

# FORTY-FIFTH DAY

St. Paul, Minnesota, Thursday, April 26, 1973.

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

## CALL OF THE SENATE

Mr. Olson, J. L. imposed a call of the Senate.

The following Senators answered to their names:

Arnold	Davies	Josefson	Olson, A. G.	Stokowski
Ashbach	Dunn	Kirchner	Olson, J. L.	Tennessen
Berg	Gearty	Larson	Patton	Thorup
Bernhagen	Hansen, Baldy	Laufenburger	Perpich, A. J.	Ueland
Blatz	Hansen, Mel	Lewis	Perpich, G.	Wegener
Borden	Hanson, R.	North	Purfeerst	Willet
Coleman	Hughes	Novak	Spear	
Conzemius	Jensen	Ogdahl	Stassen	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

## MEMBERS EXCUSED

Mr. Kleinbaum was excused from the Session of today. Mr. Patton was excused from the Session of today beginning at 4:00 o'clock p.m. Mr. Blatz was excused from Saturday's Session.

**INTRODUCTION OF BILLS**

Mr. Solon introduced—

S. F. No. 2360: A resolution memorializing Congress to restore November 11 as Veterans Day.

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

Messrs. Perpich, G.; McCutcheon and North introduced—

S. F. No. 2361: A bill for an act relating to public welfare; providing for the state certification of directors of private residential facilities for mentally retarded persons; establishing a certification board; appropriating money; amending Minnesota Statutes 1971, Chapter 252, by adding a section.

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

Messrs. Blatz, Schrom and Konzemius introduced—

S. F. No. 2362: A bill for an act relating to counties; creating a special board on ad valorem tax appeals for certain counties; providing for the appointment, compensation, authority and financial support for board members; appropriating money; providing a penalty; amending Minnesota Statutes 1971, Chapter 278, by adding a section; and Section 278.08.

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

Messrs. Olhoft, Borden and Stokowski introduced—

S. F. No. 2363: A bill for an act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state; amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

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

Messrs. Nelson, Gearty and Thorup introduced—

S. F. No. 2364: A bill for an act relating to crimes and criminals; pretrial procedure; providing for an omnibus pretrial hearing for certain defense objections in criminal cases.

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

Messrs. Knutson, Gearty and Olhoft introduced—

S. F. No. 2365: A bill for an act relating to adoption; petition

for adoption; requiring agency placement in certain cases prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

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

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

S. F. No. 2366: A bill for an act relating to ad valorem taxes; providing for taxation of wildlife lands managed and controlled by the department of natural resources; appropriating money; amending Minnesota Statutes 1971, Section 272.02, by adding a subdivision; repealing Minnesota Statutes 1971, Section 97.49, Subdivision 3.

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

Messrs. O'Neill, Coleman and McCutcheon introduced—

S. F. No. 2367: A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

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

Messrs. Coleman, Kirchner and Hansen, Baldy introduced—

S. F. No. 2368: A bill for an act relating to financial institutions and mortgagees; amending Minnesota Statutes 1971, Sections 47.20; and 47.21.

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

#### MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. Nos. 1249, 1327 and 1490.

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

Returned April 25, 1973

Mr. President:

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

S. F. No. 104: A bill for an act relating to public welfare; permitting the county welfare boards to charge fees for services; amending Minnesota Statutes 1971, Chapter 393, by adding a section.

S. F. No. 104 is herewith returned to the Senate.

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

Returned April 25, 1973

### CONCURRENCE AND REPASSAGE

Mr. McCutcheon moved that the Senate do now concur in the amendments by the House to S. F. No. 104 and the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 104 was read the third time, as amended by the House, and placed on its repassage.

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

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 976.

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

Transmitted April 24, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1749, 365, 1537, 1585, 1625, 1641 and 1693.

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

Transmitted April 25, 1973

**FIRST READING OF HOUSE BILLS**

H. F. No. 976: A bill for an act relating to pharmacy and drugs; redefining certain terms; revising the qualifications required of applicants for registration; providing for the training of interns; increasing the maximum fee for registration; revising exceptions allowed to registration requirements; regulating the introduction of distressed drugs into the state; amending Minnesota Statutes 1971, Sections 151.01, Subdivisions 5 and 14; 151.10; 151.101; 151.12; 151.211; 151.25; 151.26, Subdivision 1; 151.37, Subdivision 5 and 151.39, by adding a subdivision; repealing Minnesota Statutes 1971, Section 151.26, Subdivision 2.

H. F. No. 1749: A bill for an act relating to Carver county; soil and water conservation; expenditures from general revenue fund.

H. F. No. 365: A bill for an act relating to workmen's compensation; authorizing coverage for owners of businesses; amending Minnesota Statutes 1971, Chapter 176, by adding a section.

H. F. No. 1537: A bill for an act relating to tax-forfeited lands; regulating certain sale and lease provisions; amending Minnesota Statutes 1971, Section 282.04, Subdivision 1.

H. F. No. 1585: A bill for an act relating to commerce; prohibiting the use of powdered and certain molded asbestos in the construction or improvement of buildings; providing a penalty.

H. F. No. 1625: A bill for an act relating to workmen's compensation, suicide; amending Minnesota Statutes 1971, Section 176.021, Subdivision 1.

H. F. No. 1641: A bill for an act relating to Hennepin county; soil and water conservation; expenditures from general revenue fund.

H. F. No. 1693: A bill for an act relating to the village of New Hope; authorizing the village of New Hope to refund certain temporary improvement bonds.

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

**REPORTS OF COMMITTEES**

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

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

S. F. No. 1432: A bill for an act relating to commerce; prohibiting the use of powdered asbestos in the construction or improvement of buildings; providing a penalty.

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

Page 1, line 12, insert a comma after the word "substance"

Page 1, line 12, after "and" strike "capable of being" and insert "to be"

Page 1, line 13, after "sprayer," insert "or in its molded form if asbestos dust will emanate from it due to handling, mixing or cutting,"

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

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

S. F. No. 1377: A bill for an act relating to motor vehicle carriers; regulating the issuance of permits to local cartage carriers; authorizing the transfer of such permits under certain conditions; amending Minnesota Statutes 1971, Section 221.296, Subdivision 4, and by adding a subdivision.

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

Page 2, line 27, after the word "sold" insert, "*that the proposed sale is in the best interest of the shipping public,*"

Page 2, line 28, after the word "hire" insert, "*on a meaningful basis as determined by the commission*"

Page 3, line 28, after the word, "For" strike "*this*" and insert "*the*"

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

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

S. F. No. 1878: A bill for an act authorizing the commissioner of administration to convey the water system at the Brainerd state hospital to the city of Brainerd, Crow Wing county, Minnesota.

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

Page 1, line 16, strike "ft." and insert in lieu thereof "in."

Page 1, line 18, strike "81" and insert in lieu thereof "8"

Page 1, strike all of section 2, and insert in lieu thereof:

"Sec. 2. The consideration to be paid by the city of Brainerd to the state for the conveyance provided for herein shall be determined by the commissioner of administration based upon the appraised value of said water and sewer systems and the best interest of the state. The method of payment shall likewise be determined by the commissioner of administration."

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

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

S. F. No. 1441: A bill for an act conferring certain powers relating to improvements of roads and streets and assessments therefor on the town of Woodside, Polk county.

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

Page 1, line 9, strike "is" and insert in lieu thereof "shall have the power of"

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

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

S. F. No. 1892: A bill for an act authorizing the commissioner of administration to convey the water system at the St. Peter state hospital to the city of St. Peter, Nicollet County, Minnesota.

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

Page 1, strike all of section 2 and insert in lieu thereof:

"Sec. 2. The consideration to be paid by the city of St. Peter to the state for the conveyance provided for herein shall be determined by the commissioner of administration based upon the appraised value of said water system and the best interest of the state. The method of payment of said consideration shall likewise be determined by the commissioner of administration."

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

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

S. F. No. 1939: A bill for an act relating to the Duluth transit authority of the city of Duluth; amending Laws 1969, Chapter 720, Section 11, Subdivision 1.

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

Page 1, line 16, strike "four" and insert in lieu thereof "1.35"

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

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

S. F. No. 1366: A bill for an act relating to elections; pro-

viding for the time of elections and taking office in the city of Duluth and Independent School District No. 709, Duluth.

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

Page 1, strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Notwithstanding the provisions of Minnesota Statutes 1971, Chapter 123, or any other general or special law to the contrary, all elected officers in the city of Duluth, including city council members, mayor, municipal judges and board members of independent school district No. 709, Duluth, shall be elected pursuant to Minnesota Statutes, Chapters 200 to 211, at a general election to be held on the uniform municipal election day established by Minnesota Statutes 1971, Section 205.20, Subdivision 2. Said officers shall be nominated at a primary election to be held on a date designated by the city council of the city of Duluth, which date shall be not less than 14 days before the general election. The newly elected officers shall take office on the first Monday in January following their elections. The terms of the incumbents shall be extended to conform to the changes prescribed by this act.

Sec. 2. The first elections pursuant to section 1 shall be in 1975."

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

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

S. F. No. 1559: A bill for an act relating to the metropolitan sewer board and the federal water pollution contract act amendments of 1972; amending Minnesota Statutes 1971, Chapter 473C, by adding a section; and Section 473C.15, Subdivision 5.

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

Page 1, line 22, strike "*July 1, 1973*" and insert in lieu thereof "*January 1, 1974*"

Page 1, line 29, after the period, insert a new sentence to read: "*Each local government unit may appeal the determination of the board to the council for review and determination.*"

Page 2, line 11, after the word "*board*" insert "*with the consent of the council*"

Page 2, line 18, after the period add the following new sentence: "*Insofar as possible these costs shall be recovered by local government units on behalf of the board.*"

Amend the title as follows:

Page 1, line 3, strike "*contract*" and insert in lieu thereof "*control*"



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

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

S. F. No. 1704: A bill for an act relating to education; establishing a board to examine and review certain organizations, associations and leagues which schools may join; appropriating money; amending Minnesota Statutes 1971, Section 129.12, Subdivision 2.

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

Page 1, lines 11 through 16, reinstate the stricken language

Page 1, line 27, after "*mileage*" delete "*and*"

Page 1, line 28, delete "*other reasonable expenses*"

Page 1, line 31, after "*regulations,*" insert "*financial affairs,*"

Page 2, line 9, after the period insert "*The review board established by this subdivision shall cease to exist on June 30, 1977.*"

Page 2, line 10, delete "*school*"

Page 2, line 11, delete "*association review board*" and insert in lieu thereof "*state department of education*"

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

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

S. F. No. 1726: A bill for an act authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Goodhue county.

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

Page 2, line 20, strike "*upon*" and insert in lieu thereof "*the day following its*"

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

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

S. F. No. 1964: A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution; providing procedures for consolidation of districts; amending Minnesota Statutes 1971, Sections 112.35, Subdivision 19; 112.38; 112.42, Subdivision 3; 112.44; 112.47; 112.48, Subdivisions 1 and

3 and by adding a subdivision; 112.52; 112.53, Subdivision 1; 112.54; 112.55; 112.64, Subdivision 4; 112.69, Subdivision 1; and Chapter 112, by adding a section; repealing Minnesota Statutes 1971, Section 112.75; and Laws 1965, Chapter 873, Section 2.

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

Page 5, line 11, after "for" and before "traveling" insert "actual"

Page 5, line 11, after "and" and before "expenses" insert "other"

Page 5, line 12, after "duties" insert "as provided for state employees"

Page 6, lines 15, 16, 17, 18, 19, and 20, restore the stricken language and strike the new language.

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. 2189: A bill for an act authorizing the conveyance of certain state lands in Cass county to the village of Walker, Minnesota.

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

Page 1, line 7, before "the commissioner" insert "the governor, upon the recommendation of"

Page 1, line 7, after "administration" and before "upon" insert ", and"

Page 2, line 4, strike "repott" and insert in lieu thereof "report"

Page 2, after line 8, add a section to read:

"Sec. 4. This act is effective the day following its final enactment."

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

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

S. F. No. 917: A bill for an act relating to health; regulating smoking in public areas.

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

Page 1, line 7, following "have" insert "a"

Page 1, line 8, before "smoking" insert "no"

Page 1, line 8, strike "and nonsmoking sections in such areas" and insert "section"

Page 1, line 8 following "that" insert "a"

Page 1, line 9, strike "areas" and insert "no smoking section"

Page 1, line 10, strike "five" and insert "ten"

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

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

S. F. No. 1555: A bill for an act relating to Hennepin county; providing for payment by state of hospital costs incurred by indigent persons residing outside Hennepin county.

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

Line 9, after "care" and before "incurred" insert ", unmet by medical assistance,"

Line 9, after "hospital" insert "or St. Paul-Ramsey hospital"

Line 10, after "county" insert "or Ramsey county"

Amend the title as follows:

Line 2, strike "county" and insert "and Ramsey counties"

Line 5, strike "county" and insert "and Ramsey counties"

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

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

S. F. No. 1867: A bill for an act relating to Morrison county; providing for increased compensation for county welfare board; amending Laws 1967, Chapter 818, Section 1.

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

Page 1, line 13, reinsert the stricken language.

Page 1, line 14, strike "\$20"

Page 1, line 16, strike the period and insert "*provided that members of the board who are not county commissioners may receive \$20 for each day.*"

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

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

S. F. No. 2157: A bill for an act relating to the county state-aid highway system; payment of contract price; amending Minnesota Statutes 1971, Section 162.04.

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

Page 1, line 17, after "*completed*" insert "*upon the recommendation of the county engineer*"

Page 1, line 19, strike "*engineer estimates*" and insert in lieu thereof "*board determines*"

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

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

H. F. No. 133: A bill for an act relating to charitable hospitals; requiring mandatory arbitration on issue of union security; amending Minnesota Statutes 1971, Section 179.38.

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

H. F. No. 28: A bill for an act relating to labor and employment; requiring transfer of benefit fund contributions on behalf of certain temporary employees.

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

Page 1, line 16, after "member" and before the period, insert, "except that such payment shall not exceed the amount of contribution in the fund to which the construction worker is a member"

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

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

S. F. No. 1937: A bill for an act relating to the city of Duluth; authorizing organization of a Spirit Mountain recreation area authority; conferring upon said authority the power and duty to administer, promote, control, direct and manage the organization and ongoing operation of said recreation area; and providing for a tax levy and issuance of bonds.

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

Page 3, line 6, after "appointed" insert ", after consultation with the planning commission and the park and recreation board,"

Page 3, line 7, after "Duluth" strike ", with the approval" and insert ". Directors must be approved"

Page 3, line 19, strike "appointing authority" and insert "Mayor of Duluth following the same procedure as in the original appointments"

Page 3, line 25, after the period, add the following: "Directors shall not have any personal financial interest, direct or indirect in any contract with the authority, or be engaged in any capacity where a conflict of interest may arise."

Page 6, line 3, strike "may" and insert "shall"

Page 6, line 7, after "area" change the comma to a period and strike "such"

Page 6, line 8, strike the entire line

Page 9, line 2, following "commission" insert "and the city park and recreation board"

Page 9, line 9, strike the word "has" and insert "and city park and recreation board have"

Page 9, line 9, following "given" strike "its" and insert "their"

Page 9, line 10, followig "commission" insert ", working jointly with the park and recreation board,"

Page 9, line 20, strike everything after the period and insert "All such leases shall contain provisions designed to adjust revenues in relation to variables such as inflation, increased land valuation, or increased gross revenue. All leases"

Page 9, line 21, strike "and all land sales"

Page 9, line 22, following "commission" insert "and park and recreation board"

Page 9, line 22, before the semicolon insert "and must be confirmed by resolution on an 8/9 vote of the city council"

Page 9, line 28, after "in" strike "clauses (b) through (f)" and insert "this section"

Page 10, line 4, after the period strike the remainder of the line

Page 10, strike lines 5 to 8.

