the Senate do not concur in the amendments by the House to S. F. No. 488 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

Mr. Chmielewski moved that S. F. No. 2206 be withdrawn from the Committee on Taxes and Tax Laws and re-referred to the Committee on Local Government. Which motion prevailed.

Mr. Hansen, Baldy moved that S. F. No. 1938, No. 15 on the Calendar of Ordinary Matters be stricken and re-referred to the Committee on Labor and Commerce. Which motion prevailed.

Mr. Chmielewski moved that the name of Mr. Solon be added as co-author to S. F. No. 2294. Which motion prevailed.

Mr. Kleinbaum moved that H. F. No. 356 be recalled from the House of Representatives and placed at the top of General Orders. Which motion prevailed.

Mr. North moved that S. F. No. 160 be taken from the table. Which motion prevailed.

Mr. North moved that the Senate do not concur in the amendments by the House to S. F. No. 160 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House. Which motion prevailed.

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

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Paul Johnson transferred from Enrolling Clerk to Fourth Assistant Secretary of the Senate, effective April 1, 1973.

Paul Richter transferred from Legislative Clerk II classification to Enrolling Clerk, effective April 1, 1973.

Maurice Milsten substituted for Edward Stish as Machine Operator on a part-time basis from April 11, 1973 through April 22, 1973 and on a full time basis effective April 23, 1973.

June Marie Anderson, Page, effective April 26, 1973.

Belinda Ball, Page, effective April 16, 1973.

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

SUSPENSION OF RULES

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

REPORT FROM THE COMMITTEE ON RULES AND ADMINISTRATION

Pursuant to Rule 10, Mr. Coleman, for the Committee on Rules and Administration, designates all of the bills on the General Orders Calendar for Wednesday, April 25, 1973, as a Special Order, to be considered at 7:30 p. m., Wednesday, April 25, 1973.

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

THIRD READING OF HOUSE BILLS

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

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 45 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Nelson	Schaaf
Ashbach	Doty	Kirchner	North	Solon
Bang	Dunn	Kleinbaum	Novak	Spear
Blatz	Fitzsimons	Knutson	Ogdahl	Stassen
Borden	Gearty	Laufenburger	Olson, A. G.	Stokowski
Brown	Hanson, R.	Lewis	O'Neill	Tennessen
Chenoweth	Hughes	Lord	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Milton	Pillsbury	Wegener
Coleman	Jensen	Moe	Purfeerst	Willet

Those who voted in the negative were:

Arnold	Frederick	Keefe, J.	Olson, H. D.	Renneke
Berg	Hansen, Baldy	Kowalczyk	Olson, J. L.	Schrom
Bernhagen	Hansen, Mel	Krieger	Patton	Sillers
Davies	Josefson	Larson	Perpich, G.	Ueland

So the bill passed and its title was agreed to.

H. F. No. 205: A bill for an act relating to the supreme court; appropriating money for its facilities.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1548: A bill for an act relating to Nicollet county; authorizing an increased annual appropriation to the county extension committee.

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

So the bill passed and its title was agreed to.

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

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

So the bill passed and its title was agreed to.

H. F. No. 660: A bill for an act relating to municipalities; subdivision regulations; authorizing municipalities to require dedication of land or cash equivalent for certain public purposes in residential, commercial, industrial and other developments; amending Minnesota Statutes 1971, Section 462.358, Subdivision 2.

With the unanimous consent of the Senate, Mr. Hughes moved that the amendment made to H. F. No. 660 by the Committee on Rules and Administration in the report adopted April 12, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 660 was read the third time, and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

H. F. No. 942 which the committee recommends to pass.

H. F. No. 23 which the committee reports progress, subject to the following motion:

Mr. Keefe, S. moved to amend H. F. No. 23, the printed bill as follows:

Page 1, line 11, after "*subdivision*" add "*except that nothing in this subdivision shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit*"

Which motion prevailed. So the amendment was adopted.

