

FIFTY-SECOND DAY

St. Paul, Minnesota, Friday, May 4, 1973.

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

CALL OF THE SENATE

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

Anderson	Doty	Keefe, S.	North	Perpich, G.
Arnold	Dunn	Kleinbaum	Novak	Pillsbury
Ashbach	Gearthy	Knutson	Olhoff	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, A. G.	Stokowski
Blatz	Hanson, R.	Lewis	Olson, J. L.	Tennesen
Borden	Hughes	Lord	O'Neill	Thorup
Coleman	Humphrey	McCutcheon	Patton	
Davies	Josefson	Moe	Perpich, A. J.	

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Bang; Brown; Olson, J. L. and Tennesen were excused from this afternoon's Session. Messrs. Jensen and Krieger were excused from the Session of today. Mr. Humphrey was excused from tomorrow's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 3, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 145: An act relating to corrections; conservation camps administered by the department of corrections; amending Minnesota Statutes 1971, Section 242.37.

S. F. No. 197: An act relating to corrections; regulating prison industries; authorizing the establishment of private industry within the state prison.

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

S. F. No. 274: An act relating to motor vehicles; transfer of ownership and fees therefor; amending Minnesota Statutes 1971, Section 168.54, Subdivision 4.

S. F. No. 277: An act relating to highway traffic regulations; size, weight and load limitations; amending Minnesota Statutes 1971, Section 169.80, Subdivision 1.

S. F. No. 317: An act relating to labor relations; prohibiting employment of professional strikebreakers during strikes and lockouts; amending Minnesota Statutes 1971, Sections 179.01, by adding a subdivision; and 179.12.

S. F. No. 395: An act relating to assessments; boards of review and boards of equalization; amending Minnesota Statutes 1971, Section 274.01.

S. F. No. 436: An act relating to commerce; providing remedies and labeling requirements for the sale or possession for sale of imitation Indian-made goods; amending Minnesota Statutes 1971, Sections 325.41; 325.42; 325.48, Subdivision 2; and Chapter 325, by adding a section.

S. F. No. 442: An act relating to intoxicating liquor; restrictions upon places of sale; amending Minnesota Statutes 1971, Section 340.14, Subdivision 2.

S. F. No. 460: An act authorizing county solid waste management programs to include certain other wastes; amending Minnesota Statutes 1971, Section 400.03, by adding a subdivision.

S. F. No. 801: An act relating to commerce; securities; limitations on actions; amending Minnesota Statutes 1971, Section 80.26.

S. F. No. 819: An act relating to commerce; providing remedies for unlawful practices in business, commerce or trade; amending

Minnesota Statutes 1971, Sections 325.907, Subdivisions 1, 2, and 3; and by adding subdivisions.

S. F. No. 823: An act relating to county sheriffs; collection of fees and per diems required by law; amending Minnesota Statutes 1971, Section 387.20, Subdivision 5.

S. F. No. 829: An act relating to education; authorizing payment of certain surplus school funds in county treasuries to certain school districts; amending Minnesota Statutes 1971, Chapter 124, by adding a section.

S. F. No. 895: An act authorizing the county board of Sibley county to annually appropriate money as a contingent fund for use by the chairman of the board for incidental costs and expenses.

S. F. No. 922: An act relating to Itasca county; providing for organization of county welfare board and county hospital board in accordance with Minnesota Statutes.

S. F. No. 1009: An act relating to the municipalities of Dover, Eyota and St. Charles; providing for the creation of a sanitary sewer board; prescribing its duties and powers; and providing for the collection, treatment and disposal of sewage for the municipalities and areas adjacent thereto.

S. F. No. 1010: An act relating to public welfare; extending the period during which a medical assistance lien may be filed; amending Minnesota Statutes 1971, Section 393.10, Subdivision 2.

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

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

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

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

Sincerely,

Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Mr. Gearty introduced—

S. F. No. 2439: A bill for an act relating to licensing and regis-

tration of architects, professional engineers and land surveyors; amending Minnesota Statutes 1971, Sections 326.09; 326.10, Subdivisions 1, 2, 4, 5, and 7; 326.11, Subdivisions 2 and 4; and 326.13.

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

Messrs. Spear, Brown and Gearty introduced—

S. F. No. 2440: A bill for an act relating to holidays; authorizing public employees to annually take one additional holiday on dates of their own choosing; amending Minnesota Statutes 1971, Section 645.44, by adding a subdivision.

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

Messrs. Hughes, Dunn and Kleinbaum introduced—

S. F. No. 2441: A bill for an act relating to education; establishing the project for developing school accountability; appropriating money; repealing Minnesota Statutes 1971, Sections 3.924 to 3.927.

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

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. 103, 1042, 1361, 1593, 1622 and 1925.

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

Returned May 3, 1973

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 9: A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives for the purpose of electing members of the Board of Regents of the University of Minnesota.

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

Transmitted May 3, 1973

Mr. Coleman moved that House Concurrent Resolution No. 9 be laid on the table. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 892, 1001, 1465, 1675, 1718, 1764, and 1897.