Page 10, line 9, strike everything before "subject" and insert "Uses of the western peripheral area will be confined to the development of recreational trails, the use of which will be consistent with the purposes of this chapter, and public roadways. Such uses will require prior approval of the park and recreation board. Uses of the eastern peripheral area will be confined to recreational trails, necessary roadways, the provision of a right of way for travel to the zoo, and changes or improvements to the zoo prop-

erty. Such changes in the eastern peripheral area will require prior park and recreation board approval and be"

Page 10, line 21, after "within" insert "the main area as described above in"

Page 10, line 22, strike "temporary and"

Page 10, line 23, strike "permanent" and insert ", recreational"

Page 10, line 24, strike "recreation" and insert "the"

Page 10, line 24, after "purposes" insert "of this act"

Page 10, line 26, after the period insert "The construction of motel, hotel, or campgrounds or other tourist and guest facilities designed to serve the users of the recreation area shall be considered a use consistent with the purposes of this act. However, the construction of permanent residential housing, including condominiums, shall be considered inconsistent with the purpose of this act."

Pages 17 and 18, strike all of Sec. 9.

Page 19, lines 8 to 11, strike everything after "city of Duluth."

Page 19, line 12, strike "subdivision 6."

Page 19, after line 13, insert a new section as follows:

"Sec. 12. Except for levies necessary to prevent default on the general obligation bonds, other than by Section 8 of this act, and notwithstanding any provision of law to the contrary, any revenue necessary for continuance of the city managed portions of the Spirit Mountain Authority shall not be levied as a general or special levy against residents of the City of Duluth."

Renumber the sections in sequence.

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. 1246: A bill for an act relating to elections; providing for the registration of voters; providing penalties; amending Minnesota Statutes 1971, Sections 200.02, Subdivisions 22 and 25, and by adding subdivisions; 201.11; 201.13; 201.14; 201.15; 201.18; 201.26; 201.27; and 204.07, by adding a subdivision; and Chapter 201, by adding sections; repealing Minnesota Statutes 1971, Sections 201.02; 201.03; 201.04; 201.05; 201.06; 201.07; 201.08; 201.09; 201.10; 201.12; 201.16; 201.17; 201.19; 201.20; 201.21; 201.22; 201.23; 201.24; 201.25; 201.28; 201.29; 201.30; 201.31; 201.32; 201.33; 204.07, Subdivisions 2 and 4; 204.075; 204.076; and 204.077.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1971, Section 200.02, Subdivision 22, is amended to read:

Subd. 22. [COMMISSIONER.] The word "commissioner" means ~~any person acting as a commissioner of registration pursuant to the provisions of chapter 201~~ *the secretary of state of the state of Minnesota.*

Sec. 2. Minnesota Statutes 1971, Section 200.02, Subdivision 25, is amended to read:

Subd. 25. [ELIGIBLE VOTER.] ~~Every person of the age of 21 years or more who has been a citizen of the United States for a period of three months next preceding any election, and who has resided in this state six months next preceding the election, shall be entitled to vote; provided that the person has resided in the election precinct in which the election is held for at least 30 days next preceding the election, or the person who has changed his residence within such 30 days qualifies to vote under section 204.075, except that the following persons are not entitled to vote:~~

(a) *"Eligible voter" means a person who at the time of any election,*

*(1) is 18 or more years of age,*

*(2) is a citizen of the United States, and*

*(3) has resided in Minnesota for 20 days.*

*(b) The following persons are not eligible voters:*

~~(a)~~ *(1) Any person who has been convicted of treason or any felony, unless restored to civil rights; who has not had his civil rights restored;*

~~(b)~~ *(2) Any person who is under guardianship over his person;*

~~(c)~~ *(3) Any person who may is adjudicated to be non-compos mentis or insane;*

~~(d)~~ *(4) Any person who is not properly registered where registration is required, except as provided in section 204.075.*

Sec. 3. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.021] [PERMANENT REGISTRATION SYSTEM.] *A permanent system of voter registration by county is established. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county.*

Sec. 4. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.061] [REGISTRATION.] *Subdivision 1. An eligible voter or any person who upon registration will have the qualifications of an eligible voter at the next election may register as a voter in the*

precinct in which he resides, at any time prior to the 20th day preceding any election by completing a registration card and submitting it to the county auditor of the county where he resides. Registration cards may be submitted to the county auditor in person or by U.S. mail addressed and postage paid. A registration card that is postmarked no later than 11:59 p.m. on the 20th day preceding any election or received on the next working day shall be deemed timely. Improperly addressed or delivered registration cards shall be forwarded within two working days from receipt by an official receiving one to the auditor of the county where the voter resides if the county can be determined.

Subd. 2. The provisions of subdivision 1 shall not apply to any political subdivision which does not on the effective date of this act have a permanent system of voter registration provided that the governing body of any political subdivision may by ordinance or resolution elect to come under the provisions of subdivision 1. Once having so elected, the action may not be rescinded.

Subd. 3. A person who on election day presents himself at the polling place for the precinct in which he resides and who is not registered but is otherwise eligible to vote may nevertheless vote upon registering. A person may register at this time by completing a registration card, making an oath in the form prescribed by the commissioner and providing proof of his residence. An individual may prove his residence by (1) the showing of his drivers license or nonqualification certificate issued pursuant to section 171.07, or (2) providing any document approved by the commissioner as proper identification, or (3) having an individual who is registered to vote in the precinct sign an oath in the presence of the election judge that he personally knows that the applicant is a resident of the precinct. Forms for the card and oath shall be available at each polling place. Forms used pursuant to this section shall be forwarded to the auditor who shall, unless the information forwarded is substantially deficient, add the name of the voter to the registration system. If the auditor finds a registration pursuant to this subdivision substantially deficient he shall give written notice to the person whose registration is found deficient.

Subd. 4. Registration at the polls on election day shall be conducted by the election judges. The election judge who registers a person at the polls on election day shall not be the same judge who shall have charge of and hand to and receive from the voter his ballots.

Subd. 5. In case a voter is unable to write his name, he shall be required to make a cross, which shall be certified by signing the name of the applicant by the registration clerk taking the application. If the registration card is submitted by mail the cross shall be certified by having a voter registered in the precinct of the applicant sign the name of the applicant and sign his own name and give his own address.

Subd. 6. Each eligible voter is entitled to vote in the precinct in which he resides. The judges of election in any election precinct may not receive the vote at any election of any person whose name is not registered in accordance with the provisions of this act.



*Subd. 7. Voters registered under Minnesota Statutes 1971 shall not be required to reregister under this act.*

Sec. 5. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.071] [REGISTRATION CARDS.] *Subdivision 1. Registration cards shall be manilla or cardboard cards of size and weight suitable for mailing, and shall be substantially in the following form:*

### VOTERS REGISTRATION CARD

(Please print or type)

Date:

1. Name:

Last

First

Middle Initial

2. Address

Street or Route No. (Do not use P.O. Box)

City (or Township)

County

Zip

3. Male Female 4. Birth Date:

5. Social Security Number, if available:

6. Telephone Number, if available:

7. Most Recent Prior Residence

Street or Route Number

City (or Township)

Zip

8. Most Recent Prior Registration

Street or Route Number

City (or Township)

Zip

9. *I certify that upon registration I will be an eligible voter on the day of next election and I understand that giving false information to procure a registration is a felony punishable by not more than 5 years imprisonment and a fine of not more than \$5,000, or both.*

Signature of Voter

*Subd. 2. When made available for potential registrants the registration card shall be accompanied by instructions specifying the manner and method of registration and stating the qualifications for an eligible voter and specifying penalties for false registration.*

*Subd. 3. No registration is faulty or defective if the registration card contains the voter's name, address and signature; as in items 1, 2 and 8 of the registration card above. The absence of a zip code number does not cause the registration to be faulty or defective. The judges of election may request a voter to complete a registration card that is incomplete or illegible. No voter may be prevented from voting unless his registration is faulty or defective or he is*

*duly and successfully challenged in accordance with provisions of chapter 201.*

*Subd. 4. Upon receipt of a registration card indicating that a voter has changed residence since voting last in Minnesota, a county auditor shall notify the county auditor of the voter's last residence. Notification shall be made upon a form prescribed by the commissioner. A county auditor receiving a notification shall delete the voter's name from the registration lists and retain the notification.*

Sec. 6. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.081] [REGISTRATION FILES.] *Subdivision 1. Within 90 days after the effective date of regulations of the commissioner implementing this act, the municipal official for each municipality who has custody of the original record of voters pursuant to Minnesota Statutes 1971, Chapter 201, shall deliver to the county auditor of the county where the municipality is located:*

*(1) The original registration file of voters registered under any law prior to this act; and*

*(2) The duplicate registration file of the voters.*

*Subd. 2. The original registration file and the duplicate registration file shall be the record of voters. The original registration file shall be maintained in the office of the county auditor and shall not be removed except on order of a court of competent jurisdiction. The duplicate registration file shall be kept in the office of the county auditor or in the office of a person to whom the county auditor has delegated the responsibility of keeping the duplicate file and shall not be removed except when delivered to the duly authorized judges of election for use on election day.*

*Subd. 3. The original registration file shall be maintained alphabetically by name of voter. The duplicate registration file shall be maintained by precinct.*

Sec. 7. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.091] [PRECINCT LISTS; ACCOUNTS; REGISTRATION PLACES.] *Subdivision 1. Each county auditor shall prepare and maintain a current list of the duplicate registration file. This list shall be known as the precinct list and shall show the names and residence address of all voters registered within the precinct. The telephone number shall be included on the list when provided by the person registering.*

*Subd. 2. On the 80th day before an election, the county auditor shall deliver to the council of each municipality within the county current copies of the precinct lists for that municipality.*

*Subd. 3. Paper copies of precinct lists, current to within seven days of the request, shall be available within 10 days of a request to any voter registered within the county, upon written request therefor to the county auditor accompanied by payment of the*

*cost of reproduction. No person to whom a precinct list is made available under this subdivision and no person who acquires a precinct list may use any information contained therein for the purposes which are not related to elections, political activities, or law enforcement.*

*Subd. 4. Each person to whom the county auditor has delegated responsibility for the administration of the provisions of this chapter shall maintain records and accounts for his office and submit annually to the county auditor a report on the conduct and costs of registration and voting borne by his office.*

*Subd. 5. Each county auditor shall maintain records and accounts for his office and submit annually a report on the conduct and costs of registration and voting in the county to the commissioner.*

*Subd. 6. Each county auditor shall determine a number of public buildings located within the county, and not less than one location per 30,000 residents, where eligible voters may register by completing a registration card and leaving it with an official within the building whose duty it shall be to transmit the cards to the appropriate county auditor. An adequate supply of registration cards shall be maintained at the locations determined.*

Sec. 8. Minnesota Statutes 1971, Section 201.11, is amended to read:

201.11 [PRECINCT BOUNDARIES CHANGED, CHANGE OF FILES.] When the boundaries of an election precinct in any such municipality shall be changed, the ~~commissioner~~ county auditor shall immediately change ~~his~~ the registration files to correctly show the names of the voters who are residents therein.

Sec. 9. Minnesota Statutes 1971, Section 201.12, is amended to read:

201.12 [PROPER REGISTRATION, VERIFICATION BY MAIL, CHALLENGES.] For the purpose of preventing fraudulent voting and eliminating excess names, the ~~commissioner~~ county auditor, at any time he deems it necessary, may send by mail to any voter whose name appears in the original registration file a notice that his name and address appear therein as indicated; and, if there is any mistake in the name or the address, the voter shall ~~present the notice in person at so~~ notify the office of the ~~commissioner~~ county auditor and have the same corrected. Failure to do so or the return of the notice by the post-office to the ~~commissioner~~ county auditor shall be sufficient evidence to justify a challenge of his vote at an election, which challenge shall be signed by the ~~commissioner~~ county auditor. Upon the return by the post-office of any such notice, the ~~commissioner~~ county auditor shall direct a deputy or clerk in his office to personally ascertain the name and address of any such voter; and, if such voter is found to have removed from the address recorded in the original registration file, the ~~commissioner~~ county auditor shall cause to be affixed to the duplicate registration file card of the voter the word "challenged." No person so challenged shall be permitted to vote except

by complying with all provisions of law applicable to the proving of challenges.

Sec. 10. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.121] [ENTRY OF NAMES; MAILED NOTICE.] *Subdivision 1. Upon receiving a registration card properly completed and submitted in accordance with sections 7 and 8, the county auditor shall enter the registration card or the information contained on the card in the appropriate registration files.*

*Subd. 2. The county auditor shall mail to the voter a notice indicating the voter's name, address, precinct and polling place. The card shall require that it be returned if not deliverable. For any card returned because not deliverable to the voter at the named address, the county auditor shall cause to be affixed to the duplicate registration card of the voter the word "challenged." No person so challenged shall be permitted to vote except by complying with all provisions of law applicable to the proving of challenges.*

Sec. 11. Minnesota Statutes 1971, Section 201.13, is amended to read:

201.13 [LOCAL REGISTRAR OF VITAL STATISTICS, REPORT DEATHS TO COMMISSIONER.] The local registrar of vital statistics in each county or municipality, as the case may be, shall report monthly to the ~~commissioner~~ county auditor the name and address of each adult person 18 years of age or older who has died while a resident in the registration jurisdiction since the last previous report of such registrar concerning such deaths made to the ~~commissioner~~. Upon receipt of such report, the ~~commissioner~~ auditor shall examine the original and duplicate registration files and remove therefrom and destroy the registration cards of registered persons so reported by the local registrar as deceased.

Sec. 12. Minnesota Statutes 1971, Section 201.14, is amended to read:

201.14 [CLERK OF DISTRICT COURT, REPORT CHANGES OF NAMES.] The clerk of district court in each county in the state shall report monthly to the ~~commissioner~~ of each municipality or the county auditor the name and address of each person, 21 18 years of age or over, residing in such municipality whose name shall have been changed during the month preceding the date of the report, by marriage, divorce or any order or decree of such court. Upon receipt of such report, the ~~commissioner~~ auditor shall notify such voter by mail that it is necessary for him to re-register under such changed name in order to vote at an election.

Sec. 13. Minnesota Statutes 1971, Section 201.15, is amended to read:

201.15 [PROBATE JUDGE, REPORT GUARDIANSHIPS AND COMMITMENTS.] The judge of probate in each county in the state shall report monthly to each ~~commissioner~~ in his county

*the county auditor* the name, age and address of each person 21 18 years of age, or over, residing in such municipality, who has, during the month preceding the date of the report, been placed under a guardianship of the person, and each such person under guardianship of the person transferred to the jurisdiction of the probate court, or restored to capacity, and each person, 21 18 years of age, or over, adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, or as a psychopathic personality, and each such person restored to capacity by the court. Upon receipt of such report, the ~~commissioner~~ *auditor* shall examine the original and duplicate registration files; and, if such examination discloses that any of the persons named in such report as being under guardianship of the person, or as adjudged incompetent or a psychopathic personality, is registered, the ~~commissioner~~ *auditor* shall remove the registration cards of such persons from the active files; and upon notice from the judge of probate of a restoration to capacity, the ~~commissioner~~ *auditor* shall then process the person's registration card in the same manner as if no guardianship or adjudication had occurred.