Mr. Kowalczyk moved to amend H. F. No. 23, the typewritten bill, as follows:

Page 2, strike lines 10 through 25 inclusive;

Page 2, line 26, strike "*Further*";

Page 3, line 2, after the period, add: "*Each pharmacy shall also, upon request, including requests by telephone, provide to consumers who possess a prescription for any drug, the current price of such drug.*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 37 and nays 24, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Olson, H. D.	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olson, J. L.	Stassen
Bang	Frederick	Kowalczyk	O'Neill	Ueland
Berg	Hansen, Baldy	Krieger	Patton	Wegener
Bernhagen	Hansen, Mel	Larson	Perpich, G.	Willet
Blatz	Hanson, R.	Laufenburger	Pillsbury	
Brown	Jensen	Nelson	Purfeerst	
Chmielewski	Josefson	Olhoff	Renneke	

Those who voted in the negative were:

Borden	Doty	Keefe, S.	Novak	Spear
Chenoweth	Gearty	Lewis	Olson, A. G.	Stokowski
Coleman	Hughes	Lord	Perpich, A. J.	Tennessen
Conzemius	Humphrey	Milton	Schaaf	Thorup
Davies	Keefe, J.	North	Solon	

Which motion prevailed. So the amendment was adopted.

Mr. Knutson moved that the report of the Committee of the Whole, as kept by the Secretary, be adopted.

Mr. Keefe, S. moved that H. F. No. 23 be divided from the report of the Committee of the Whole.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate.

The following Senators answered to their names:

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

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

The question being taken on the adoption of the report of the Committee of the Whole on H. F. No. 23,

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

And the roll being called, there were yeas 36 and nays 29, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Olson, H. D.	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olson, J. L.	Stassen
Bang	Frederick	Knutson	O'Neill	Ueland
Berg	Hansen, Baldy	Kowalczyk	Patton	Willet
Bernhagen	Hansen, Mel	Krieger	Pillsbury	
Blatz	Hanson, R.	Larson	Purfeerst	
Brown	Jensen	Laufenburger	Renneke	
Chmielewski	Josefson	Nelson	Schrom	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olhoff	Spear
Borden	Gearty	Lord	Olson, A. G.	Stokowski
Chenoweth	Hughes	Milton	Perpich, A. J.	Tennessen
Coleman	Humphrey	Moe	Perpich, G.	Thorup
Conzemius	Keefe, J.	North	Schaaf	Wegener
Davies	Keefe, S.	Novak	Solon	

So the report of the Committee of the Whole as to H. F. No. 23 was adopted.

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

SUSPENSION OF RULES

Mr. Schaaf moved that the rules of the Senate be so far suspended as to revert to Motions and Resolutions. Which motion prevailed.

Mr. Schaaf moved that S. F. No. 2230 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Governmental Operations. Which motion prevailed.

Mr. Gearty moved that the name of Mr. Keefe, J. be added as co-author to S. F. No. 2310. Which motion prevailed.

Mr. Kirchner moved that the names of Messrs. Gearty and Davies be added as co-authors to S. F. No. 2322. Which motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p.m. Which motion prevailed.

The hour of 7:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate.

The following Senators answered to their names:

Arnold	Coleman	Keefe, S.	North	Purfeerst
Ashbach	Davies	Kirchner	Novak	Schrom
Berg	Dunn	Kowalczyk	Olhoff	Sillers
Bernhagen	Fitzsimons	Krieger	Olson, A. G.	Spear
Blatz	Gearty	Larson	Olson, J. L.	Stassen
Borden	Hansen, Baldy	Laufenburger	O'Neill	Stokowski
Brown	Hansen, Mel	Lord	Perpich, A. J.	Thorup
Chenoweth	Hughes	Milton	Perpich, G.	Wegener
Chmielewski	Josefson	Moe	Pillsbury	Willet

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

SUSPENSION OF RULES

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

INTRODUCTION OF BILLS

Messrs. Brown; Keefe, S. and Kowalczyk introduced—

S. F. No. 2323: A bill for an act relating to elections; requiring precinct boundaries to be filed with the secretary of state; amending Minnesota Statutes 1971, Section 203.06, Subdivision 1.