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

Transmitted May 2, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1577, 2050, 2164, 2166, 2308 and 1436.

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

Transmitted May 3, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 892: A bill for an act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

H. F. No. 1001: A bill for an act relating to the environment; establishing a state environmental policy and a program for the systematic review of environmental effects of various projects and actions; requiring an annual environmental report; and amending Minnesota Statutes 1971, Sections 4.12, Subdivision 2; 40.02; 104.01, Subdivision 3; 115.03, Subdivision 1; 116.07, Subdivision 2.

H. F. No. 1465: A bill for an act relating to water resources; modifying and strengthening certain powers of the commissioner of natural resources in connection therewith; providing penalties; amending Minnesota Statutes 1971, Sections 105.37, by adding subdivisions; 105.38; 105.39, by adding a subdivision; 105.41; 105.42; 105.43; 105.44, Subdivisions 1, 3, 5, 6; 105.45; 105.47; 105.51, Subdivision 1; and Chapter 105, by adding sections; repealing Minnesota Statutes 1971, Section 105.54.

H. F. No. 1675: A bill for an act relating to courts; providing for uniform retirement and survivors' annuities for judges and establishing a judges' retirement fund; appropriating money.

H. F. No. 1718: A bill for an act relating to public water and sewer systems, improvements, and extensions established by counties and district courts; amending Minnesota Statutes 1971, Sections 116A.01, by adding a subdivision; 116A.02, Subdivision 1; 116A.09; 116A.12, Subdivisions 2 and 3a, and by adding subdivisions; 116A.15, Subdivisions 1 and 2; 116A.16; 116A.17, Subdivisions 1, 2, and 4; 116A.18, Subdivision 1; 116A.19, Subdivision 2; 116A.20, Subdivisions 1, 2, and 5; 116A.21; 116A.22; 116A.24, Subdivision 1, and by adding subdivisions; and 273.111, Subdivision 14.

H. F. No. 1764: A bill for an act relating to highways; designating and describing the route of the Voyageur highway; amending Minnesota Statutes 1971, Section 161.14, by adding a subdivision.

H. F. No. 1897: A bill for an act relating to regulated industries; certain industries regulated by the department of public service; authorizing fees to defray costs of the department in giving notice in contested cases; defining terms; prescribing conditions for the granting of permits to certain carriers and prescribing conditions for the transfer thereof; specifying the form of license application for livestock buyers; amending Minnesota Statutes 1971, Sections 216.161; 221.011, Subdivision 12; 221.101; 221.121, Subdivision 1; 221.131; 221.141; 221.151, Subdivision 2; 221.281; 221.291; and 239.18, Subdivision 2.

H. F. No. 1577: A bill for an act relating to the state board of electricity; compensation; amending Minnesota Statutes 1971, Section 326.241, Subdivision 3.

H. F. No. 2050: A bill for an act relating to Aitkin county; authorizing issuance of additional on-sale intoxicating liquor licenses.

H. F. No. 2164: A bill for an act relating to the town of White, St. Louis county; authorizing an increase in the salaries of clerk, assessor and treasurer.

H. F. No. 2166: A bill for an act relating to Anoka county; authorizing issuance of bonds for county park acquisition and development.

H. F. No. 2308: A bill for an act relating to the city of Saint Paul; providing for the contracting out to a private party of the operation and management of the parking ramps and other parking facilities owned by the city which are located within or adjacent to the city's civic center and auditorium; amending Laws 1967, Chapter 459, Section 4, as amended.

H. F. No. 1436: A bill for an act relating to the cities of Brooklyn Center, Robbinsdale and Brooklyn Park; creating a housing and redevelopment authority.

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

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

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

Mr. Perpich, A. J. from the Committee on Taxes and Tax Laws, 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 do pass. Report adopted.

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

S. F. No. 1825: A bill for an act relating to the Minnesota historical society; appropriating money for repairs to the Ness Memorial Cemetery Association.

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

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

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

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

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

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

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

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

S. F. No. 1246: A bill for an act relating to elections; providing for the registration of voters; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 200.02, Subdivisions 22 and 25; 201.11; 201.12; 201.13; 201.14; 201.15; 201.18; 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 Chap-

ter 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.

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

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

H. F. No. 248: A bill for an act relating to agriculture; soybean promotion board; promotion and financing; amending Minnesota Statutes 1971, Sections 21A.03; 21A.06; 21A.10; 21A.16, Subdivision 2; and 21A.18.

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

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

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

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1633: A bill for an act relating to the Minnesota-Wisconsin boundary compact commission; appointment, compensation and reimbursement for Minnesota legislative advisory committee members; amending Minnesota Statutes 1971, Sections 1.34, Subdivision 1, and 1.36.