Sec. 14. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.171] [FAILURE TO VOTE; REGISTRATION REMOVED.] *After the close of each calendar year, the county auditor shall examine the original and duplicate registration files and shall delete therefrom the name of any voter who has not voted in any election including a school election during the four preceding calendar years. Although not counted in any race, a late absentee ballot shall be considered a vote for the purpose of continuing registration.*

Sec. 15. Minnesota Statutes 1971, Section 201.18, is amended to read:

201.18 [ARMED FORCES MEMBERS, REGISTRATION SAVED.] In the event that the applicant was registered but is not entitled to vote because he has failed to vote at an election at least once in any four successive calendar years wherein elections are held, if the applicant, or someone in his behalf, shall file an affidavit with the ~~commissioner of registration~~ *county auditor*, stating that on the date of any one election during such four-year period the applicant was a member of the armed forces of the United States, such affidavit shall operate as a re-registration, and entitle the applicant to vote.

Sec. 16. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.211] [COSTS.] *The costs of administering chapter 201 shall be borne by the office required by this act to perform the functions and duties herein required but if delegated to another office they shall be borne by that office.*

Sec. 17. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.221] [RULES AND REGULATIONS.] *Subdivision 1. The commissioner shall adopt rules and regulations to implement the provisions of chapter 201 by October 1, 1973.*

*Subd. 2. He shall make rules consistent with the federal and state election laws to facilitate the execution of their provisions in an orderly manner and to that end shall assist local election officers by devising uniform forms and procedures. He shall provide uniform regulations governing the maintenance of voter registration records on electronic or automatic data processing systems so that the records of counties using the systems are compatible with a uniform system of electronic data maintenance. He shall supervise the development and use of the system to insure that it conforms to applicable provisions of law and regulations.*

*Subd. 3. He shall prescribe the method and manner of transporting and delivering the original and duplicate registration files from the office where now located to the locations required by this act.*

*Subd. 4. He shall prescribe the form of the duplicate registration file so that a duplicate card will contain the voter's name, address, and telephone number, space to indicate whether the voter has voted in a given election and the voter's signature. He shall prescribe procedures for transporting the duplicate registration files to the election judges for use on election day so the signatures of voters may be compared with the signatures on the duplicate registration file.*

*Subd. 5. The county auditor may adopt rules and regulations which provide for the delegation of duties assigned to him by this act to municipal officials. Provided however the county auditor may not delegate the responsibility to maintain custody of the original registration file of voters and the preparation and distribution of precinct lists. Provided further that the county auditor may delegate the power and responsibility to accept registrations but a delegation of this power does not relieve him of the power and duty to accept these registrations. When any municipality shall have delegated to it responsibilities given to the county auditor by this act, the council shall immediately provide the necessary funds, equipment and facilities and shall proceed to establish a place of registration and put the registration plan into operation without delay.*

*Sec. 18. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:*

[201.231] [CHALLENGES.] *Subdivision 1. Any voter registered within a county may upon petition filed with the county auditor challenge the eligibility or residence of any voter registered within the county. The petition shall state the grounds for challenge and be accompanied by an affidavit of the challenger on personal knowledge. A copy of the petition shall be served as in a civil action on the challenged voter. Upon receipt of a challenging petition, the county auditor shall set a date within five days for hearing on the challenge. The hearing shall be held on the day set before the county auditor or his delegate who shall then make findings and affirm or set aside the challenge.*

*Subd. 2. Any voter whose registration has been denied or challenged as above may appeal the challenge or denial to the commissioner. The appeal shall be heard within five days and before election day. Upon hearing the commissioner shall affirm or reverse the challenge or denial and shall give appropriate instructions to the county auditor.*

*Subd. 3. Hearings before the commissioner shall be considered a contested case and determined in accordance with the administrative procedure act.*

Sec. 19. Minnesota Statutes 1971, Section 201.26, is amended to read:

201.26 [RESIDENCE, DETERMINATION.] ~~The commissioner in determining the residence of any person desiring to register, shall be governed by the following rules, so far as they are applicable~~ *The following rules, so far as may be applicable, shall govern the determination of residency:*

(a) The residence of any person shall be held to be in that place in which his habitation is fixed, without any present intention of removing therefrom, and to which, whenever he is absent, he intends to return;

(b) A person shall not be considered to have lost his residence who leaves his home to go into another state, or county in this state, for temporary purposes only;

(c) A person shall not be considered to have gained a residence in any county into which he has come for temporary purposes only, without the intention of making such county his home;

(d) If a person goes into another state with the intention of making it his residence, he shall be considered to have lost his residence in this state;

(e) If a person removes to another state with the intention of remaining there for an indefinite time as a place of residence, he shall be considered to have lost his residence in this state, notwithstanding he intends to return at some future time;

(f) The place where a ~~man's~~ *person's* family resides shall be considered his residence, but if it is a temporary establishment for his family, or for transient purposes, it shall not be so considered;

(g) If a ~~man~~ *person* has his family living in one place and he does business in another, the former shall be considered his residence, but when a ~~man~~ *person* has taken up his abode at any place with the intention of remaining there, and his family refuses to reside with him, then such place shall be considered his residence;

(h) The residence of a single ~~man~~ *person* shall be considered to be where he usually sleeps;

(i) The mere intention to acquire a new residence, without the fact of removal, shall avail nothing, neither shall the fact of removal without the intention;

(j) No person employed temporarily for the purpose of cutting timber, or in the construction or repair of any railroad, canal, municipal, or other work of public nature, shall acquire a residence in any precinct into which he came for such purpose, but this provision shall not be held to extend to station agents or section-men who permanently reside in such precinct, and in determining the right of any person employed by railroad company or upon any public work to register, the commissioner shall be satisfied that he is a bona fide resident of the precinct and not there for temporary purposes only, and his unsupported affidavit shall not be held conclusive as to any fact necessary to entitle him to register;

(k) Any permanent inmate of a soldiers' home shall be considered a resident of the precinct in which the same is located.

Sec. 20. Minnesota Statutes 1971, Section 201.27, is amended to read:

201.27 [VIOLATIONS, PENALTIES.] Any officer, deputy, clerk, or other employee who shall wilfully fail to perform or enforce any of the provisions of ~~sections 201.01 to 201.27~~ *chapter 201*, or who shall unlawfully or fraudulently remove any registration card or record from its proper compartment in the registration files, or who shall wilfully destroy any record provided by ~~sections 201.01 to 201.27~~ *chapter 201* to be kept, or any person who shall wilfully or fraudulently register more than once, or register under any but his true name, or attempt to vote by impersonating another who is registered, or who wilfully registers in any precinct where he is not a resident at any time of registering, or who adds a name or names to the registration files, records or cards, or who violates any of the provisions of ~~sections 201.01 to 201.27~~ *chapter 201* is guilty of a felony.

Sec. 21. Minnesota Statutes 1971, Section 201.33, is amended to read:

201.33 [USE IN SCHOOL ELECTIONS.] Upon the request of the board of education of any independent or special school district the ~~commissioner of registration of any municipality county auditor~~ shall make the registration system covering any precincts all or a portion of which are a part of the school district available for use in school district elections whenever its use by the school district will not prevent the use of the system in other elections. The ~~commissioner county auditor~~ may impose reasonable requirements to preserve the security and integrity of the system. The ~~commissioner county auditor~~ and the school district shall provide by agreement for the details of the use of the system by the school district. The school district may designate a member of its board or a subordinate employee as registration officer. *The provisions of this act shall apply to school district elections for which the board of education has requested the use of the registration system. The provision of section 201.13, shall apply to school district elections in which the provisions of this section are applied. The judges of election in school district elections in which the provisions of this section are applied, may not receive the vote of any person whose name is not registered, except as is provided in section 204.075.*



Sec. 22. Minnesota Statutes 1971, Chapter 201, is amended by adding a section to read:

[201.34] [REIMBURSEMENT.] *The state shall reimburse local government units for costs incurred for election judges required for election day registration and counties for assuming the establishment and maintenance of registration systems. Not more than \$25 reimbursement shall be allowed for each election judge required for election day registration.*

Sec. 23. Minnesota Statutes 1971, Section 203.27, Subdivision 2, is amended to read:

Subd. 2. [NUMBER.] At least 100 ballots of each kind to be voted at the ensuing election shall be provided by the clerk for each precinct for every 85 votes cast and counted therein at the last election for the same offices or on similar questions; ~~except that where voters are registered under a permanent registration system the clerk is not required to prepare ballots in excess of the number of registered voters in each precinct.~~

Sec. 24. Minnesota Statutes 1971, Chapter 204, is amended by adding a section to read:

[204.073] [MARKING AND RECEPTION OF BALLOTS.] *Satisfied with the voter's qualifications, the election judge shall mark the duplicate registration card accordingly, and other judges shall have charge of and receive from each voter the ballots.*

Sec. 25. Minnesota Statutes 1971, Section 204.076, is amended to read:

204.076 [TOWN MEETINGS OR ELECTIONS ON CANDIDATES; LOCAL ISSUES; RESIDENCE OF VOTERS.] The voters at a town meeting or the voters at an election on candidates who will serve, or on issues which will relate to only one precinct may be limited to voters who have resided within the precinct for 30 days ~~regardless of the provisions of section 204.075, or other provisions relating to the issuance of a certificate of eligibility to persons who move from one precinct in the state to another within 30 days of an election.~~

Sec. 26. Minnesota Statutes 1971, Section 204.08, Subdivision 1, is amended to read:

204.08 [REGISTRATION, VOTER'S CERTIFICATE.] Subdivision 1. Form of certificate. Wherever voters are registered under a permanent registration system before any person desiring to vote receives the ballots from the judges, a certificate containing the following information shall be signed by the applicant:

I hereby certify that I am a qualified voter, permanently registered in accordance with the Minnesota Election Law.

(Signature of Voter) \_\_\_\_\_

(Address) \_\_\_\_\_

(Approved) \_\_\_\_\_

Judge of Election

Upon honoring a certificate of eligibility issued under section 204.076, the judges of election shall strike the words "permanently registered" on the form of voter's certificate, and allow the person with or upon his then executing a voter's certificate so altered to vote upon his delivering it to them.

Sec. 27. Minnesota Statutes 1971, Section 204.17, Subdivision 3, is amended to read:

Subd. 3. [DETERMINATION OF RESIDENCE.] The judges, in determining the legal residence of any challenged person, shall be governed by the rules provided for the commissioner of registration in the Minnesota election law; and if the challenged person by his answers to the questions put to him reveals that he is not a qualified voter, he may not be allowed to vote. If, after all questions have been answered, the challenge is not withdrawn, the judge shall administer the following oath:

"Do you swear that you are a citizen of the United States; that you are 18 years of age; that you have been are an actual resident of this precinct for 30 days immediately preceding this election; that you are a qualified voter in this precinct and that you have not voted at this election?" When this oath is administered to a person who qualifies to vote under section 204.076, the judge shall strike the words "and an actual resident of this precinct for 30 days immediately preceding this election". After taking this oath, the challenged person is entitled to vote.

Sec. 28. Minnesota Statutes 1971, Section 207.02, is amended to read:

207.02 [VOTING BY MAIL.] Any person entitled to vote at any general election, any primary election, any city election, or any village or town election in villages or towns operating under the "Australian Ballot System," who is absent on the day such election is held from the precinct in which he is entitled to vote, or who by reason of illness or physical disability or because of religious discipline or observance of a religious holiday is unable to go to the polling place of such precinct, may vote therein by having his ballot delivered to the election board of such precinct on the day of such election, either by mail or by the clerk of the municipality in which such precinct is situated as provided for in sections 207.08 and 207.101, and by complying with the provisions of this chapter. No person residing in a municipality now or hereafter having permanent registration of voters, as provided by chapter 201, shall be permitted to so vote unless he has registered as a voter in accordance with such provisions or registers on election day by enclosing a completed registration card with his ballot.

Sec. 29. Minnesota Statutes 1971, Section 207.03, is amended to read:

207.03 [APPLICATION FOR BALLOTS.] At any time not more than 45 days or less than one day before the day of holding any election, any person may make application in writing subscribed by him to the auditor of the county in which he is a resident for ballots and envelopes, by mailing to or filing with such auditor an application substantially in the following form:

### “APPLICATION FOR BALLOTS

The undersigned, a duly qualified voter in the County of \_\_\_\_\_  
State of Minnesota, residing at \_\_\_\_\_  
(here insert street and number) in said city, village or town, because of (absence from home) \_\_\_\_\_, (illness) \_\_\_\_\_,  
(physical disability) \_\_\_\_\_, (because of religious discipline or observance of a religious holiday) hereby makes application for the ballots to be voted upon in said precinct at the next election. Please mail said ballots and accompanying envelope to me at \_\_\_\_\_  
(insert post office address to which to be sent)  
Dated \_\_\_\_\_, 19 \_\_\_\_\_

(Signature of Applicant)”

Any person who shall wilfully make or sign any false certificates specified herein; any person who shall wilfully make any false or untrue statement in any “Application for Ballots; any person who shall wilfully exhibit to any other person any ballot marked by him; any person who shall in any way wilfully do any act contrary to the terms and provisions of this chapter with intent to cast an illegal vote in any precinct or to aid another in so doing shall be guilty of a felony. *If the person applying for a ballot resides in a political subdivision which does not accept registration other than on election day and the individual is not registered in that political subdivision, the county auditor shall send a registration card and instructions for completing the registration card along with the ballots and envelopes.*

Sec. 30. Minnesota Statutes 1971, Section 207.08, is amended to read:

207.08 [“RETURN” AND “BALLOT” ENVELOPES, “DIRECTIONS TO VOTERS.”] The auditor of each of the several counties shall mail or deliver to the applicant with the ballots two envelopes and “Directions to Voters.” One envelope shall be known as the “Return Envelope” herein described, to conveniently enclose and contain the “Ballot Envelope” herein described. There shall be printed or written across the left hand end of this envelope, by the auditor, before delivery thereof to the applicant, the words:

“Return Envelope

Postmaster to deliver on Election Day.”

The auditor shall also cause this “Return Envelope” to be addressed to the “Judges of Election” in the precinct in which the applicant is entitled to vote, if he knows or can ascertain such precinct; such address shall be in substantial conformity to one of the illustrations herein set forth and as the facts may require:

“To the Judges of Election.

Seventh Precinct, Third Ward,

City of Minneapolis,

Hennepin County,

Minnesota.”

“To the Judges of Election, Rosedale Town,

---

(Here insert name of post-office nearest voting place)

Hennepin County, Minnesota.”

“To the Judges of Election, Village of Excelsior,

Excelsior, Hennepin County, Minnesota.”

If the auditor does not know or cannot ascertain the precinct in which the applicant is entitled to vote he shall cause the Return Envelope to be addressed to the clerk of the municipality in which the applicant is entitled to vote. Such address shall be in substantial conformity to one of the illustrations herein set forth and as the facts may require:

“To the city clerk of the city of Minneapolis

For the Judges of Election of the Precinct

in which 3217 Elm Street is situated.

Courthouse, City of Minneapolis

Hennepin County, Minnesota.”

“To the Town Clerk of the Town of Fisher

For the Judges of Election of the Precinct

in which Box 32, Route 3, Fisher, Minnesota is situated.

Town Hall, Town of Fisher,

Blue Earth County, Minnesota.”