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

Messrs. Josefson, Willet and Laufenburger introduced—

S. F. No. 2324: A bill for an act relating to education; permitting state college board to exempt certain students from certain fees from which they receive no benefit; amending Minnesota Statutes 1971, Section 136.11, by adding a subdivision.

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

Messrs. Hughes, Sillers and Olson, A. G. introduced—

S. F. No. 2325: A bill for an act relating to education; the establishment of Minnesota educational service areas to provide educational services and programs on a regional basis; appropriating money therefor.

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

Messrs. Brown, Chmielewski and Bang introduced—

S. F. No. 2326: A bill for an act relating to education; providing for certain safety requirements for school buses; providing for the department of public safety to promulgate rules and regulations for the attachment of the bodies of school buses to the frames; providing that school buses failing to meet the requirements be discontinued.

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

Messrs. North, Knutson and Keefe, S. introduced—

S. F. No. 2327: A bill for an act relating to health and welfare; prohibiting the sale in this state of household products containing liquid lye preparations.

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

Messrs. Bang, Brown and Keefe, J. introduced—

S. F. No. 2328: A bill for an act relating to taxation; county

wheelage tax in the seven county metropolitan area; repealing Minnesota Statutes 1971, Section 163.051.

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

Messrs. Nelson, Knutson and O'Neill introduced—

S. F. No. 2329: A bill for an act relating to county attorneys; creating a Minnesota county attorneys council and the office of executive director; creating the offices of district attorney; prescribing powers and duties; and appropriating money.

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

Messrs. Humphrey, Borden and Ogdahl introduced—

S. F. No. 2330: A bill for an act relating to the creation of an environmental hearings board, as a separate agency of state government, and appropriating money therefor.

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

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

Messrs. Bang, Larson and Hansen, Baldy introduced—

S. F. No. 2331: A bill for an act relating to intoxicating liquor; size of containers; amending Minnesota Statutes 1971, Chapter 340, by adding a section.

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

Messrs. Thorup, Laufenburger and Blatz introduced—

S. F. No. 2332: A bill for an act relating to intoxicating liquor; labeling required; providing a penalty; amending Minnesota Statutes 1971, Section 340.461, Subdivision 4, and by adding a subdivision.

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

Messrs. Kleinbaum, Larson and Willet introduced—

S. F. No. 2333: A bill for an act relating to health; defining physical therapist; prohibiting certain conduct relating to the practice of physical therapy; providing penalties; amending Minnesota Statutes 1971, Sections 148.65, Subdivision 2; 148.76; and 148.77.

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

Mr. Thorup introduced—

S. F. No. 2334: A bill for an act relating to the village of Circle Pines; payment of firemen's service pensions.

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

Mr. Milton introduced—

S. F. No. 2335: A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivisions 2 and 3.

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

Messrs. Solon, Sillers and Stassen introduced—

S. F. No. 2336: A bill for an act relating to travel and other expenses of boards; amending Minnesota Statutes 1971, Section 15A.21; and 121.02, Subdivision 1.

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

Messrs. Humphrey, Larson and Lewis introduced—

S. F. No. 2337: A bill for an act relating to evidence; limiting scope of patient-physician privilege; amending Minnesota Statutes 1971, Section 595.02.

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

Messrs. O'Neill, Milton and Ashbach introduced—

S. F. No. 2338: A bill for an act relating to the appropriations by the county of Ramsey for the plans and designs of an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

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

Messrs. Hanson, R. and Wegener introduced—

S. F. No. 2339: A bill for an act relating to waters, watercraft safety; authorizing the commissioner of natural resources to regulate the size of motors; amending Minnesota Statutes 1971, Section 361.26, Subdivision 2.