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

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

S. F. No. 737: A bill for an act relating to water and related land resources planning; imposing certain duties in relation thereto on the governor, the Minnesota resources commission, the commissioner of natural resources, counties, municipalities, regional development commissions, the metropolitan council, the state planning agency, sanitary districts, watershed districts, lake conservation districts and soil and water conservation districts; setting the terms for state participation in state-federal river basin commissions; providing for the development of state, regional, and local water and related land resources plans; appropriating money; amending Min-

nesota Statutes 1971, Sections 105.485, Subdivision 3, and by adding a subdivision; 112.48, Subdivisions 1 and 3; and 394.25, by adding a subdivision.

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

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

H. F. No. 268: A bill for an act relating to courts; initiation of paternity proceedings; amending Minnesota Statutes 1971, Section 257.253.

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

Page 1, line 5, after "of a" insert "*civil summons together with a*"; strike everything after "complaint" and insert in lieu thereof a period

Page 1, strike line 6

Page 1, after line 6, insert "*An order, returnable not sooner than five days following expiration of the period to answer, to show cause why he should not be adjudicated to be the father of the child may also be served with the summons and complaint.*"

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

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

S. F. No. 428: A bill for an act relating to income taxation; providing a deduction for certain expenses incurred for transportation of physically or mentally handicapped school children; amending Minnesota Statutes 1971, Section 290.09, Subdivision 22.

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

Page 1, line 17, after "*dependent*" insert "*, as defined in section 120.03.*"

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

H. F. No. 1547: A bill for an act relating to Hennepin county; permitting county to lease real property for periods up to 15 years; amending Laws 1969, Chapter 476, Section 1.

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

Page 1, strike lines 9 and 10

Renumber sections in sequence.

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. 1735: A bill for an act relating to development districts in the cities of Minneapolis and Robbinsdale, amending Laws 1971, Chapter 677, Sections 1, 2, 3, and 7, and repealing Laws 1971, Chapter 677, Sections 9 and 13.

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

Page 2, line 24, after "domain." insert "*In all such acquisitions the acquiring authority shall provide as a cost of acquisition the relocation assistance, services, payments and benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Stat. 1894 (1971), 42 United States Code, Section 4601, et seq.*"

Page 4, line 15, after the period insert the following: "*No less than 60 percent of the area of any such district shall consist of land which has been platted and developed. The area of such district shall not be enlarged after three years following the date of designation of such district. At the time of the adoption of the first development district, the governing body shall by formal action adopt one of the three following alternative restrictive options. Once the choice is made, the municipality must use the same option for all succeeding development districts.*"

(1) *The total acreage included in any one development district shall not exceed one percent of the total acreage of the municipality. At no time shall the total current acreage within development districts for which unrecovered cost of bonds remain exceed three percent of the total acreage of the municipality.*

(2) *The total market value of taxable real property of any one development district when adopted shall not exceed five percent of the total market value of taxable real property in the municipality as then most recently certified by the county auditor. At no time shall the current total market value of taxable real property within development districts for which unrecovered cost of bonds remain exceed ten percent of the total market value of taxable real property in the municipality as most recently certified by the county auditor.*

(3) *The governing body may adopt one development district which shall not exceed six acres in area. At no time shall another development district be adopted by the governing body of the municipality until all costs of bonds for the previously adopted district has been paid."*

Page 6, after line 24, insert a new section to read:

"Sec. 4. Laws 1971, Chapter 677, Section 6, is amended to read:

Sec. 6. [ISSUANCE OF BONDS.] The city councils of the cities of Minneapolis and Robbinsdale may *authorize, issue, and sell bonds which shall mature within 30 years to finance all public improvements the acquisition and betterment of real and personal property needed to carry out the development program within the each development districts district together with all relocation costs incidental therewith thereto in accordance with Minnesota Statutes, Chapter 475, Sections 475.51, 475.53, 475.54, 475.55, 475.56, 475.60, 475.61, 475.62, 475.63, 475.65, 475.66, 475.69, 475.70, and 475.71. All tax increments received by each city pursuant to Section 7 shall be pledged for the payment of such bonds and used to reduce or cancel the taxes otherwise required to be extended for that purpose, and Such the bonds shall not be included when computing the city's net debt.*

Page 7, line 28, strike the words "according to the original" and insert in lieu thereof "*in the proportion that the original taxable value bears to the current*"

Page 8, line 2, after "collected," insert "*referred to herein as the tax increment,*"

Page 8, delete lines 17 through 22

Renumber sections accordingly

Amend the title on page 1, line 5, after "3," insert "6,"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1808: A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

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

Page 1, line 10, after "painting," insert "or planning for such painting,"

Page 1, line 14, after the period add: "Such planning shall be in cooperation and consultation with the capitol area architectural and planning commission."

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. 1753: A bill for an act relating to Ramsey county; renewing authority of Ramsey county hospital and sanitarium commission and revising its membership; amending Laws 1969, Chapter 1104, Sections 2; 3; 4, Subdivisions 2, 3, 4 and 5; 6, Subdivisions 1 and 3; and 11.