“To the Town Clerk of the Town of White

For the Judges of Election of the Precinct

in which Route 3, Aurora, Minnesota is situated.

Village of Aurora

St. Louis County, Minnesota.”

“To the Village Clerk of the Village of Roseville

For the Judges of Election of the Precinct

in which 1787 North Victoria is situated.

City of St. Paul,

Ramsey County, Minnesota.”

The auditor may vary any such form for addressing “Return Envelope” as the facts may require, but shall adopt such form of address as will best insure the prompt delivery of such envelope and contents to the judges on election day. If the Return Envelope is addressed to the clerk of a municipality it shall contain a

notation in bold face type reading substantially as follows:  
"Clerk of \_\_\_\_\_:

(Here insert name of municipality)

Deliver this envelope to the correct Election Precinct immediately upon receipt thereof."

The county auditor shall also affix to this "Return Envelope" United States postage stamps sufficient in amount to pay the required United States postage on the "Return Envelope," after the ballot envelope and voter's certificate herein prescribed have been enclosed therein. If necessary to assure delivery to the judges of election in the polling place by the postmaster, the county auditor shall affix to this "Return Envelope" United States postage stamps necessary for special delivery.

There shall be printed on the back of this "Return Envelope" a certificate which shall be substantially in the following form:

**"VOTER'S CERTIFICATE**

County of \_\_\_\_\_ )  
State of \_\_\_\_\_ ) ss

I do swear that I am a citizen of the United States; that I am an eligible voter; that I am an actual resident of the election precinct indicated by my address in my application; ~~that on the date of the ballots contained herein I will have legally resided therein for more than 30 days;~~ that I do not intend to abandon my residence in said precinct prior to such date; that at said time I will be a qualified voter in said precinct.

(Signed) \_\_\_\_\_  
(Voter)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A.D. \_\_\_\_\_, and I hereby certify that the affiant exhibited the enclosed ballots to me unmarked; that he then in my presence and in the presence of no other person, and in such manner that I could not see his vote, marked such ballots and enclosed and sealed the same in the ballot envelope; or that he was physically incapacitated from marking his ballot and that at his request I marked the ballots for him; that the affiant was not solicited or advised by me for or against any candidate or measure.

\_\_\_\_\_  
(Attesting Witness)

\_\_\_\_\_  
(Official Title)

(Here write name of office or official character of attesting witness, such as notary public, postmaster, etc.)"

The Return Envelope shall be so made as to open on the left hand end and the certificate above set forth shall be printed on the right hand three-fourths of the back of the envelope.

The following "Directions to Voters" shall be printed and furnished to each voter at the time such ballots are mailed or delivered in person.

### "DIRECTIONS TO VOTERS"

(1) Locate a Notary Public, United States Postmaster, Assistant United States postmaster, postal supervisor, clerk in charge of contract postal station, or any officer having authority to administer an oath or take an acknowledgment.

(2) Exhibit the ballots to be voted on to such person unmarked.

(3) In his presence mark the ballots in such a manner that he cannot see your vote. If you are physically incapacitated, you may ask him to mark your ballot for you.

(4) Fold each ballot separately so that your cross marks cannot be seen without unfolding, but so that facsimile signature of officer (Secretary of State, County Auditor, or Municipal Clerk) on back of ballot can be seen without unfolding ballot. Do not put your name, initials, or any other identifying mark on the ballots.

(5) Enclose all the ballots in the "Ballot Envelope" and seal the envelope.

(6) Sign your name on back of the "Return Envelope." The person taking your acknowledgment must sign his name as attesting witness, indicate his official title, insert proper date, and affix his official seal, or, in the case of postal authorities previously mentioned, the cancellation stamp of their respective post offices. Insert the "Ballot Envelope" in the "Return Envelope" and seal the "Return Envelope".

(7) Deposit the "Return Envelope" in the mail in the presence of the attesting witness or have him do it for you.

(8) The ballots may be marked and mailed at any time after you receive them from the county auditor. However, they must be marked and mailed so that they can be delivered by the post office to the judges of election at your polling place before the polls close on election day."

Sec. 31. Minnesota Statutes 1971, Section 207.19, Subdivision 1, is amended to read:

207.19 [REGISTRATION; REQUEST; BALLOT.] Subdivision 1. Registration for the primary and general elections may be made by or for any member of the armed forces who is an eligible voter or who will be an eligible voter on or before the date of the next primary or general election occurring after such registration by the member of the armed forces himself or by a parent, spouse, or a brother, sister, or child over the age of eighteen years, by filing in the office of the county auditor of the county in which his place of residence is located, a request for ballot in substantially the following form, whether said request for ballot is upon a form prepared and distributed by the war and navy departments or otherwise:

#### REQUEST FOR BALLOTS

To the County Auditor of \_\_\_\_\_ County, Minnesota,  
United States of America:

The name of the person for whom ballots are requested is\_\_\_\_\_. He is a member of the armed forces of the United States.

He expects to be absent from his place of residence in Minnesota on the primary or general election date. Request is therefor made that ballots be furnished to him to be used by him in voting at such elections and be sent to him at the address herein stated. He is a citizen of the United States. He is a resident of the State of Minnesota and has been such resident for ~~more than six months~~ 20 days last past. He was born on the\_\_\_\_\_day of\_\_\_\_\_in the year\_\_\_\_\_. His home and place of residence is and on said election days will be at\_\_\_\_\_in the\_\_\_\_\_

(Town, City or Village)  
of\_\_\_\_\_County of\_\_\_\_\_State of Minnesota.  
His voting precinct according to the best information of the undersigned is\_\_\_\_\_. (Give precinct and ward number or name of precinct if you know it.) Ballots are to be sent to said member of the armed forces at the following address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(If this request is signed by the spouse, parent, or a brother, sister, or child over the age of 18 years, of the member of the armed forces, fill in the following paragraph.) The relative who signs this request is the\_\_\_\_\_of said voter above-named, and is of the age of 18 years or over\_\_\_\_\_

(signature of member of armed forces or relative)

Subscribed and sworn to before me this\_\_\_\_\_day of\_\_\_\_\_  
19\_\_\_\_\_. (State title of office. If officer of armed forces, must be a commissioned, noncommissioned, or petty officer not below rank of sergeant or its equivalent. Affix seal, if any.)

Sec. 32. [APPROPRIATION.] *The sum of \$200,000 is appropriated to the secretary of state from the general fund to reimburse real costs incurred by counties and other local units of government for the purposes of this act. The appropriation shall expire June 30, 1975, notwithstanding Minnesota Statutes, section 16.17 or other law.*

Sec. 33. *Minnesota Statutes 1971, Sections 201.02; 201.03; 201.04; 201.05; 201.06; 201.07; 201.08; 201.09; 201.10; 201.16; 201.17; 201.19; 201.20; 201.21; 201.22; 201.23; 201.24; 201.25; 201.261; 201.28; 201.29; 201.30; 201.31; 201.32; 204.07; 204.075; 204.077; and 204.08, subdivision 3, are repealed."*

Further amend the title as follows:

Line 4, after the semi-colon, insert "appropriating money;"

Line 6, strike ", and by adding subdivisions"

Line 7, after "201.11;" insert "201.12;"

Strike lines 8 through 17 and insert in lieu thereof "201.26; 201.27; 201.33; 203.27, Subdivision 2; 204.076; 204.08, Subdivision 1; 204.17, Subdivision 3; 207.02; 207.03; 207.08; and 207.19,

Subdivision 1; Chapter 201, by adding sections; and Chapter 204, by adding a section; repealing Minnesota Statutes 1971, Sections 201.02 to 201.10; 201.16; 201.17; 201.19; 201.20; 201.21; 201.22; 201.23; 201.24; 201.25; 201.261; 201.28; 201.29; 201.30; 201.31; 201.32; 204.07; 204.075; 204.077; and 204.08, Subdivision 3."

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

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

S. F. No. 1877: A bill for an act relating to municipalities; authorizing the establishment of storm sewer improvement districts.

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

Page 2, line 2, strike "6" and insert in lieu thereof "5"

Page 2, line 3, strike "Section" and insert "Sections"

Page 2, line 4, strike "429.041" and insert in lieu thereof "429.-031 to 429.081"

Page 2, line 16, strike "6" and insert in lieu thereof "5"

Page 2, line 18, strike "taking" and insert in lieu thereof "taxing"

Page 3, line 3, strike "Such taxes shall"

Page 3, strike all of line 4

Page 3, line 4, strike "limitation."

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

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

S. F. No. 2223: A bill for an act relating to the county of Waseca; authorizing the expenditure of money for hospital purposes.

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

Page 1, line 6, after "of" insert "Minnesota Statutes, Sections 376.08 and 376.09"

Page 1, line 6, strike "any law"

Page 1, line 13, strike "The"

Page 1, strike all of lines 14, 15, 16, 17

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

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



S. F. No. 462: A bill for an act relating to commerce; prohibiting certain exclusions, modifications or limitations of warranties and remedies under the Uniform Commercial Code; amending Minnesota Statutes 1971, Section 336.2-316.

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

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

"Section 1. Minnesota Statutes 1971, Chapter 325, is amended by adding a section to read:

[325.95] [DEFINITIONS.] *Subdivision 1. As used in this act, the terms defined in this section have the meanings given them.*

*Subd. 2. "Consumer sale" means a sale of new goods, or as regards an express warranty, any goods, purchased primarily for personal, family, or household purposes, and not for agricultural or business purposes.*

*Subd. 3. "Goods" are as defined in Minnesota Statutes, Section 325.94.*

*Subd. 4. "New goods" mean those goods which are purchased for the first time other than for purposes of resale.*

*Subd. 5. "Express warranty" means a written statement arising out of a consumer sale pursuant to which the manufacturer, distributor, or retailer undertakes (1) to preserve or maintain the utility or performance of the goods or provide compensation or replacement if there is a failure in utility or performance; or (2) declares that in the event of any sample or model, that the whole of the goods conforms to the sample or model. It is not necessary to the creation of an express warranty that formal words such as "warrant" or "guarantee" be used or that a specific intention to make a warranty be present, but an affirmation merely of the value of the goods or a statement purporting to be merely an opinion or commendation of the goods does not create a warranty.*

Sec. 2. Minnesota Statutes 1971, Chapter 325, is amended by adding a section to read:

[325.96] [IMPLIED WARRANTIES.] *Subdivision 1. Unless disclaimed in the manner prescribed in subdivision 2, every consumer sale in this state shall be accompanied by an implied warranty that the goods are merchantable, and, in a consumer sale where the seller has reason to know that the goods are required for a particular purpose and that the buyer is relying on the seller's skill or judgment to select or furnish suitable goods, an implied warranty of fitness. A seller may, however, limit damages or remedies for breach of implied warranties as provided in Minnesota Statutes, Chapter 336.*

*Subd. 2. [DISCLAIMER.] No consumer sale on an "as is" or "with all faults" basis shall be effective to disclaim the implied warranty of merchantability, or, where applicable, the implied warranty of fitness, unless a conspicuous writing clearly informs*

*the buyer, prior to the sale, in simple and concise language each of the following:*

*(1) The goods are being sold on an "as is" or "with all faults" basis; and*

*(2) The entire risk as to the quality and performance of the goods is with the buyer.*

*In event of a consumer sale by means of a mail order catalog, the catalog may contain the required writing in lieu of the requirement of notification prior to the sale.*

Sec. 3. Minnesota Statutes 1971, Chapter 325, is amended by adding a section to read:

[325.97] [EXPRESS WARRANTIES.] *Subdivision 1. [DISCLAIMERS.] No express warranty arising out of a consumer sale of new goods shall disclaim implied warranties of merchantability, or, where applicable, of fitness.*

*Subd. 2. [HONORING OF EXPRESS WARRANTIES.] The maker of an express warranty arising out of a consumer sale in this state shall honor the terms of the express warranty. In a consumer sale, the manufacturer shall honor an express warranty made by the manufacturer; the distributor shall honor an express warranty made by the distributor; and the retail seller shall honor an express warranty made by the retail seller.*

*Subd. 3. [LIABILITY OF MANUFACTURER TO RETAILER.] Every manufacturer who makes an express warranty pursuant to a consumer sale, who authorizes a retail seller within this state to perform services or repairs under the terms of the express warranty shall be liable to the retail seller in an amount equal to that which is charged by the retail seller for like service or repairs rendered to retail consumers who are not entitled to warranty protection.*

Sec. 4. Minnesota Statutes 1971, Chapter 325, is amended by adding a section to read:

[325.98] [REMEDIES.] *A violation of this act shall be treated as a violation of Minnesota Statutes, Section 325.79. The remedies provided by this act are cumulative and shall not be construed as restricting any remedy that is otherwise available.*

Sec. 5. *This act shall be effective as to all consumer sales made on or after November 1, 1973.*

Further, amend the title as follows:

Line 2, strike "prohibiting" and insert "limiting the"

Strike lines 3 through 7 and insert in lieu thereof "disclaimer of implied warranties; providing for the honoring of express warranties; providing remedies; amending Minnesota Statutes 1971, Chapter 325, by adding sections."

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

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

S. F. No. 610: 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 therefore; creating an occupational safety and health advisory board; prescribing penalties; repealing Minnesota Statutes 1971, Sections 182.01 to 182.08; 182.10 to 182.62; and 183.05 to 183.34.

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

Page 1, line 15, after "subdivision 1." insert "*Sections 1 to 26 of*"

Page 2, line 3, after "industry" insert, "*and the secretary of the state board of health*"

Page 8, line 14, strike "11" and insert "10"

Page 14, line 6, after "equipment," insert, "*if feasible engineering and administrative methods of protection alone do not provide adequate protection,*"

Page 14, line 6, after "this" insert, "*equipment*"

Page 15, line 22, after "Limit" insert, "*Value*"

Page 16, line 13, after "commissioner" insert, "*and the secretary of the state board of health*"

Page 16, line 13, strike "an"

Page 16, line 13, strike "member" and insert, "*members*"

Page 16, line 13, after "and" insert, "*the commissioner*"

Page 19, line 1, after "inspection" strike, ",", and to be"

Page 19, strike all of line 2 except the period

Page 19, line 24, strike "15" and insert, "*14, subdivision 4*"

Page 23, line 13, strike "commissioner" and insert "*commission*"

Page 24, line 1, strike the comma and insert, "*notifies the commissioner that he intends to contest the citation or the proposed assessment of penalty, or*"

Page 24, line 3, after "contest" insert, "*the time fixed for abatement in*"

Page 24, line 19, after "issue" insert, "*after consultation either by phone or in person with the commissioner and upon the commissioner's recommendation*"

Page 27, line 15, after "shall" strike "also make"

Page 27, strike all of lines 16, 17, 18 and "physical agents" in line 19, and insert, "*provide employees or their representatives with an opportunity to observe such monitoring or measuring and to have access to the records thereto*"

Page 36, line 13, strike "A respondent" and insert, "Any person"

Page 36, line 22, after, "act." insert, "*The commissioner will consult with the department of health in matters related to occupational health and will through written agreement determine those reasonably appropriate services which the department of health will provide in order to effectuate the provisions of this act.*"

Page 37, line 9, strike, "from time to time"

Page 37, line 9, strike "peripherally"

Page 37, strike lines 11 through 17

Page 38, after line 11, insert:

"Sec. 26. Minnesota Statutes 1971, Section 175.16, is amended to read:

175.16 [DIVISIONS.] The department of labor and industry shall consist of the following divisions: division of workmen's compensation, division of boiler inspection, division of ~~accident prevention~~ *occupational safety and health*, division of statistics, division of women and children, division of employment, and such other divisions as the commissioner may deem necessary and establish. Except for the division of workmen's compensation, each division of the department and persons in charge thereof shall be subject to the supervision of the commissioner and, in addition to such duties as are or may be imposed on them by statute, shall perform such other duties as may be assigned to them by the commissioner."