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

Mr. Wegener introduced—

S. F. No. 2340: A bill for an act relating to the city of Little Falls; authorizing the issuance of an additional on-sale license for the sale of intoxicating liquor.

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

Mr. Laufenburger introduced—

S. F. No. 2341: A bill for an act relating to the city of Winona; authorizing the issuance of two additional on-sale liquor licenses.

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

Mr. Perpich, G. introduced—

S. F. No. 2342: A bill for an act relating to St. Louis county; authorizing the issuance of an on-sale license for the sale of intoxicating liquor.

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

Messrs. Chenoweth, Ashbach and McCutcheon introduced—

S. F. No. 2343: A bill for an act relating to Ramsey county; authorizing issuance of bonds for construction and equipping of certain recreational facilities; amending Laws 1969, Chapter 1055, as amended, by adding a section.

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

Messrs. Ashbach, Milton and North introduced—

S. F. No. 2344: A bill for an act relating to the metropolitan council; providing that the adjustments of Minnesota Statutes 1971, Sections 272.64; 273.13, Subdivision 7a; and 275.49 shall not be used in connection with the levy authorized by section 473B.08; amending Minnesota Statutes 1971, Section 473B.08, Subdivision 1.

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

Messrs. Kowalczyk, Laufenburger and Hanson, R. introduced—

S. F. No. 2345: A bill for an act relating to education; prescribing tax levies; and authorizing school districts to levy to offset

certain real estate tax delinquencies: amending Minnesota Statutes 1971, Section 275.125, Subdivision 3.

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

Messrs. Stokowski and Ashbach introduced—

S. F. No. 2346: A bill for an act relating to certain industries regulated by the department of public service; defining telephone company; amending Minnesota Statutes 1971, Section 237.01.

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

Messrs. Krieger and Frederick introduced—

S. F. No. 2347: A bill for an act relating to taxation; county legal assistance; appropriating money.

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

Messrs. Bang, Laufenburger and Pillsbury introduced—

S. F. No. 2348: A bill for an act relating to elections; types of ballots; age for voting; amending Minnesota Statutes 1971, Sections 200.02, Subdivision 25, and by adding subdivisions; 201.14; 201.15; 202.03, as amended; 202.04; 202.06, Subdivision 1; 202.07; 202.08; 202.09, Subdivision 1; 202.13, Subdivision 2; 202.16; 203.-27; 203.28, as amended; 203.29, as amended; 203.32; 203.33; 203.-34, Subdivision 1; 203.35, as amended; 203.41, Subdivision 2; 203.43; 204.10; 204.11, Subdivision 2; 204.25; 206.026, Subdivision 1; 206.09; and 208.04.

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

Messrs. Chenoweth and Hughes introduced—

S. F. No. 2349: A bill for an act relating to civil service in Ramsey county; inclusion of employees of Ramsey county welfare board.

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

Messrs. Chenoweth and Hughes introduced—

S. F. No. 2350: A bill for an act relating to the county of Ramsey; providing for the retirement of employees thereof; providing certain benefits therefor; and authorizing the levy of certain taxes; amending Laws 1963, Chapter 852, Section 3, as amended.

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

Messrs. Lord, Dunn and Arnold introduced—

S. F. No. 2351: A bill for an act establishing the Minnesota outdoor recreation system and prescribing methods and policies for its authorization, acquisition, establishment, management; amending Minnesota Statutes 1971, Sections 84.033; 85.04; 85.05, Subdivision 2; 85.20, Subdivisions 1 and 5.

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

Messrs. Schaaf, Pillsbury and Perpich, G. introduced—

S. F. No. 2352: A bill for an act relating to distinctions on the basis of sex; abolishing such distinctions; repealing certain statutes which treat men and women differently; repealing Minnesota Statutes 1971, Sections 181.18 to 181.23; 183.24; 183.25; 202.18; 257.30; 540.07 and 609.36.