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

Page 1, line 18, strike "*twelve*" and insert in lieu thereof "*thirteen*"

Line 19, strike "*three*" and insert in lieu thereof "*four*"

Page 2, line 23, strike "*three*" and insert in lieu thereof "*four*"

Page 4, lines 18 and 19, after "*commissioners*" reinstate the stricken language

Line 26, after "*submitted*" reinstate the stricken language and strike the new language

Line 27, strike the new language

Line 28, strike the comma and reinstate the stricken language

Page 5, lines 3, 4, 6, 7, 9 and 10, reinstate the stricken language

Page 6, lines 17 and 18, reinstate the stricken language

Page 7, strike lines 11 to 25 and insert in lieu thereof the following:

"Subd. 5. The commission shall purchase all necessary goods, and materials and services commonly used by governmental agencies such as fuels, stationery and office supplies through the purchasing agent of the city of Saint Paul pursuant to the joint purchasing agreement including the reimbursement provision between said city and said county and the laws applicable thereto. Purchases for said commission in amounts less than \$2,000 may be made by the purchasing agent of the city of Saint Paul by informal bid procedure. In addition to presently authorized methods, the commission may purchase directly or utilize the services of the city of Saint Paul, the state, the University of Minnesota or any other political subdivision or agency of the state in the purchase of all medical and scientific goods, materials and services related to the care of patients and the conduct of educational and research activities. These purchases shall be made in compliance with the laws of the state."

Page 9, strike lines 4 to 6

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 515: A bill for an act relating to the metropolitan council; providing for election of council members from designated districts; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 473.02, Subdivisions 1, 2, 3, and 4.

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:

“ARTICLE 1

Section 1. [473B.011] [DEFINITIONS.] *Subdivision 1. The terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.*

Subd. 2. “Metropolitan area” means the area over which the metropolitan council has jurisdiction, including the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. “Metropolitan commission” means the metropolitan sewer service commission, the metropolitan airports commission, the metropolitan transportation commission, the metropolitan parks and open space commission, the metropolitan housing commission and other such commissions as the legislature may hereafter designate.

Subd. 4. “Local governmental unit” means any county, city, village, borough, town, school district, special district or other political subdivisions or public corporation, other than a metropolitan commission, lying in whole or part within the metropolitan area.

Subd. 5. “Metropolitan significance” means area-wide effect or substantial effect on the metropolitan area or on metropolitan area development as determined by the council in accordance with section 9 of this article.

Subd. 6. “State agency” means the state of Minnesota or any agency, board, commission, department or educational institution thereof.

Subd. 7. “Policy plan” shall have the meanings given them in this act, and shall mean the long term comprehensive plan referred to in federal or state statutes.

Sec. 2. Minnesota Statutes 1971, Section 473B.02, Subdivision 1, is amended to read:

473B.02 [METROPOLITAN COUNCIL.] Subdivision 1. [CREATION.] A metropolitan council with jurisdiction in the metropolitan area consisting of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, is created. It shall be under the supervision and control of 15 17 members, all of whom shall be residents of the metropolitan area.

Sec. 3. Minnesota Statutes 1971, Section 473B.02, Subdivision 2, is amended to read:

Subd. 2. [TERMS.] The first members of the metropolitan council appointed by the governor shall be appointed as follows: the chairman as provided in subdivision 4; four for terms ending the first Monday in January 1970; five for terms ending the first Monday in January 1971; and five for terms ending the first Monday in January 1973. Commencing the first Monday in January 1974, the terms of members of the metropolitan council, other than the chairman, shall be as follows: members representing the first, second, fourth, sixth, eighth, ninth, thirteenth and fifteenth council districts for terms ending the first Monday in January 1976; members representing the third, fifth, seventh, tenth, eleventh, twelfth, fourteenth, and sixteenth council districts for terms ending the first Monday in January 1978. Thereafter the term of each member shall be for a term of six years and until his successor is appointed and qualified.

Members of the council serving as of the first Monday in January 1974 from districts heretofore established shall continue to serve from the district described in subdivision 3 in which they reside for the term herein prescribed for that district, provided that if more than one such member resides in the same district the governor shall designate one of them to serve as the council representative from the district and the terms of other members residing in the district are thereupon terminated. The governor shall appoint as members of the council, in the manner prescribed by subdivision 3, one resident of each district described in said subdivision in which no present member of the council resides, to serve for the term herein defined. For the purpose of this subdivision the residence of present members serving as of the first Monday in January 1974 from heretofore established districts shall be their residence as of July 1, 1973.

Sec. 4. Minnesota Statutes 1971, Section 473B.02, Subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP.] ~~Fourteen~~ Sixteen members of the metropolitan council shall be appointed by the governor on a non-partisan basis, after consulting with all members of the legislature from the area composing the council district for which the member is to be appointed, by and with the advice and consent of the senate. Each such council member shall reside in the council district which he represents. Council districts consist of combinations of legislative and representative senate districts established by Extra Session Laws 1966, Chapter 1 from which state senators were elected at the 1972 general election, as prescribed herein. Each council district shall be represented by one member of the council. Council districts are hereby created as follows:

(1) The first council district consists of legislative senate district 12 63 and 65 that part of representative district 6A within Dakota county, and representative district 14A, and that part of representative district 14B within Scott county.