Renumber the remaining section.

Underline all the new language in the bill.

Page 1, line 7 of the title strike "therefore" and insert "therefor"

Further, amend the title in line 10, after the semicolon by inserting "amending Minnesota Statutes 1971, Section 175.16;"

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

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

S. F. No. 590: A bill for an act relating to senior citizens; establishing a senior citizens information bureau under the control and supervision of the attorney general.

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

Page 1, line 8, strike "attorney general" and insert in lieu thereof "governor's council on aging"

Page 1, line 8, strike "statewide"

Page 1, line 9, strike "over"

Page 1, line 10, strike "65 years of" and insert in lieu thereof "of retirement"

Page 1, line 13, strike "The attorney general shall"

Page 1, strike lines 14-17

Amend the title as follows:

Page 1, line 5, strike "attorney general" and insert in lieu thereof "governor's council on aging"

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

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

S. F. No. 181: A bill for an act relating to insurance; requiring inclusion of chiropractic services under group accident and health insurance policies; amending Minnesota Statutes 1971, Section 62A.10, 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 the following:

"Section 1. Subdivision 1. [APPLICABILITY.] The provisions of this section shall apply to all group policies or subscriber contracts providing payment for care in this state, which are issued or renewed after the effective date of this act by accident and health insurance companies regulated under Minnesota Statutes, Chapter 62A, and nonprofit health service plan corporations regulated under Minnesota Statutes, Chapter 62C.

Subd. 2. [CHIROPRACTIC SERVICES.] All benefits provided by any policy or contract referred to in subdivision 1, relating to expenses incurred for medical treatment or services of a physician shall also include chiropractic treatment and services of a chiropractor to the extent that the chiropractic services and treatment are within the scope of chiropractic licensure."

Further amend the title as follows:

Line 2 after the semicolon and before "requiring" insert "group hospital and medical coverage;"

Line 4, strike "insurance" and insert "policies and subscriber contracts."

Strike lines 5 and 6

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. 1283: A bill for an act relating to cable communica-

tions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 161.45, Subdivision 1; and 222.37, Subdivision 1.

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

Page 1, line 12, strike "*serves*" and insert "*serve*"

Page 1, line 13, after "*broadcasting*," insert "*that their*", and after "*operations*" insert "*also*"

Page 1, line 15, strike "*and, therefore,*" and insert "*which*"

Page 1, line 18, after "*assure*" insert "*development of*"

Page 1, line 22, after "*systems*;" insert : "*that the cable communications industry must provide the opportunity for minority participation and benefit which its diversity promises and which the communications media must provide;*"

Page 1, line 26, strike "*and*"

Page 1, line 29, after "*and*" strike the comma and insert "*that*"

Page 2, line 11, strike "*and,*"

Page 2, line 14, after "*interest*" insert "; *and establish additional standards to provide minorities with the fullest opportunity to make effective use of the medium*"

Page 2, line 16, strike "*an independent*" and insert "*a*"

Page 2, line 25, after "*services*;" insert "*to assure that municipal franchising results in communication across metropolitan areas and in neighborhood communities in larger municipalities;*"

Page 3, line 15, strike "*and/*"

Page 3, line 22, strike "*or*"

Page 3, line 23, after "*systems*" strike the period and insert "; *or*"

After line 23, insert:

"(c) *any specialized closed circuit system which does not use the public rights-of-way for the construction of its physical plant.*"

Page 3, line 27, strike "*and include*"

Page 3, line 28, strike "*terms*" and insert "*the form*"

Page 4, line 4, strike "*any and*"

Page 4, line 7, strike "*including but not*"

Page 4, line 8, strike "*or users*" and strike "*and/or*" and insert a period

Strike lines 9 to 11

Page 4, line 25, after "*facilities*" insert "*other than closed circuit security viewing services*"

Page 4, line 27, after "*borough*" strike "*or*" and insert a comma; in the same line strike "*not wholly contained within a city*"

Page 4, line 28, strike "*in the state*" and insert "*or any combination of these which undertakes to issue a franchise*"

Page 5, line 24, after "*created*" insert "*within the state planning agency*"

Page 5, line 25, after "*members.*" insert "*The commission shall reside within the state planning agency for a period not to exceed two years from the effective day of this act.*"

Page 5, line 27, after "*concerns*" insert a period

Page 5, Strike line 28

Page 6, strike lines 1 and 2

Page 6, Line 11, after "*qualified.*" add "*No more than three members shall be from the same political party.*"

Page 6, Line 20, strike "*compensation fixed by the governor*" and insert: "*the sum of \$35 for each day actually employed in the discharge of their official duties and their necessary expenses incurred incidental thereto in the manner of state employees.*"

Page 6, strike line 21

Page 6, line 26, strike "*, agents*"

Page 6, line 28, strike "*commission*" and insert "*state planning agency*"; in the same line, strike "*a counsel,*"

Page 7, line 2, strike "*agents*"

Page 7, line 4, after "*appropriation.*" add "*The attorney general shall appoint a counsel for the commission.*"

Page 7, after line 5, strike everything after "*Subd. 8.*"

Page 7, line 6, strike "*and consultants as it may deem necessary*" and insert in lieu thereof "*Officers and consultants appointed shall serve*"

Page 7, line 7, after "*state*" add "*; the other employees shall serve in the classified service of the state*"

Page 7, line 9, strike "*six*" and insert "*four*"

Page 7, line 11, strike "*within one year after the effective date*" and insert in lieu thereof "*necessary for franchising and certification no later than March 31, 1974,*"

Page 7, strike lines 12 to 14

Page 7, line 22, after "*federal*" insert "*and state*"

Page 7, line 25, strike "*and/*"

Page 7, line 27, strike "*;* (ii) *the issuance of specifications*" and insert "*containing the outlines*"

Page 7, line 28, strike "*the franchise*" and insert "*information*"; in the same line strike "*set*" and insert "*sets*"

Page 8, line 1, strike "*local programming requirements and the*"; in the same line strike "*advanced*"

Page 8, line 2, after "*application*," insert "*(ii) The standards and priorities which municipalities shall apply in their selection process;*"

Renumber the clauses in sequence

Page 8, line 5, after "*inspection*", insert a comma and strike "*and*"; in the same line, after "*examination*" insert "*and copying*"

Page 8, line 11, after "*thereon*," insert "*and*"

Page 8, line 14, after "*franchise*," strike the balance of the line

Page 8, strike lines 15 to 17

Page 8, line 20, after "*terms*" strike the semicolon, insert a comma and strike the balance of the line.

Page 8, Strike lines 21 to 27 and insert in lieu thereof: "*a requirement that no such franchise may be exclusive, length of residential subscriber contracts, a switching device to permit television reception in the event of cable reception incapacity, and municipal purchase; taking into account the size of the cable communications system. The commission shall also prescribe channel capacity, provisions regarding access thereto, and the facilities to make use of, channels for education, government and public access, two-way capability, and performance bonds;*"

Page 8, after line 27, insert:

"*(c) prescribe a minimum list of items which shall be covered in franchises including: number of cables, channel capacity, two-way capability, length of franchise, length of residential subscriber contracts, connection charges, monthly subscriber rates, and other charges for production of programs and subscriber equipment, facilities for local program origination, portable equipment, training in the use of the aforementioned facilities and equipment, and such other items as the commission may deem necessary or appropriate to protect the public interest.*"

Reletter the remaining clauses accordingly.

Page 9, line 6, after "*prescribe*" insert "*minimum*"

Page 9, strike lines 14 to 25 and insert in lieu thereof: "*(iv) construction of systems and facilities to provide service in local communities within municipalities, (v) construction of facilities with the technical capacity for interconnection with other systems within the twin cities metropolitan area and other regions as stipulated in the commission's statewide plan, and (vi) the prompt handling of inquiries, complaints and requests for repairs.*"

Page 9, strike lines 26 to 28 and insert in lieu thereof: "*(e) prescribe standards for: franchises awarded in the twin cities met-*



*ropolitan area which designate a uniform regional channel reserved for public use; the interconnection of all cable systems within this area; and the designation of a single entity to schedule programs and facilitate use of this channel."*

Page 10, strike lines 1 and 2

Page 10, strike lines 9 to 11

Page 10, after line 14, insert:

*"(6) Petition the Federal Communications Commission for permission to establish a reserved, uniformly designated regional channel for public use, beyond those already required, on all cable systems in the twin cities metropolitan area."*

Renumber the clauses

Page 11, line 1, after "communications" insert "and related production"

Page 11, strike line 4, and insert in lieu thereof "*, with public and private parties having an interest in the communications industry, and with*"

Page 11, line 5, strike "therein"; strike "states" and insert "entities"

Page 11, line 15, after "municipalities" strike "; approve,"

Page 11, strike lines 16 to 25, and insert in lieu thereof: "*in the twin cities metropolitan area as designated in Minnesota Statutes 1971, section 473B.01 and other designated standard metropolitan statistical areas; approve, modify, or reject boundaries for specific territories proposed by municipalities and cable companies after consultation with appropriate regional planning organizations; and where efforts over a reasonable period of time fail to obtain a joint agreement in award of a franchise by municipalities in an approved multi-municipal cable territory, to change the boundaries of the territory or award the franchise in accordance with provisions agreed upon by 75% of the representative vote weighed by population of municipalities in such a cable territory upon petition by any municipality within it; expand boundaries of cable territories with certified franchises to extend service upon petition by adjoining municipalities meeting state standards; provided, however, that cities of the first class shall be accepted as appropriate districts;*

Page 12, line 6, strike "Provide for" and insert "Assist in the"

Page 12, line 14, strike "office of" and insert "commission on"

Page 12, line 16, after "standards" insert "on cable television;"

Page 12, line 16, strike "as found in the"

Page 12, strike lines 17 and 18

Page 12, after line 22, add two new clauses to read:

*"(19) Insure that minorities and all other groups have the*

*fullest access to cable communications at all levels, from the provision of services in their homes up to the opportunity to participate in the industry, including employment, training, system development, programming, and ownership by the establishment of an affirmative action regulation and compliance mechanism consistent with federal Executive Order 11246, Title 41, to apply to all municipalities, counties, townships, and villages having one percent or more minority population, and to all contractors undertaking to provide services relating to cable communications*

*(20) Establish standards requiring a suitable performance bond to be deposited with the municipality or the commission, or both, from which fines may be deducted in cases of non-compliance."*

Page 12, line 27, after "act" insert "*in accordance with Minnesota Statutes 1971, Chapter 15*"

Page 13, strike lines 17 to 22

Page 13, line 23, strike "*require*" and insert "*request*"

Page 13, line 24, strike "*or*" and insert a comma

Page 13, line 24, after "*thereof*" insert "*or non-commercial television and radio broadcasting corporations,*"

Page 14, strike lines 15 to 17 and lines 25 to 28

Re-number subdivisions in sequence

Page 15, line 1, strike "Subd. 2" and insert "*Subdivision 1.*"

Page 15, line 2, strike the comma at the end of the line

Page 15, line 3, strike "*including compensation for personal services*"

Page 15, line 5, strike "*, including the repayment of any start up*"

Page 15, line 6, strike "*appropriations*"

Page 15, line 9, after "\$100," insert "*or*"

Page 15, line 10, after "*multiplying*" insert "*50 percent of*"

Page 15, line 11, after "*fraction*" insert a comma

Page 15, line 17, after "*period*" insert: "*; and an amount computed by multiplying 50 per cent of such total estimated operating expenses of the commission by a fraction, the numerator of which is the population of the franchised territory of the cable communications company, and the denominator of which is the population of the state*"

Page 15, line 21, strike "*commission to carry out the*"

Page 15, line 22, strike "*provisions of sections 1 to 28 of this act*" and insert "*general fund of the state treasury*"

Page 16, line 10, after "*any*" insert "*operating*"

Page 16, line 11, strike "*.....*" and insert "*one*"

Page 16, line 17, strike "*provided that*" and insert a period

Page 16, strike lines 18 to 21

Page 16, line 26, strike "*April 1, 1974*" and insert "*the effective date of this act*"

Page 17, line 1, strike "*municipality*" and insert "*municipality*"

Page 17, line 24, after "*system*" strike the comma and insert a semicolon

Page 17, line 26, after "*laws*" insert "*regulating municipal ownership of public utilities, municipal charters*"

Page 18, line 1, strike "*April 1, 1974*" and insert "*the effective date of this act*"

Page 18, line 3, strike "*15*" and insert "*5*"

Page 18, line 6, strike "*April 1, 1974*" and insert "*the effective date of this act*"

Page 18, line 14, after "*set.*" add "*The commission shall file a copy of the application with the appropriate regional planning organization for their review.*"

Page 18, line 20, strike "*chief executive officer*" and insert "*appropriate officers*"

Page 18, line 26, strike "*conformation of*" and insert "*confirmation to*"; in the same line, strike "*franchise*" and insert "*franchise*"

Page 18, line 27, after "*system,*" insert "*(c) the system territory*"

Page 18, line 29, strike "*(c)*" and insert "*(d)*"

Page 19, line 2, strike "*15*" and insert "*5*"; in the same line strike "*subdivision 2,*"

Page 19, line 4, after "*law,*" insert "*or of*"

Page 19, line 5, strike "*or standard*" and insert "*based on standards*"

Page 19, line 19, strike "*January 1, 1974*" and insert "*the effective date of this act*"

Page 19, line 21, strike "*on*" and insert "*by*"

Page 19, line 22, strike "*or before October 1, 1974*" and insert "*such date as the commission shall set*"

Page 19, line 28, strike "*for five year terms*"

Page 20, line 1, strike "*22*" and insert "*12*"

Page 20, line 6, strike "*and/*"; in the same line strike "*January 1,*"

Page 20, line 7, strike "*1974*" and insert "*April 1, 1973*"; in the same line, strike "*15*" and insert "*5*"

Page 20, line 15, strike "*January 1,*"

Page 20, line 16, strike "*1974*" and insert "*the effective date of this act*"

Page 20, line 17, strike "*July*" and insert "*January*"

Page 20, line 17, strike "*February 1, 1974*" and insert "*April 1, 1973*"

Page 20, line 24, strike "*for five year terms*"

Page 20, line 25, strike "*22*" and insert "*12*"

Page 21, line 9, strike "*five*" and insert "*ten*"

Page 21, line 12, strike "*, among other factors,*"

Page 21, line 28, strike "*21*" and insert "*11*"

Page 22, line 6, strike "*15*" and insert "*5*"

Page 22, line 21, after "*right,*" insert "*upon mutual agreement and*"

Page 22, line 26, strike "*franchise*" and insert "*franchisee*"

Page 22, line 28, strike "*rates;*"

Page 23, line 11, after "*interconnection*" insert "*, as soon as practical,*"

Page 23, line 15, after "*interest.*" add "*For the purposes of assisting in the implementation of this act, the metropolitan council and other regional planning commissions as requested by the commission may engage in a program of research and study concerning interconnection, cable territories, regional use of cable communications and all other aspects which may be of regional concern.*"

Page 24, line 14, after "*or*" and before "*denial*" insert "*for*"

Page 24, line 23, strike "*charge*" and insert "*specify*"