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

Messrs. Schaaf, Pillsbury and Perpich, G. introduced—

S. F. No. 2353: A bill for an act relating to the definition of a person; changing the word man to person in certain statutes; amending Minnesota Statutes 1971, Sections 35.07; 35.08; 43.09, Subdivision 2; 65A.26; 66A.29; 67A.16, Subdivision 2; 84.14, Subdivision 1; 121.301; 164.02, Subdivision 1; 183.22; 183.39, Subdivision 1; 219.25; 368.65; 375.35; 376.61; and 447.04.

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

Messrs. Hansen, Mel and Stassen introduced—

S. F. No. 2354: A bill for an act relating to public welfare; aid to the disabled; amending Minnesota Statutes 1971, Section 256.455, Subdivision 5.

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

Messrs. Schaaf, Pillsbury and Perpich, G. introduced—

S. F. No. 2355: A bill for an act relating to distinctions on the basis of sex; abolishing such distinctions; amending certain statutes which treat men and women differently; amending Minnesota Statutes 1971, Sections 182.06; 182.44; 190.06, Subdivision 1; 242.54, by adding a subdivision; 243.92; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 260.094; 260.101; 422.04; 517.02; 517.03; 519.06; 525.172; 609.32, Subdivision 4; 609.375, Subdivision 1; Chapter 519, by adding a section; repealing Minnesota Statutes 1971, Sections 190.06, Subdivision 3; 519.05; and 525.173.

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

Mr. North introduced—

S. F. No. 2356: A bill for an act relating to the fees of the abstract clerk in Ramsey county; amending Laws 1945, Chapter 561, Section 4 as amended by Laws 1957, Chapter 855, Section 1; Laws 1965, Chapter 628, Section 2 and Laws 1969, Chapter 667, Section 1.

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

Mr. Stokowski introduced—

S. F. No. 2357: A bill for an act relating to the metropolitan transit commission; providing the commission and the metropolitan council with certain planning powers; amending Minnesota Statutes 1971, Sections 473A.06, by adding subdivisions; and 473A.065; and repealing Minnesota Statutes 1971, Section 473A.06, Subdivision 1.

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

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

S. F. No. 2358: A bill for an act relating to transportation; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation; authorizing the issuance of state bonds for the purposes of the trunk highway fund and the transportation fund; and appropriating money in connection therewith.

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

Messrs. Spear and Keefe, S. introduced—

S. F. No. 2359: A bill for an act relating to elections; providing for registration of the elderly and disabled at their residences; amending Minnesota Statutes 1971, Section 201.20, by adding a subdivision.

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

SUSPENSION OF RULES

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

GENERAL ORDERS—CONTINUED

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

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Arnold reported that the committee had considered S. F. No. 996, also H. F. No. 803 which the committee recommends to pass.

S. F. No. 750 which the committee recommends to pass, after the following motion:

Mr. Krieger moved that S. F. No. 750 be re-referred to the Committee on Judiciary.

The question being taken on adoption of the motion.

And the roll being called, there were yeas 23 and nays 39, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Knutson	Ogdahl	Sillers
Berg	Hansen, Mel	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hanson, R.	Krieger	O'Neill	Ueland
Dunn	Keefe, J.	Larson	Patton	
Fitzsimons	Kirchner	Nelson	Pillsbury	

Those who voted in the negative were:

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

Which motion did not prevail.