(2) The second council district consists of legislative senate districts 8 62 and 59 64.

(3) The third council district consists of legislative senate districts 49 66 and 57 67 and representative district 32B.

(4) The fourth council district consists of ~~legislative districts 33 and representative senate districts 13A 48 and 21A 49.~~

(5) The fifth council district consists of ~~legislative senate districts 30 54 and 31 56 and representative district 32A.~~

(6) The sixth council district consists of ~~legislative senate districts 29 55 and 37 57.~~

(7) The seventh council district consists of ~~legislative senate districts 27 58 and 28 59.~~

(8) The eighth council district consists of ~~legislative senate districts 34 60 and 35 61.~~

(9) The ninth council district consists of ~~legislative senate districts 35 37 and 38.~~

(10) The tenth council district consists of ~~legislative senate districts 39 and 40 41.~~

(11) The eleventh council district consists of ~~legislative senate districts 43 and 44.~~

(12) The twelfth council district consists of ~~legislative senate districts 43 42 and 44 45.~~

(13) The thirteenth council district consists of ~~legislative senate districts 45 46, and 45 47, and that part of district 19 within the metropolitan area.~~

(14) The fourteenth council district consists of ~~legislative senate districts 47 50 and 49 51.~~

(15) *The fifteenth council district consists of senate districts 52, 53, that part of district 25 within the metropolitan area, and Greenvale township in Dakota county.*

(16) *The sixteenth council district consists of senate districts 36 and 40, Blakely township and the borough of Belle Plaine in Scott county.*

Sec. 5. Minnesota Statutes 1971, Section 473B.02, Subdivison 4, is amended to read:

Subd. 4. [CHAIRMAN.] (a) [APPOINTMENT.] The chairman of the metropolitan council shall be appointed by the governor as the ~~15th~~ 17th voting member thereof by and with the advice and consent of the senate to serve at his pleasure. He shall be a person experienced in the field of municipal and urban affairs with administrative training and executive ability.

(b) [DUTIES.] The chairman of the metropolitan council shall preside at the meetings of the metropolitan council and shall act as principal executive officer. He shall organize the work of the metropolitan council, appoint all officers, other than those designated in section 6 of this act, and employees thereof, subject to the approval of the metropolitan council, and be responsible for carrying out all policy decisions of the metropolitan council. His salary and expense allowances shall be fixed by the metropolitan council.

Sec. 6. Minnesota Statutes 1971, Section 473B.02, Subdivision 5, is amended to read:

Subd. 5. [METROPOLITAN COUNCIL; DUTIES AND COMPENSATION.] The metropolitan council shall elect such officers as it deems necessary for the conduct of its affairs other than the chairman. A secretary and treasurer need not be members of the metropolitan council. Meeting times and places shall be fixed by the metropolitan council and special meetings may be called by a majority of the members of the metropolitan council or by the chairman thereof. Each metropolitan council member other than the chairman shall be paid a ~~per diem compensation of \$35 for each meeting and for such other services as are specifically authorized by the metropolitan council a salary or per diem determined by the council~~ and shall be reimbursed for his reasonable expenses.

In the performance of its duties the metropolitan council may promulgate rules governing its operation, establish committees, divisions, departments and bureaus and staff the same as necessary to carry out its duties and when specifically authorized by law make appointments to other governmental agencies and districts. All officers and employees of the metropolitan council shall serve at the pleasure of the appointing authority in the unclassified service of the state civil service. Rules promulgated by the metropolitan council shall be in accordance with the administrative procedure provisions contained in chapter 15.

Sec. 7. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.021] [MEMBERSHIP, PROCEDURES, OFFICERS AND EMPLOYEES OF METROPOLITAN COMMISSIONS.] Subdivision 1. [GENERAL.] *The number, term of office, qualifications, compensation and manner of appointment of members of metropolitan commissions shall be as prescribed in this section.*

Subd. 2. [MEMBERSHIP.] *Each commission shall consist of eight members, plus a chairman appointed as provided in subdivision 3. The eight members shall be appointed by the governor with the advice and consent of the senate. One member shall be appointed from each of the following commission precincts:*

- (1) Precinct A, consisting of council districts 1 and 2;
- (2) Precinct B, consisting of council districts 3 and 14;
- (3) Precinct C, consisting of council districts 4 and 13;
- (4) Precinct D, consisting of council districts 5 and 6;
- (5) Precinct E, consisting of council districts 7 and 8;
- (6) Precinct F, consisting of council districts 9 and 15;
- (7) Precinct G, consisting of council districts 10 and 16; and
- (8) Precinct H, consisting of council districts 11 and 12.