Page 26, line 11, strike "*a*"

Page 26, line 20, strike "*a*" and insert "*on the*"

Page 28, strike lines 19 to 23

Re-number the subdivisions

Page 29, line 18, after "*thereof*" insert "*, other than that necessary for requested two-way services,*"

Page 29, line 23, after "*shall*" insert "*upon request*"

Page 30, strike line 18 and insert in lieu thereof "*No person, other than subscribers, shall connect*"

Page 30, line 19, strike "*subscribers to connect*"

Page 30, line 25, strike "*other*"

Page 31, strike lines 5 to 14

Page 31, line 16, after "*the*" insert "*rental and*"

Page 31, line 20, strike "*irreparable*" and insert "*an unsafe condition or significant interference or*"

Page 31, line 21, strike "*the*" and insert "*that utility's*"

Line 22, after "*utilities*" insert "*and the cable company*"; in the same line, after "*have*" insert "*conducted serious negotiations and have*"

Page 31, line 24, after "*may*" insert "*, after notice and hearing,*"

Page 31, line 27, strike "*Any applicant,*"

Page 31, strike line 28

Page 32, strike lines 1 and 2

Page 32, line 3, before "*cable*" insert "*Any franchised*"; in the same line strike "*, or person who*" and insert "*which*"

Page 32, line 4, after "*modifying*" strike the comma and insert "*or*"; and strike the comma at the end of the line

Page 32, line 5, after "*revoking*" strike the comma and insert "*or*"; after "*declaring*" insert "*the franchise*"; and strike "*or assigning the*"

Page 32, line 6, strike "*same*" and "*therefrom*"

Page 32, line 7, strike "*or following the expiration*"

Page 32, line 8, strike "*of said period*"

Page 32, line 9, after "*case.*" insert: "*Any municipality which is aggrieved by the failure of its franchisee to perform according to the municipal ordinance may appeal to the commission for assistance in gaining franchisee compliance with the municipal ordinance by a petition in writing, setting forth all the material facts in the case.*"

Page 32, line 11, strike "*appeal*" and insert "*appeals*"

Page 32, line 18, after "*decision.*" insert "*If the commission approves the action of the cable communications company it shall issue notice to it to that effect, but if the commission disapproves of its action it shall issue a decision in writing advising the cable communications company of the reasons for its decision and ordering the cable communications company to conform with the decision.*"

Page 32, line 19, strike "*who*"

Page 32, strike lines 20 to 22

Page 32, line 23, strike "*set out in the license*"

Page 32, line 24, strike "*granting,*"

Page 33, line 6, after "*as*" insert "*if*", place a period after "*municipality*", and strike the balance of the line

Page 33, strike lines 7 to 14

Page 33, line 20, strike "*the following:*" and insert "*that*"

Page 33, line 21, strike "*(a) No*" and insert "*no*"

Page 33, line 22, strike "*and/*"

Page 33, line 22, strike "*20*" and insert "*40*"

Page 33, strike lines 24 to 28

Page 34, strike lines 1 and 2

Page 34, line 6, strike "*within the specific geographic areas*"

Page 34, line 16, after "*commission*" insert "*, no member of any elected body granting franchises*"

Page 34, line 17, after "*commission*" insert "*or those employees of any franchising body directly involved in the granting or administration of franchises for cable communications*"

Page 34, line 19, strike "*or*"

Page 34, strike lines 20 to 23 and insert "*, their subsidiaries, major equipment suppliers or programming suppliers.*"

Page 34, line 38, strike "*or so*"

Page 35, line 1, strike "*much thereof as may be necessary,*"

Page 35, line 2, after "*fund*" insert "*to the state planning agency*", and after "*appropriation*" strike "*to*" and insert "*for*"

Page 35, line 3, after "*commission*" insert a period and strike the balance of the line

Page 35, strike lines 4 and 5

Page 35, line 7, strike "*January 1, 1974*" and insert "*the day following enactment*"

Page 35, after line 7, insert a new section to read:

"Sec. 29. *If any portion of this act is declared unconstitutional, the remainder shall prevail.*"

Page 36, line 1, after "*law,*" insert: "*Provided, however, that in the event any local subdivision of government has enacted ordinances relating to the method of installation or requiring underground installation of such community antenna television lines, the permit granted by the commissioner of highways shall require compliance with such local ordinance.*"

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

Mr. Hansen, Baldy, pursuant to Rule 35, requested that S. F. No. 1283 be re-referred to the Committee on Rules and Administration. So S. F. No. 1283 was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1689: A bill for an act relating to health; developmentally disabled; amending Minnesota Statutes 1971, Sections 252.025, Subdivision 1; 252.03; 252.05; 252.06; 252.07; 252.09; 252.10; 252.21; 252.22; 252.23; 252.24, Subdivisions 1 and 4; 252.25; 252.26; 252.27; and 252.28.

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

Page 1, strike lines 10-31

Page 2, strike lines 1-28

Page 3, strike lines 1-28

Page 4, strike lines 1-28

Page 5, strike lines 1-28

Page 6, strike lines 1-28

Page 7, strike lines 1-14

Page 7, lines 24 and 25, reinstate the stricken language

Page 7, line 25, strike "*developmentally disabled*" and insert in lieu thereof "*and cerebral palsied*"

Page 8, line 26, reinstate the stricken language

Page 8, line 26, strike "*developmentally disabled*" and insert in lieu thereof "*and cerebral palsied*"

Page 8, line 28, reinstate the stricken language

Page 8, line 28, strike "*developmentally disabled*" and insert in lieu thereof "*or cerebral palsied*"

Page 9, lines 7 and 8, reinstate the stricken language

Page 9, line 8, strike "*developmentally disabled*" and insert in lieu thereof "*and cerebral palsied*"

Page 9, line 26, reinstate the stricken language

Page 9, line 26, strike "*developmental disabilities*" and insert in lieu thereof "*and cerebral palsy*"

Page 10, line 16, reinstate the stricken language

Page 10, line 17, strike "*developmentally disabled*" and insert in lieu thereof "*and cerebral palsied*"

Page 10, strike lines 27-28

Page 11, strike lines 1-28

Page 12, strike lines 1-28

Page 13, strike lines 1-15

Renumber sections in sequence

Amend the title as follows:

Page 1, line 2, strike "developmentally"

Page 1, line 3, strike "disabled" and insert in lieu thereof "mentally retarded and cerebral palsied"

Page 1, line 4, strike "252.025, Subdivision 1;"

Page 1, strike line 5

Page 1, line 6, strike "252.10; 252.21; 252.22; 252.23;"

Page 1, line 7, after "252.25;" insert "and" and at the end of line 7 strike the semicolon

Page 1, line 8, strike "252.27; and 252.28"

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

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

S. F. No. 1544: A bill for an act relating to optometry; establishment of a state-supported school of optometry; providing for and fixing the membership of an advisory board for the school; providing for its assignment to the health sciences department of the University of Minnesota; and appropriating money.

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

Page 2, line 5, strike the headnote "[FUNCTION OF BOARD.]" and insert in lieu thereof "[BOARD OFFICERS.]"

Page 2, line 7, strike "meeting" and insert "meetings"

Page 3, line 8, strike ", within 90 days after the effective"

Page 3, line 9, strike "date of this act,;" after "shall" strike "determine" and insert "study this matter and recommend to the 1974 session of the Legislature,"

Page 3, line 10, after "optometry" insert a period and strike the balance of the line.

Page 3, strike lines 11 and 12.

Page 3, line 14, after "Minnesota" and before "from" insert "or to the state college to which the school of optometry is assigned"

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

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

S. F. No. 1140: A bill for an act relating to education; authorizing establishment of a higher education consortium to serve Rochester, Minnesota, and its surrounding area; appropriating money.



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

Page 1, line 14, delete "the higher education advisory council" and insert in lieu thereof "one representative each from Rochester state junior college, Rochester area vocational-technical institute, the university of Minnesota Rochester extension center, the Minneapolis campus of the university of Minnesota, Mayo clinic, Winona state college and Mankato state college, and two representatives of private colleges located in planning regions nine and ten to be appointed by the private college council."

Page 1, delete all of lines 15 through 18

Page 2, delete all of lines 2 through 13

Page 2, line 16, after "consisting of" insert "the higher education advisory council as created by Minnesota Statutes, Section 136A.02, Subdivision 6, the executive director of the Minnesota higher education coordinating commission, who shall serve as chairman, and"

Page 2, line 17, after the period insert "Of the governor's appointees,"

Page 3, line 21, after "to the" insert "higher education coordinating commission to be expended for the benefit of the"

Renumber the sections accordingly

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

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

Reports the same back with the recommendation that the bill be re-referred to the Committee on Labor and Commerce. Report adopted.

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

S. F. No. 1882: A bill for an act relating to education; prescribing state aid to school districts under certain circumstances; 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. Hansen, Baldy from the Committee on Labor and Commerce, to which was referred

S. F. No. 1123: A bill for an act relating to taxation; requiring the payment of a two percent gross premium tax by all nonprofit health service plan corporations; amending Minnesota Statutes 1971, Section 60A.15, Subdivision 1.

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

Page 2, line 6, strike "*for taxable years*" and insert "*as to contracts issued or renewed*"

Page 2, line 7, strike "*commencing*"

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

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

S. F. No. 580: A bill for an act relating to public welfare; providing medical and rehabilitative assistance of needy persons receiving medical care and other rehabilitative treatment as alcoholics and drug dependents; amending Minnesota Statutes 1971, Sections 256.12, Subdivision 19; 256B.02, Subdivision 8; and Minnesota Statutes 1971, Chapter 256B, by adding a section.

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

Page 1, strike lines 12-32

Page 2, strike lines 1-26

Page 2, line 27, strike "3" and insert "I"

Page 3, line 2, before "*Nothing*" insert:

*Subdivision 1. To the extent permitted by federal regulation under Title 19 of the Social Act,"*

Page 3, following line 15, insert:

*"Subd. 2. Health care homes or facilities as described in subdivision 1 above are hereby recognized by statute as vendors of medical care and are eligible for reimbursement for services provided pursuant to chapter 256B to the extent permitted by federal regulation.*

*Subd. 3. The commissioner of public welfare is directed to amend the Minnesota state plan for Medical Assistance pursuant to this section."*

Amend the title as follows:

Strike lines 7-8

Line 9, strike "Subdivision 8; and"

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

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

S. F. No. 1225: A bill for an act relating to corrections; regulating communication between prisoners and the news media.

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

Page 1, line 7, strike "prisoner" and insert "inmate"

Page 1, line 7, strike "the" and insert "a"

Page 1, line 7, after "state" and before "shall" insert "correctional institution"

Page 1, line 8, after "phone" and before "to" insert "at his own expense"

Page 1, line 9, strike "5" and insert "4"

Page 1, line 10, after "9:00 p.m." insert: "except in emergency situations as defined in subdivision 5; provided that it does not interfere with the inmate's regularly assigned duties."

Page 1, line 13, strike "prisoner" and insert "inmate"

Page 1, line 13, strike "prisoners" and insert "inmates"

Page 1, line 13, strike "the" and insert "a"

Page 1, line 14, after "state" and before "shall" insert "correctional institution"

Page 1, line 16, strike "5" and insert "4"

Page 1, strike lines 17 through 23

Page 1, line 24, strike "4" and insert "3"

Page 1, line 26, strike "prisoner" and insert "inmate"

Page 1, line 27, strike "prisoners" and insert "inmates"

Page 1, line 29, strike "5" and insert "4"

Page 2, following line 6, add a subdivision to read:

"Subd. 5. An emergency shall be defined as a situation in which, in the best judgment of the correctional authorities, there is an imminent threat to life, security or property."

Amend the title as follows:

Line 3, strike "prisoners" and insert "inmates"

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. 615: A bill for an act relating to commerce; gasoline and fuel oil sales regulations; providing penalties.

Reports the same back with the recommendation that the bill be amended as follows: Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following terms for the purposes of this act shall have the meanings given them.

Subd. 2. [GASOLINE.] "Gasoline" means:

(a) all products commonly or commercially known or sold as gasoline including casinghead and absorption or natural gasoline, regardless of their classification or uses; and

(b) any liquid prepared, advertised, offered for sale or sold for use as or commonly and commercially used as a fuel in internal combustion engines, which when subjected to distillation in accordance with the standard method of test for distillation of gasoline, naphtha, kerosene and similar petroleum products (American society for testing materials designation D-86) shows not less than ten percent distilled (recovered) below 347 degrees Fahrenheit, or 175 degrees centigrade, and not less than 95 percent distilled (recovered) below 464 degrees Fahrenheit, or 240 degrees centigrade; provided however, that "gasoline" shall not include liquified gases which would not exist as liquids at a temperature of 60 degrees Fahrenheit and at a pressure of 14.7 pounds per square inch absolute.

Subd. 3. [FUEL OIL.] "Fuel oil" means any petroleum product other than gasoline as herein defined which when tested in accordance with the methods the American society for testing materials shall not flash below 110 degrees Fahrenheit and which has a viscosity of not more than 40 seconds at 100 degrees Fahrenheit by the Saybolt Universal process.

Subd. 4. [DISTRIBUTOR.] "Distributor" means any person licensed in compliance with Minnesota Statutes, Chapter 296 (a) who receives petroleum products in this state for storage and subsequent distribution by tank car or (b) who produces, manufactures or refines petroleum products in this state, or (c) who imports petroleum products into this state via boat, barge or pipeline for storage and subsequent delivery at, or further transportation from, boat, barge or pipeline terminals in this state, provided that "distributor" does not mean cooperative association as defined in the federal agricultural marketing act.

Subd. 5. [DEALER.] "Dealer" means any person, except a distributor engaged in the business of buying and selling gasoline and other petroleum products in that state and registered in compliance with Minnesota Statutes, Chapter 296.

Subd. 6. [PERSON.] "Person" means any individual, firm, trust, estate, partnership, association, joint stock company or corporation, public or private, or any representative appointed by order of any court.

Subd. 7. [LARGE CONTRACT PURCHASER.] "Large contract purchaser" means any person, except a distributor or deal-

er, who purchases gasoline or fuel oil in bulk quantities for his own use from a distributor.

Subd. 8. [SUPPLIER.] "Supplier" means any person engaged in the business of storing in Minnesota or supplying to the state the following products

Subd. 9. [ENERGY.] "Energy supplies", or "Energy sources" means gasoline, fuel oil, natural gas, propane, coal, special fuels, and electricity.

Sec. 2. Subdivision 1. A distributor may not discriminate with regard to the price at which he sells gasoline or fuel oil or the price at which the dealer resells the product.

Subd. 2. A distributor who has sufficient supplies to fill all of the orders for purchase of gasoline or fuel oil made in compliance with the requirements of this section shall accept each order and make the sale contained in the order. To constitute an order which a distributor must accept, the order shall:

- (1) be made by a dealer or large contract purchaser;
- (2) be made at least five days prior to the first day of the month in which the purchase is to be made.
- (3) provide that the purchase price shall be determined by the distributor;
- (4) state the price above which the offer is void:
- (5) be accompanied by a deposit of at least 25 percent of the purchase price.

In determining the amount of the deposit, the purchase price shall be computed using the rate charged by the distributor in the month for which the order is made. If the deposit is more than the actual cost of the gasoline or fuel oil sold to the dealer or large contract purchaser during that month, the distributor shall refund the excess payment. There shall be no interest charge if refunded prior to the seventh day of that month. Thereafter the distributor shall pay interest on the excess payment at a rate of one percent per month. Any fraction of a month shall be considered as a month. If a dealer or large contract purchaser has a history of bad credit with a distributor, the distributor may require prepayment of the full purchase price.