H. F. No. 479 which the committee recommends to pass, after the following motion:

Mr. Schaaf moved to amend H. F. No. 479, the printed bill, as follows:

Page 1, strike lines 8 through 12 and insert:

"Sec. 1. Nothing in this Constitution shall prevent a state from regulating or prohibiting abortion."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 12 and nays 45, as follows:

Those who voted in the affirmative were:

Ashbach	Nelson	Perpich, A. J.	Pillsbury	Spear
Davies	North	Perpich, G.	Schaaf	Tennessen
Lewis	Ogdahl			

Those who voted in the negative were:

Anderson	Conzemius	Humphrey	Moe	Renneke
Arnold	Doty	Jensen	Novak	Schrom
Berg	Dunn	Keefe, S.	Olhott	Sillers
Bernhagen	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Blatz	Frederick	Knutson	Olson, H. D.	Stassen
Borden	Gearty	Kowalczyk	Olson, J. L.	Stokowski
Brown	Hansen, Baldy	Larson	O'Neill	Thorup
Chmielewski	Hanson, R.	Lord	Patton	Wegener
Coleman	Hughes	McCutcheon	Purfeerst	Willet

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

Mr. Schaaf moved to amend H. F. No. 479, the printed bill as follows:

Page 1, line 8, strike "conception" and insert in lieu thereof "viability"

Page 1, line 10, after the period insert:

" "Viability" means the potentiality of the human fetus to live outside the womb even though it may require artificial aid. During the second half of its gestation period the fetus shall be considered "viable"."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 14 and nays 44, as follows:

Those who voted in the affirmative were:

Bang	Davies	North	Perpich, G.	Spear
Coleman	Lewis	Ogdahl	Pillsbury	Tennessen
Conzemius	Milton	Perpich, A. J.	Schaaf	

Those who voted in the negative were:

Anderson	Chmielewski	Hughes	Moe	Schrom
Arnold	Doty	Humphrey	Novak	Solon
Ashbach	Dunn	Keefe, J.	Olhott	Stassen
Berg	Fitzsimons	Keefe, S.	Olson, A. G.	Stokowski
Bernhagen	Frederick	Kleinbaum	Olson, J. L.	Thorup
Blatz	Gearty	Knutson	O'Neill	Ueland
Borden	Hansen, Baldy	Kowalczyk	Patton	Wegener
Brown	Hansen, Mel	Larson	Purfeerst	Willet
Chenoweth	Hanson, R.	Lord	Renneke	

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

The question being taken on the committee recommendation,

And the roll being called, there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

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

Kleinbaum	Lord	Olson, A. G.	Purfeerst	Stokowski
Knutson	McCutcheon	Olson, H. D.	Renneke	Thorup
Kowalczyk	Moe	Olson, J. L.	Schrom	Ueland
Larson	Novak	O'Neill	Sillers	Wegener
Laufenburger	Olhoft	Patton	Solon	Willet

Those who voted in the negative were:

Ashbach	Nelson	Perpich, A. J.	Schaaf	Tennessen
Davies	North	Perpich, G.	Spear	
Lewis	Ogdahl	Pillsbury	Stassen	

So the committee recommends H. F. No. 479 to pass.

S. F. No. 753, which the committee recommends to pass with the following amendment offered by Mr. Olson, A. G.

Page 2, line 27, strike "Any ownership of"

Page 2, line 27, strike "existing" and insert "and land capable of being used for farming owned by a corporation"

Page 3, line 13, strike "Leases of"

Page 3, line 13, after "land" insert "and land capable of being used for farming leased by a corporation"

Page 3, line 14, strike "a" and insert "such"

Page 4, line 5, after "corporation" and before the semicolon insert ", or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901 - 3914) as amended, or a subsidiary or assign of such a corporation"

Mr. Schrom moved to amend S. F. No. 753 as follows:

Page 1, line 15, strike "(3) poultry or poultry products;"

Renumber the clauses in sequence

Page 1, line 20, before the period add: ", or the cultivation of land for the production of poultry or poultry products"

Page 4, line 5, after the semicolon strike "or"

Page 4, line 18, strike the period and insert "; or"

Page 4, following line 18, insert

"(j) Agricultural land or land capable of being used as agricultural land, owned by a corporation and used for the production of poultry or poultry products."