Subd. 3 [CHAIRMAN.] *The chairman of each commission shall be appointed by the governor with the advice and consent of the senate*

as the ninth voting member of the commission and shall meet all qualifications established for members, except the chairman need only reside within the metropolitan area. The commission chairman shall serve at the pleasure of the governor. The chairman shall preside at all meetings of the commission, if present, and shall perform all other duties and functions assigned to him by the commission or by law. All chairmen presently serving on commissions shall continue to serve at the pleasure of the governor, including the present chairman of the Metropolitan Airports Commission who shall complete the term for which he was appointed notwithstanding his residence outside the metropolitan area.

Subd. 4. [QUALIFICATIONS.] Each member shall be a resident of the precinct for which he is appointed and shall not during his term of office as a commission member hold the office of council member or any elective public office. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 5, Section 8. Such oath, duly certified by the official administering the same, shall be filed with the executive director of the metropolitan council.

Subd. 5. [TERMS, REMOVAL.] Commencing the first Monday in January 1974 the terms of members of each commission shall be as follows: members representing precincts A, B, C, and D for terms ending the first Monday in January 1976, members representing precincts E, F, G, and H for terms ending the first Monday in January 1978. Thereafter the term of each member shall be for a term of four years and until his successor is appointed and qualified. Members, other than the chairman, may be removed by the governor only for cause in the manner specified in chapter 351.

Members of any commission serving as of the first Monday in January 1974 shall continue to serve the precinct described in subdivision 2 in which they reside for the term herein prescribed for that precinct, provided that if more than one such member resides in the same precinct the governor shall designate one of them to serve as the commission member from the district and the terms of the other members are thereupon terminated. The governor shall appoint as members of the commission, in the manner prescribed by subdivision 2, one resident of each precinct described in said subdivision in which no present member of the commission resides to serve for the term herein defined. For the purpose of this subdivision the residence of present members of the commissions serving as of the first Monday in January 1974 shall be their residence as of July 1, 1973.

Subd. 6. [VACANCIES.] If the office of any commission member other than chairman becomes vacant, the vacancy shall be filled by appointment by the governor in the same manner in which the last regular appointment for that precinct was made. Vacancies in the office of chairman shall be filled by the governor. An office shall be deemed vacant under the conditions specified in chapter 351.

Subd. 7. [COMPENSATION.] Each commission member shall be paid a per diem compensation of \$35 for each meeting and for such other services as are specifically authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in

the performance of his duties in the same manner and amount as state employees. The chairman shall be compensated at a salary established by the commission he serves and shall be reimbursed for reasonable expenses to the same extent as a member.

Subd. 8. [REGULAR AND SPECIAL MEETINGS.] *Each commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of the members present at a regular or adjourned regular meeting or at a duly held special meeting, if a quorum is present. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.*

Subd. 9. [PERSONNEL CODE; MERIT SYSTEM.] *(a) The council shall by resolution adopt a personnel code relating to the employees of the commissions, subject to the provisions of subdivision 12. After its adoption, the code shall include a job classification plan, procedures for employment and promotion of personnel based on merit, procedures for the demotion, suspension or discharge of employees, procedures for hearing grievances, procedures for salary administration, and such other provisions as the council deems appropriate. The chief administrator of each commission shall administer the code, and no commission shall take any action inconsistent with the personnel code.*

(b) All employees of the commission except those expressly designated for the unclassified service, shall serve in the classified service. The unclassified service shall include: members of the commission, the chief administrator of the commission, all officers of the commission, any employee of the commission who is determined by the commission to have a confidential relationship to the commission or the council; and any employee of the commission expressly exempted from the classified service by law. The code shall also include procedures for open competitive examinations to test the relative fitness of all applicants for positions in the classified service. Such examinations may consist of written or oral tests of the subjective or objective type, physical tests, and practical or demonstration tests for the evaluation of past training and experience. Oral tests may be used to test the applicant's knowledge of the position applied for or his personal fitness for the position. Where there is more than one applicant for a position, the code shall provide for the employment of one of the three applicants best qualified for it.

(c) When a commission employee has been demoted, suspended or dismissed by the chief administrator, he may, within 30 days after such action becomes effective, file with the commission a written request for a hearing showing his present mailing address. Upon receipt

of a request for a hearing the commission shall appoint three of its members to act as an appeal commission and preside at a hearing on the action of the administrator. The hearing shall be held within 30 days after the request is received by the commission, upon written notice mailed or delivered to the employee at his present mailing address, not less than seven days before the hearing. The appeal commission shall approve or disapprove the action of the administrator, and in the case of approval the action of the administrator shall be final. In the case of disapproval the appeal commission may reinstate the employee under such conditions as it deems proper, and may order the payment to the employee of compensation lost as a result of the demotion, suspension or dismissal.