Subd. 3. If on the first day of a given calendar month a distributor does not anticipate having a sufficient supply of gasoline or fuel oil to meet all of the orders made in compliance with the requirements of subdivision 1, he shall sell only to dealers or large contract purchasers who have made those orders. The distributor shall fill all of the orders for that month made by health care facilities licensed pursuant to Minnesota Statutes, Sections 144.50 through 144.56 and water works, gas works and electric light, heat and power works and shall allocate his remaining supply in the following manner. If during the previous 12 months, less than 90 percent of the distributor's sales were to dealers or large contract purchasers who are owned, controlled by, or otherwise affiliated with the distributor, the distributor's sales shall

be made in the following manner. Each dealer or large contract purchaser who submitted an order shall be entitled to purchase the percentage of the distributor's supply for that month which is equal to the percentage of the distributor's total sales purchased by the dealer or large contract purchaser during the previous 12 months. If 90 percent or more of a distributor's sales during the previous 12 months were to dealers or large contract purchasers who are owned, controlled by or otherwise affiliated with the distributor, the distributor's sales shall be made in the following manner.

(a) A percentage of the supply for that month shall be offered for sale to dealers or large contract purchasers not owned, controlled by or otherwise affiliated with the distributor, and who have made orders for that month. This percentage shall be determined by taking the percentage of the total amount ordered for that month which was ordered by dealers or large contract purchasers not owned, controlled, or otherwise affiliated with the distributor and multiplying it by a fraction which has as its numerator the distributor's supply for that month and as its denominator the total amount ordered.

(b) The remainder of the supply for that month shall be offered for sale to the dealers or large contract purchasers who had made purchases from the distributor during the previous 12 months and who have made orders for that month. Each dealer or large contract purchaser shall be entitled to purchase the percentage of this remaining supply which is equal to the percentage of the distributor's total sales purchased by the dealer or large contract purchaser during the previous 12 months. Gasoline or fuel oil received by a dealer or large contract purchaser pursuant to clause (a) shall be considered in determining the amount he is eligible to purchase pursuant to clause (b).

Subd. 4. If on the first day of a month a distributor does not anticipate having a sufficient supply of gasoline, or fuel oil to meet all of the orders made in compliance with the requirements of subdivision 1, he shall make a report to the public service commission. The report shall list all orders for that month, the supplies he anticipates having for sale during the month, and his sales for the last 12 month including identification of the dealers or large contract purchasers who made purchases, the monthly amounts of purchases, and the respective prices. This report shall be signed by the distributor and certified that the information contained in the report is accurate to the best of his knowledge. These reports shall be open to public inspection. If a distributor fails to provide a report on or before the seventh day of the calendar month for which the orders were made, he shall be subject to a fine of not more than \$1,000. If the distributor makes in the report a false material statement which he does not believe to be true, he shall be guilty of a felony.

If at any time during a calendar month a distributor who had anticipated on the first day of that month having a sufficient supply to meet all of the orders for that month but determines that his supply is in fact not sufficient to meet those orders, he shall within seven days file a report with the public service com-

mission pursuant to this subdivision. He shall allocate his remaining monthly supply pursuant to the provisions of subdivision 2 to the extent possible.

The public service commission shall make all rules and regulations necessary for the implementation of this act.

Sec. 3. No dealer may advertise the brand of his gasoline or fuel oil without the written permission of the distributor.

Sec. 4. [INFORMATION.] Subdivision 1. All suppliers of energy sources shall file with the governor any information pertaining to the supply and distribution of energy sources to be used within the state which is requested by the governor. The information shall be furnished within the times specified by the governor.

Subd. 2. For the six-month periods beginning on April 1 and October 1 of each year, all energy suppliers shall file a statement which indicates any anticipated decrease of energy sources which he will supply to the state for that six-month period. The statement shall be filed at least six months prior to the beginning of any reporting period. If at any time subsequent to filing the statement, the supplier receives any additional information affecting the accuracy of the statement, he shall amend the statement within 15 days of receiving the information. Included in the statement shall be an explanation of the causes for the decrease or changes in distribution patterns.

Sec. 5. Subdivision 1. [PENALTY.] Any person violating any of the provisions of section 2 shall be subject to a 30-day suspension of the license granted him pursuant to Minnesota Statutes, Chapter 296.

Subd. 2. Any person violating the provisions of section 3 shall be guilty of a misdemeanor.

Subd. 3. Any person violating the provisions of section 4, subdivision 2, shall be guilty of a gross misdemeanor.

Sec. 6. Subdivision 1. A dealer or large contract purchaser who believes that a distributor has violated the provisions of this act with regard to his transactions with the distributor may submit a written claim to the public service commission. The attorney general shall investigate each claim and shall have the power to conduct a hearing, to subpoena records of distribution and to administer oaths. If the public service commission determines that a distributor has violated this act, the public service commission shall submit its evidence to the county attorney in the county in which the distributor has his principle office.

Subd. 2. In addition to any criminal proceeding authorized by this act, the attorney general or any person aggrieved by a violation of this act may proceed against the person responsible for the violation by means of injunction in the district court in the manner prescribed by law."

Further amend the title by inserting the following:

Page 1, line 3, after "providing" insert "for report to the governor on energy sources; providing"

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

April 25, 1973

The Honorable Alec G. Olson  
President of the Senate

Dear Sir:

On April 25, 1973 the Committee on Committees of the Senate met and by appropriate action made the following appointments.

Pursuant to the Permanent Rules of the Senate—

Rule 79. The Senate Lobby Registration Committee

Messrs. Conzemius, Chairman; McCutcheon, Novak and O'Neill

Pursuant to Minnesota Statutes, 1971—

Sec. 86.07. Minnesota Resources Commission

Mr. Fitzsimons to replace Mr. Larson

Respectfully submitted,  
Jack Davies, Chairman  
Committee on Committees

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

H. F. Nos. 976, 1749, 365, 1625, 1641, 1693, 1121, 1511, 1041 and 835 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. 976 to the Committee on Governmental Operations.

H. F. Nos. 365 and 1625 to the Committee on Labor and Commerce.

H. F. No. 1749 to the Committee on Local Government.

H. F. Nos. 1641 and 1693 to the Committee on Metropolitan and Urban Affairs.

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

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1511	1513				
1041	1935				



And that the above Senate Files be indefinitely postponed.

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

<b>GENERAL ORDERS</b>		<b>CALENDAR OF ORDINARY MATTERS</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1121	1398				
835	518				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1121 be amended as follows:

Page 1, line 6, delete "In this act:" and insert in lieu thereof "Subdivision 1. For the purposes of sections 1 to 7, the following terms shall have the meanings here given them."

Page 1, line 7, delete "(a)" and insert in lieu "Subd. 2."

Page 1, line 12, delete the semicolon and insert in lieu a period.

Page 1, line 13, delete "(b)" and insert in lieu "Subd. 3."

Page 1, line 15, delete "(i)" and insert in lieu "(a)"

Page 1, line 16, delete "(ii)" and insert in lieu "(b)"

Page 1, line 19, delete the semicolon and insert in lieu a period

Page 1, line 20, delete "(c)" and insert in lieu "Subd. 4."

Page 1, line 23, delete the semicolon and insert in lieu a period

Page 1, delete all of lines 24, 25 and 26

Page 1, line 27, delete "(e)" and insert in lieu "Subd. 5."

Page 1, line 28, delete "(i)" and insert in lieu "(a)"

Page 1, line 29, delete "(ii)" and insert in lieu "(b)"

Page 2, line 1, delete "(iii)" and insert in lieu "(c)"

Page 2, line 6, delete "(f)" and insert in lieu "Subd. 6."

Page 2, line 8, before "including" delete "(" and insert in lieu thereof a comma

Page 2, line 9, after "resulted" delete ")" and insert in lieu thereof a comma

Page 3, line 13, delete "(a)" and insert in lieu thereof "(1)"

Page 3, line 21, delete "(b)" and insert in lieu thereof "(2)"

Page 3, line 24, delete "(c)" and insert in lieu thereof "(3)"

Page 3, line 26, delete "(d)" and insert in lieu thereof "(4)"

Page 4, lines 9 and 10, delete "may

(a) delegate" and insert in lieu thereof "may (1) delegate"  
Page 4, lines 13 and 14, delete "funds,

(b) contract" and insert in lieu thereof "funds, (2) contract"  
Page 4, lines 16 and 17, delete "and

(c) authorize" and insert in lieu thereof "and (3) authorize"

Page 5, after line 26, insert the following sections:

"Sec. 8. [SEVERABILITY.] If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Sec. 9 [UNIFORMITY OF APPLICATION AND CONSTRUCTION.] This act shall be so applied and construed as to effectuate its general purpose to make uniform the law with respect to the subject of this act among those states which enact it."

Page 5, line 27, delete "This act" and insert in lieu thereof "Sections 1 to 10"

Page 5, line 28, before "uniform" insert quotation marks, and after "act." insert quotation marks

Renumber the remaining section

Further, amend the title in line 2 by deleting "charitable funds; enacting" and in line 4 by deleting "act" and inserting in lieu thereof before the period "; providing for the management, investment and appropriation of such funds"

And when so amended, H. F. No. 1121 will be identical to S. F. No. 1398 and further recommends that H. F. No. 1121 be given its second reading and substituted for S. F. No. 1398 and S. F. No. 1398 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 835 be amended as follows:

Page 4, line 11, delete "*Subdivision 1.*"

Page 4, delete lines 15 through 28

Page 5, delete lines 1 through 28

Page 6, delete lines 1 through 6

Page 8, line 18, delete "*without enumerating the*" and insert in lieu thereof a semicolon

Page 8, delete line 19

Page 8, line 22, delete “, *without enumerating the*” and insert in lieu thereof “; *and*”

Page 8, delete line 23

Page 9, lines 8, 9 and 10, restore the stricken language

Page 14, line 5, in the headnote after “EFFECT OF” insert “DISSOLUTION”

Page 14, line 11, delete “, *upon the request of the party*”

Page 14, lines 19 and 20, restore the stricken language and delete the underscored language

Page 20, after line 15, insert a new section as follows:

“Sec. 28. *In the next and subsequent editions of Minnesota Statutes wherever the word “divorce” appears, the revisor of statutes is directed to replace it with the words “dissolution” or “dissolution of marriage,” if and as appropriate.*”

Page 20, line 17, after “518.26” delete the comma and after “518.28” delete the semicolon and insert in lieu thereof a comma

Renumber the remaining sections in sequence

And when so amended, H. F. No. 835 will be identical to S. F. No. 518 and further recommends that H. F. No. 835 be given its second reading and substituted for S. F. No. 518 and S. F. No. 518 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. 2305, 1432, 1377, 1878, 1441, 1892, 1939, 1366, 1559, 1726, 1964, 2189, 917, 1867, 2157, 1937, 1877, 2223, 462, 590, 181, 1689, 1225 and 615 were read the second time.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 133, 28, 1511, 1041, 1121 and 835 were read the second time.

#### MOTIONS AND RESOLUTIONS

Mr. Doty moved that H. F. No. 1467 be withdrawn from the Committee on Metropolitan and Urban Affairs, and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1366 now on the Calendar of Ordinary Matters. Which motion prevailed.

Mr. Gearty moved that S. F. No. 2350 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Metropolitan and Urban Affairs. Which motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak designated S. F. No. 2166, No. 127 on the General Orders calendar, as a special order to be heard immediately.

S. F. No. 2166: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

Mr. Olson, A. G., moved to amend S. F. No. 2166 as follows:

Page 2, after line 7, add a new section 9 to read as follows:

"Sec. 9. CONSTRUCTION, RECONSTRUCTION  
AND LAND ACQUISITION 106,000,000 120,000,000

If the estimated income to the trunk highway fund from any sources including federal aids exceeds the estimated amount on which this appropriation was based, such funds shall be available and are hereby appropriated for the purposes stated in this section."

Page 2, line 37, strike "10, 11, and 12" and insert in lieu thereof "11, 12, and 13"

Page 3, line 5, after "authority" insert "for construction, reconstruction and acquisition of land,"

Page 3, line 7, strike everything after the period

Page 3, strike lines 8 through 11

Page 3, line 14, strike "9" and insert in lieu thereof "8 and 10"

Page 3, line 18, strike "standing appropriation for" and insert in lieu thereof "unobligated and unencumbered for the"

Page 3, line 20, strike the period and insert in lieu thereof ", and such moneys in the trunk highway fund are hereby appropriated for such purposes."

Renumber the sections to accord with the amendments

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 11 and nays 51, as follows:

Those who voted in the affirmative were:

Anderson	Brown	McCutcheon	Olhoft	Spear
Berg	Keefe, S.	Milton	Olson, A. G.	Tennessen
Borden				

Those who voted in the negative were:

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

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

S. F. No. 2166 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	Doty	Keefe, S.	North	Schaaf
Arnold	Dunn	Kirchner	Novak	Schrom
Ashbach	Fitzsimons	Knutson	Ogdahl	Sillers
Bang	Frederick	Kowalczyk	Olhoft	Solon
Berg	Gerty	Krieger	Olson, A. G.	Spear
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Laufenburger	O'Neill	Stokowski
Borden	Hanson, R.	Lewis	Patton	Tennessen
Chenoweth	Hughes	Lord	Perpich, A. J.	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Ueland
Coleman	Jensen	Milton	Pillsbury	Wegener
Conzemius	Josefson	Moe	Purfeerst	Willet
Davies	Keefe, J.	Nelson	Renneke	

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak designated S. F. No. 2167, No. 128 on the General Orders calendar, as a special order to be heard immediately.

S. F. No. 2167: A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stock-breeders', dairymen's, horticultural and poultry association and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capital area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Krieger and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

### 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

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

After some time spent therein, the committee arose and the President having resumed the chair, Mr. Kowalczyk reported that the committee had considered S. F. No. 746 which the committee recommends to pass.

S. F. No. 1182, which the committee recommends to pass with the following amendment offered by Mr. Larson:

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

"Section 1. [LICENSE BUREAU AUTHORIZED.] For the purpose of promoting efficiency in county government and to afford better service to the general public any county in the state is authorized to establish a county license bureau. The license bureau may be located in the county seat or at such other location or locations as the county board may designate.

Sec. 2. [STATE LICENSES MAY BE ISSUED.] Notwithstanding any other law or regulation designating or authorizing a specific county official to issue any license or permit or to process or assist in preparing an application for any license or permit issued by the state, the county license bureau is authorized to issue, process or assist in preparing an application for any license or permit issued by the state or a state official including but not limited to game and fish, trapping, wild rice harvest, motor vehicle, mobile home, trailer, snowmobile, water craft or drivers license or as many of the licenses as is designated by the county board but this authority shall

not include the issuance of marriage licenses. The county board may delegate the responsibility for the issuance of any county license or permit to the county licensing bureau.

Sec. 3. [IMPLEMENTATION, NOTICE.] Subdivision 1. Sections 1 to 6 shall not be operative in any county until the board of county commissioners shall pass a resolution declaring its intent to proceed under the provisions of these sections and to establish a county license bureau. The resolution establishing a county license bureau shall take effect at such date as the county board shall designate but not less than 30 days after the date of the adoption of the resolution.