Page 5, line 6, strike "poultry or"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 20 and nays 41, as follows:

Those who voted in the affirmative were:

Bernhagen	Frederick	Jensen	Krieger	Pillsbury
Brown	Hansen, Baldy	Josefson	Larson	Renneke
Dunn	Hansen, Mel	Kirchner	Olson, J. L.	Schrom
Fitzsimons	Hanson, R.	Kleinbaum	Patton	Ueland

Those who voted in the negative were:

Anderson	Conzemius	Lewis	Olson, A. G.	Stokowski
Arnold	Davies	Lord	O'Neill	Tennessen
Ashbach	Doty	Milton	Perpich, A. J.	Thorup
Berg	Gearty	Moe	Purfeerst	Wegener
Blatz	Hughes	Nelson	Schaaf	Willet
Borden	Humphrey	North	Sillers	
Chenoweth	Keefe, J.	Novak	Solon	
Chmielewski	Keefe, S.	Ogdahl	Spear	
Coleman	Kowalczyk	Olhoft	Stassen	

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

Mr. Krieger moved that S. F. No. 753 be re-referred to the Committee on Judiciary.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 20 and nays 41, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Larson	Pillsbury
Bang	Hansen, Baldy	Knutson	Nelson	Sillers
Blatz	Hansen, Mel	Kowalczyk	Ogdahl	Stassen
Brown	Hanson, R.	Krieger	O'Neill	Ueland

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Olson, H. D.	Stokowski
Arnold	Doty	Lewis	Olson, J. L.	Tennessen
Berg	Dunn	Lord	Patton	Thorup
Bernhagen	Fitzsimons	Milton	Perpich, A. J.	Wegener
Borden	Gearty	Moe	Purfeerst	Willet
Chenoweth	Hughes	North	Renneke	
Chmielewski	Humphrey	Novak	Schaaf	
Coleman	Josefson	Olhoft	Solon	
Conzemius	Keefe, S.	Olson, A. G.	Spear	

Which motion did not prevail.

The question being taken on the committee recommendation,

And the roll being called, there were yeas 43 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Jensen	Novak	Schrom
Arnold	Davies	Josefson	Olhoft	Solon
Berg	Doty	Keefe, S.	Olson, A. G.	Spear
Bernhagen	Dunn	Kowalczyk	Olson, H. D.	Stokowski
Borden	Fitzsimons	Lewis	Olson, J. L.	Thorup
Brown	Gearty	Lord	Perpich, A. J.	Wegener
Chenoweth	Hanson, R.	Milton	Purfeerst	Willet
Chmielewski	Hughes	Moe	Renneke	
Coleman	Humphrey	North	Schaaf	

Those who voted in the negative were:

Ashbach	Hansen, Baldy	Knutson	Ogdahl	Sillers
Bang	Hansen, Mel	Krieger	O'Neill	Stassen
Blatz	Keefe, J.	Larson	Patton	Ueland
Frederick	Kirchner	Nelson	Pillsbury	

So the committee recommends S. F. No. 753 to pass as amended.

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

SUSPENSION OF RULES

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

REPORTS OF COMMITTEES APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 917, pursuant to the request of the House,

Messrs. Ueland, Lord, Olhoft.

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

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 437, pursuant to the request of the House,

Messrs. Laufenburger, Brown, Schrom.

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

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 347, pursuant to the request of the House,

Messrs. Purfeerst, Renneke, Humphrey.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved that the name of Mr. Jensen be added as co-author to S. F. No. 750. Which motion prevailed.

Mr. Ashbach moved that the name of Mr. McCutcheon be stricken and the name of Mr. Hughes be added as chief author to S. F. No. 2320. Which motion prevailed.

Mr. North moved that the name of Mr. McCutcheon be added as co-author to S. F. No. 2356. Which motion prevailed.

Mr. North moved that the name of Mr. Hughes be added as chief author to S. F. No. 2356. Which motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Thursday, April 26, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.