Subd. 10. [SECRETARY AND TREASURER.] At its first regular meeting each year each commission shall select a person or persons who may, but need not be, a member or members of the commission, to act as its secretary and treasurer. The secretary and treasurer shall hold office at the pleasure of the commission, subject to the terms of any contract of employment which the commission may enter into with the secretary or treasurer. The secretary shall record the minutes of all meetings of the commission and shall be the custodian of all books and records of the commission except such as the commission shall entrust to the custody of a designated employee. The treasurer shall be the custodian of all moneys received by the commission except such as the commission shall entrust to the custody of a designated employee. The commission may appoint a deputy to perform any and all functions of either the secretary or the treasurer.

Subd. 11. [CHIEF ADMINISTRATOR.] The chairman of each commission shall, subject to the approval of the commission, appoint a chief administrator who shall be chosen solely on the basis of his training, experience, and other qualifications, and who shall serve at the pleasure of the commission. The administrator need not be a resident of the metropolitan area when appointed. The administrator shall attend all meetings of the commission, but shall not vote, and shall have the following powers and duties:

(a) He shall see that all resolutions, rules, regulations, or orders of the commission are enforced.

(b) He shall appoint and remove, upon the basis of merit and fitness, all subordinate officers and regular employees of the commission.

(c) He shall present to the commission plans, studies, and reports prepared for commission purposes and recommend to the commission for adoption such measures as he deems necessary to enforce or carry out the powers and duties of the commission, or to the efficient administration of the affairs of the commission.

(d) He shall keep the commission fully advised as to its financial condition, and he shall prepare and submit to the commission its annual budget and such other financial information as it may request.

(e) He shall recommend to the commission for adoption such rules and regulations as he deems necessary for the efficient operation of the commission's functions.

(f) He shall perform such other duties as may be prescribed by the commission.

Subd. 12. The commission may employ on such terms as it deems advisable, persons or firms performing engineering, legal or other services of a professional nature; require any employee to obtain and file with it an individual bond or fidelity insurance policy; and procure insurance in such amounts as it deems necessary against liability of the commission or its officers and employees or both, for personal injury or death and property damage or destruction, with the force and effect stated in chapter 466, and against risks of damage to or destruction of any of its facilities, equipment, or other property as it deems necessary.

Subd. 13. [PUBLIC EMPLOYEES.] All persons employed by the chief administrator shall be public employees, and shall have all rights and duties conferred on public employees under sections 179.61 to 179.76. The compensation and other conditions of employment of such employees shall not be governed by any rule applicable to state employees in the classified service nor to any of the provisions of chapter 15A, unless the council so provides. All employees of the commission shall at their option become members of the Minnesota state retirement system or continue as members of a public retirement association under chapters 353, 422 or any other law, to which they belonged before the effective date of this act, and shall retain all pension rights which they may have under such latter laws, and all other rights to which they are entitled by contract or law. The commission shall make the employer's contributions to pension funds of its employees. Such employees shall perform such duties as may be prescribed by the commission.

Subd. 14. [COMMISSION OPERATING PROCEDURES.] (a) The commission shall adopt resolutions and bylaws, an administrative code establishing procedures for commission action, keeping records, approving claims, authorizing and making disbursements, authorizing contracts, safekeeping funds and audit of all financial operations of the commission.

(b) The commission and the council may enter into contracts with each other and with other commissions and governmental units for the joint exercise of powers in the manner provided by Minnesota Statutes, Section 471.59; provided that no commission shall enter into any contract with the council which would assign any operational authority, responsibility or function, other than planning or making studies, from the commission to the council.

Subd. 15. [RELOCATION PAYMENT STANDARDS.] In all acquisitions the commissions shall provide as a cost of acquisition the relocation assistance, services, payments and benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Stat. 1894 (1971), 42 United States Code, Section 4601, et seq.

Sec. 8. Minnesota Statutes 1971, Section 473B.04, is amended to read:

473B.04 [REPORTS.] On or before January 15, of each ~~odd~~ ~~numbered~~ year the metropolitan council shall report to the legislature. The report shall include:

(1) A statement of the metropolitan council's receipts and expenditures by category since the preceding report;

(2) A detailed budget for the year in which the report is filed and the following year including an outline of its program for such period;

(3) An explanation of any ~~comprehensive~~ *policy* plan adopted in whole or in part for the metropolitan area *and the review comments of the affected commission*;

(4) Summaries of any studies and the recommendations resulting therefrom made by the metropolitan council, and a listing of all applications for federal moneys made by governmental units within the metropolitan area submitted to the metropolitan council;

(5) A listing of plans of local governmental units *and improvements of metropolitan significance* submitted to the metropolitan council; and

(6) Recommendations of the metropolitan council for metropolitan area legislation, including the organization and functions of the metropolitan council.