Subd. 2. No resolution establishing a county license bureau shall be valid unless a notice of intention to adopt a resolution to establish a county licensing bureau has been mailed by the clerk of the county board to each state department having the responsibility for the issuance of a state license not less than 20 days prior to the date of the meeting at which the adoption of a resolution establishing a license bureau is to be considered. A similar notice shall be delivered by the clerk of the county board to the deputy registrar of motor vehicles for the county and to each county officer having the authority to issue, process or assist in the preparation of an application for the issuance of any license not less than ten days prior to the date of the meeting at which the establishment of a license bureau is to be considered.

Sec. 4. [DIRECTOR OF BUREAU.] Subdivision 1. The county board shall appoint a director of the county license bureau upon the terms and conditions it deems advisable and may appoint any county officer or employee as the director. The county board shall set the compensation of the director and may provide for the expenses of the office including the premium of any bond required to be furnished by the director. The director shall exercise all powers granted to and perform all duties imposed on the county officer who previously had the authority to issue or process the application for any license referred to in section 1 of this act. Notwithstanding the provisions of Minnesota Statutes, Section 168.33, Subdivision 2, the director may be appointed the deputy registrar of motor vehicles in the county and if appointed a deputy registrar he shall have the same authority as a county auditor to appoint one or more deputy registrars as provided in Minnesota Statutes, Section 168.33, Subdivision 2.

Subd. 2. The director shall be responsible for all funds in his custody as the director of the license bureau and shall deposit the funds in the county treasury, a state depository or forward the funds to the appropriate state official at the times and in the manner provided by law or regulation or as designated by the county board not inconsistent with applicable statutes and regulations. The director of the license bureau or an employee in the bureau shall not be permitted to retain any portion of the fee charged by law or any surcharge upon the license or application, his sole compensation shall be the salary provided by the county board.

Sec. 5. [BOND REQUIRED.] Before entering upon the discharge of his duties, the director and each employee having the charge of handling any money, license, license plate or application for license shall give bond to the state in the sum of at least the amount fixed by the commissioner of public safety required of deputy registrars of motor vehicles conditioned upon the faithful discharge of his duties.

Sec. 6. [TERMINATION OF BUREAU.] A county license bureau may be terminated in the same manner as provided in section 3 of this act to establish a license bureau. Any duties and responsibilities assigned to the director of the license bureau upon termination of the bureau shall be vested in the officer or person which has the responsibility for the function as provided by law at the time of the termination."

Further, amend the title by striking it in its entirety and inserting in lieu thereof

"A bill for an act relating to county government, providing for county license bureaus."

S. F. No. 769, which the committee reports progress, subject to the following motions:

Mr. Milton moved to amend S. F. No. 769, as follows:

Page 2, line 24, strike "15" and insert "18"

Which motion prevailed. So the amendment was adopted.

Mr. Jensen moved to amend S. F. No. 769, as follows:

Page 1, Line 27, after "*permit*" and before the period insert "*, unless there is a person 18 years of age or over in the motor-boat*"

Which motion prevailed. So the amendment was adopted.

The question being taken on the committee recommendation,

And the roll being called, there were yeas 26 and nays 31, as follows:

Those who voted in the affirmative were:

Borden	Doty	Keefe, J.	Milton	Spear
Brown	Gearty	Keefe, S.	North	Tennessen
Chenoweth	Hansen, Mel	Laufenburger	Novak	
Coleman	Hughes	Lewis	O'Neill	
Conzemius	Humphrey	Lord	Schaaf	
Davies	Jensen	McCutcheon	Solon	

Those who voted in the negative were:

Anderson	Fitzsimons	Kowalczyk	Perpich, A. J.	Stassen
Arnold	Frederick	Krieger	Perpich, G.	Wegener
Ashbach	Hansen, Baldy	Nelson	Pillsbury	Willet
Bernhagen	Hanson, R.	Ogdahl	Purfeerst	
Blatz	Josefson	Olhoff	Renneke	
Chmielewski	Kirchner	Olson, J. L.	Schrom	
Dunn	Knutson	Patton	Sillers	

Which motion did not prevail. The committee then progressed S. F. No. 769.



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

### RECESS

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

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

### CALL OF THE SENATE

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

Anderson	Doty	Humphrey	Lord	Purfeerst
Arnold	Dunn	Keefe, S.	McCutcheon	Renneke
Berg	Frederick	Kirchner	North	Spear
Bernhagen	Gearty	Knutson	Novak	Stassen
Blatz	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stokowski
Brown	Hansen, Mel	Larson	Olson, J. L.	Tennessen
Coleman	Hanson, R.	Laufenburger	Perpich, A. J.	Thorup
Conzemius	Hughes	Lewis	Perpich, G.	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 and Messages From the House, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

### INTRODUCTION OF BILLS

Mr. Knutson introduced—

S. F. No. 2369: A bill for an act relating to adoption; requiring consents for adoption to be executed before a child-placing agency; amending Minnesota Statutes 1971, Section 259.24, Subdivision 5.

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

Mr. Conzemius introduced—

S. F. No. 2370: A bill for an act relating to education; peddling and canvassing on school grounds; repealing Minnesota Statutes 1971, Section 126.19.

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

### MESSAGE FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 308:

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.

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

Quirin; Anderson, I.; Kelly; Norton and Newcome have been appointed as such committee on the part of the House.

House File No. 308 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 26, 1973

Mr. Gearty moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 308 and that a Conference Committee of 5 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.

### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make the General Orders Calendar for today Special Orders for today to be considered immediately. Which motion prevailed.

### SPECIAL ORDER

S. F. No. 910: A bill for an act relating to snowmobiles; prohibiting the operation thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 903: A bill for an act relating to courts; jury trials; number of jurors; challenges; amending Minnesota Statutes 1971, Section 546.10 and 631.27.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 977: A bill for an act relating to public health and conservation; prohibiting the sale of beverages in containers

made of aluminum in certain cases; providing penalties.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Novak	Schrom
Arnold	Doty	Knutson	Olhoft	Sillers
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Berg	Gearty	Krieger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Lewis	Olson, J. L.	Tennessee
Blatz	Hansen, Mel	Lord	O'Neill	Thorup
Brown	Hanson, R.	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Moe	Perpich, G.	Willet
Coleman	Josefson	Nelson	Purfeer, t	
Conzemius	Keefe, J.	North	Renneke	

Those who voted in the negative were:

Ashbach	Dunn	Jensen	Milton	Schaaf
Borden	Frederick	Laufenburger	Pillsbury	Stassen

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 1332: A bill for an act relating to flood plain management; amending Minnesota Statutes 1971, Sections 104.01, by adding a subdivision; 104.03, Subdivision 1, and by adding a subdivision; 104.04, Subdivision 3, and by adding subdivisions; and Chapter 104, by adding a section.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 1147: A bill for an act relating to motor vehicles; registration and taxation; providing charges for filing applica-

tions; amending Minnesota Statutes 1971, Section 168.33, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hanson, R.	North	Renneke
Arnold	Conzemius	Hughes	Novak	Schaaf
Ashbach	Davies	Humphrey	Ogdahl	Solon
Bang	Doty	Jensen	Olson, H. D.	Thorup
Berg	Fitzsimons	Keefe, J.	Olson, J. L.	Wegener
Bernhagen	Frederick	Kirchner	O'Neill	
Brown	Gearty	Laufenburger	Perpich, A. J.	
Chenoweth	Hansen, Baldy	Lord	Pillsbury	
Chmielewski	Hansen, Mel	Nelson	Purfeerst	

Those who voted in the negative were:

Blatz	Knutson	McCutcheon	Schrom	Tennessen
Borden	Kowalczyk	Moe	Sillers	Ueland
Dunn	Krieger	Olson, A. G.	Spear	Willet
Keefe, S.	Lewis	Perpich, G.	Stassen	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 879: A bill for an act relating to Ramsey county; providing for the commissioner districts, membership, and the removal of the mayor of the city of Saint Paul as a member and chairman of the board of commissioners; amending Special Laws 1891, Chapter 438, Section 1, as amended; and Special Laws 1871, Chapter 73, Section 4.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Novak	Sillers
Arnold	Dunn	Kirchner	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	Perpich, A. J.	Thorup
Borden	Hanson, R.	Lewis	Perpich, G.	Ueland
Brown	Hughes	Lord	Pillsbury	Wegener
Chenoweth	Humphrey	McCutcheon	Purfeerst	Willet
Chmielewski	Jensen	Moe	Renneke	
Coleman	Josefson	Nelson	Schaaf	
Conzemius	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 581: A bill for an act relating to medical education; appropriating moneys to the regents of the university of Minnesota for a medical education facility at St. Paul Ramsey hospital and for other related purposes; amending Laws 1971, Chapter 851.

Mr. O'Neill moved to amend S. F. No. 581 as follows:

Page 3, line 17, strike "*three citizens*" and insert "*one citizen*"

Page 3, line 18, strike the period and insert a semicolon

Page 3, after line 18, insert:

*"(d) one member selected by the medical staff of the Gillette State hospital for crippled children;*

*(e) two additional members to represent other east metropolitan area health science institutions to be selected by the members of the advisory committee; and*

*(f) one member selected by the Ramsey County Medical Society."*

Which motion prevailed. So the amendment was adopted.

S. F. No. 581 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 52 and nays 6, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Borden	Hansen, Baldy	Josefson	Perpich, G.	Purfearst
Conzemius				

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

**SPECIAL ORDER**

S. F. No. 1627: A bill for an act relating to agriculture; promotion of commodities; amending Minnesota Statutes 1971, Sections 17.54, Subdivision 5; and 17.56, Subdivision 3.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 2, as follows:

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

S. F. No. 1080: A bill for an act relating to historic sites; providing for acquisition, administration, and control of additional sites by the Minnesota historical society; amending Minnesota Statutes 1971, Section 138.025, by adding subdivisions.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

#### SPECIAL ORDER

H. F. No. 678: A bill for an act relating to wild animals; eliminating second tags on beaver and otter trapped by licensed trappers; amending Minnesota Statutes 1971, Section 98.46, Subdivision 21.

Mr. Willet moved to amend H. F. No. 678, the printed bill, as follows:

Page 1, line 12, strike "*upon*" and insert "*the day following its*".

Which motion prevailed. So the amendment was adopted.

H. F. No. 678 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 59 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Keefe, J.	Keefe, S.	Lewis	Schaaf	Spear
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So the bill, as amended, passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 1401: A bill for an act relating to state employment; service workers; employment above quotas or complement; amending Minnesota Statutes 1971, Section 43.17, by adding a subdivision; 16.173; repealing Minnesota Statutes 1971, Section 43.17, Subdivision 4.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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



So the bill passed and its title was agreed to.

### SPECIAL ORDER

S. F. No. 1343: A bill for an act relating to licensing of motor vehicles; authorizing use of farm trucks in certain situations without affecting license status.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1069: A bill for an act relating to traffic regulations; motorcycle license requirements; amending Minnesota Statutes 1971, Section 169.974, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 832: A bill for an act relating to public health; regulating and certifying x-ray machine operators and providing for fees; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg	Frederick	Krieger	Renneke	Sillers
Bernhagen	Josefson			

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

S. F. No. 1030: A bill for an act relating to the attorney general; payment of attorney's fees for special counsel with respect to The Bush Foundation; appropriating money therefor.

Mr. Coleman moved to amend S. F. No. 1030, as follows:

Page 1, line 8, after "appropriated" insert "to the attorney general"

Which motion prevailed. So the amendment was adopted.

S. F. No. 1030 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Keefe, J., voted in the negative.

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

**SPECIAL ORDER**

H. F. No. 864: A bill for an act relating to transportation; appropriating money to the public service commission for the purpose of contracting for railroad passenger service.

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 58 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Gearty	Keefe, S.	McCutcheon
Arnold	Chmielewski	Hansen, Baldy	Kirchner	Milton
Ashbach	Coleman	Hansen, Mel	Knutson	Moe
Bang	Conzemius	Hanson, R.	Kowalczyk	Nelson
Bernhagen	Davies	Hughes	Larson	North
Blatz	Doty	Humphrey	Laufenburger	Novak
Borden	Dunn	Jensen	Lewis	Ogdahl
Brown	Fitzsimons	Keefe, J.	Lord	Olhoft

Olson, A. G.	Perpich, G.	Schaaf	Spear	Wegener
Olson, H. D.	Pillsbury	Schrom	Stassen	Willet
O'Neill	Purfeerst	Sillers	Stokowski	
Perpich, A. J.	Renneke	Solon	Thorup	

Those who voted in the negative were:

Berg	Josefson	Olson, J. L.	Tennessee	Ueland
Frederick				

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 267: A bill for an act relating to actions; litigation costs and fees; authorizing proceedings in forma pauperis; and providing a penalty.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 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	Knutson	Ogdahl	Sillers
Berg	Frederick	Kowalczyk	Olhott	Solon
Bernhagen	Gearty	Krieger	Olson, A. G.	Spear
Blatz	Hansen, Baldy	Larson	Olson, H. D.	Stassen
Borden	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Brown	Hanson, R.	Lewis	O'Neill	Tennessee
Chenoweth	Hughes	Lord	Perpich, A. J.	Thorup
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Ueland
Coleman	Jensen	Milton	Pillsbury	Wegener
Conzenius	Josefson	Moe	Purfeerst	Willet

So the bill passed and its title was agreed to.

### SUSPENSION OF RULES

Mr. Davies 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. Lord, Hughes and Stassen introduced—

S. F. No. 2371: A bill for an act relating to veterans, Vietnam era; providing for the tuition-free attendance of dependents at the university of Minnesota; amending Minnesota Statutes 1971, Section 197.09.

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

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

S. F. No. 2372: A bill for an act relating to distinctions on the basis of sex; abolishing such distinctions; amending Minnesota Statutes 1971, Sections 3A.02, Subdivision 1; 4.08, Subdivision 2; 43.30; 61A.12, Subdivision 4; 62A.041; 65B.26; 67A.10, Subdivision 1; 88.11, Subdivision 1; 144.06; 144.201, Subdivision 2; 144.203; 154.01; 155.01; 175.16; 175.18; 175.20; 178.08; 181.07; 181.40; 181.41; 181.43; 181.44; 181.45; 181.47; 182.09; 192.38, Subdivision 1; 197.45, Subdivision 4; 198.01; 198.022; 198.06; 201.26; 242.03; 242.04; 243.91; 252.07; 256.457, Subdivision 5; 257.251; 257.252; 257.253; 257.255; 257.256; 257.261, Subdivision 3; 257.262; 257.263; 257.264; 257.27; 257.28; 259.10; 259.11; 260.135, Subdivision 2; 261.01; 268.081; 268.09, Subdivisions 1 and 2; 315.40; 317.66, Subdivision 1; 323.06; 323.24; 353.01, Subdivision 15; 356.20, Subdivision 4; 356.21, Subdivisions 4 and 5; 358.14; 358.27, Subdivision 1; 387.15; 387.16; 393.01, Subdivisions 2 and 7; 459.16; 510.06; 517.07; 518.15; 518.27; 519.01; 519.02; 525.05; 525.14; 525.60, Subdivision 1; 540.08; 540.09; 548.06; 558.28; 576.08; 609.291; 609.292; 609.293, Subdivision 2; 609.295; 609.32, Subdivision 2; 609.34; 617.22; 624.61; 629.55; 631.09; 631.412; 641.06; 641.07; 641.14; 641.38; 642.08; 643.08; 643.14; 643.15; 643.19; Chapters 177, by adding a section; 268, by adding a section; 516, by adding a section; 519, by adding a section; and 540, by adding a section.

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Saturday, April 28, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.