Sec. 9. Minnesota Statutes, Section 473B.06 is amended by adding a subdivision to read:

Subd. 5a. [POLICY PLANS FOR METROPOLITAN COMMISSIONS.] (1) The council shall adopt as a part of its development guide, long-range comprehensive policy plans with respect to the functions performed by the commissions; and when adopted, the policy plans shall be followed by the council and the affected commissions. In preparing the plans the council shall consider and give effect to policy statements, purposes, goals, standards, and maps in its development guide and in the chapters of the Minnesota Statutes directly relating to the commissions. Each such policy plan shall include, to the extent appropriate to the functions covered thereby, the following:

(a) a statement of the needs of the metropolitan area with respect to the functions covered and the objective of and the policies to be forwarded by the policy plan;

(b) a general description of the physical facilities and services to be developed by the commission in performing its functions;

(c) a statement as to the general location of physical facilities and service areas;

(d) a general statement of timing and priorities in the development by the commission of those physical facilities and service areas;

(e) a general statement on level of public expenditure both capital and operating appropriate to the facilities and a statement of the relationship of the policy plan to other policy plans and chapters of the metropolitan development guide;

(f) a general statement of the relationships to any current local comprehensive plans and any related development programs on file with the council; and

(g) such additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the commission and function covered by the policy plan.

(2) In preparing or amending a policy plan the council shall consult with and employ the expertise of the affected commission, and each such commission shall cooperate with and make its employees, records, studies, plans and other information available to the council. Before adopting a policy plan, the council shall submit a proposed policy plan to the affected commission for its review, and the commission shall report its comments to the council within 90 days and may, within that period request the council to hold a special public meeting for the purpose of receiving the commission's report and comments. After receipt of the commission's report and such meeting, if any, the council shall make appropriate revisions to the policy plan and shall call and hold a public hearing on the proposed policy plan as revised at such time and place in the metropolitan area as it shall determine. Not less than 45 days before the hearing, the council shall publish notice thereof in a newspaper or newspapers having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed policy plan and commission comments may be examined by any interested person. At any hearing all interested persons shall be permitted to present their views on the policy plan. The hearing may be continued from time to time. Each such policy plan may be amended on the council's own initiative or upon the request of an affected commission. At least every four years the council shall engage in a comprehensive review of the policy plan. Development guide policy plans satisfying the requirements of paragraph 2 which heretofore have been adopted by the council pursuant to subdivision 5 of Minnesota Statutes, Section 473B.06, shall be deemed prepared and adopted pursuant to this subdivision; provided, that the council shall not amend a development policy plan so adopted except in accordance with the procedures herein established.

Sec. 10. [473B.061] [REVIEW BY COUNCIL.] Subdivision 1. [PURPOSE.] In order to achieve the goal of orderly and economic development in the metropolitan area, it is essential that a framework be established to coordinate effectively the various proposals, projects, improvements, programs, expenditures and plans covered by this section. The purpose of this section is to provide such a framework by requiring the council to review and comment on or approve as herein provided such proposals, projects, improvements, programs, expenditures and plans.

Subd. 2. [METROPOLITAN SIGNIFICANCE.] The council shall adopt regulations establishing standards and guidelines for determining whether any proposed public or private capital improvements, services or facilities (herein improvements) within the metropolitan area have metropolitan significance. Any undertaking for which the council determines that capital expenditures in excess of \$10,000,000 will be required shall be deemed to have metropolitan significance. In addition, in developing the standards and guidelines the council shall consider the following:

(a) the impact of improvements on the orderly economic development, public and private, of the metropolitan area and their consistency with the development guide;

(b) the impact of improvements on policy plans adopted by the council and on the development programs and functions performed and to be performed by the metropolitan commissions; and

(c) the relationship of improvements to the policy statements, goals, standards, programs and other applicable provisions of the development guide.

The council shall establish an advisory board consisting of elected officials of local governmental units to advise it in the preparation of the regulations. The regulations shall include review procedures not inconsistent with other provisions of this act and shall provide that no person or local governments unit will be required to submit a proposed improvement more than once, unless it is materially altered, and shall further provide reasonable times by which the council shall complete its review and, where appropriate, recommendation.

Subd. 3. [REVIEW OF FEDERAL PROGRAMS.] (1) The council, within 60 days after receiving the application, shall review all applications of commissions and local governmental units for loan, grant or loan guarantee for improvements of metropolitan significance from the United State of America or any agency thereof. If federal law or a federal agency requires review by a regional agency, applications of commissions and local government units for loans or grants shall be submitted to and reviewed by the council in accordance with procedures provided in this subdivision. Each commission and local governmental unit before submitting such an application to the United States government or an agency thereof shall first transmit the application to the metropolitan council for its comments and recommendations with respect to whether or not the project proposed is consistent with the comprehensive development guide for the metropolitan area including the priorities established by the guide. The comments and recommendations made by the metropolitan council shall then become a part of the application and if submitted to the United States of America or an agency thereof, such comments and recommendations shall also be submitted.

(2) The council shall also review, comment on and approve all applications of such commissions and local governmental units for grants or allocations from funds made available by the United States of America to the metropolitan area for regional facilities pursuant to a federal revenue sharing or similar program, requiring that the funds be received and granted or allocated or that grants or allocations be approved by a regional governmental entity. Each such application shall be submitted for review at the time and in the form prescribed by the council.

Subd. 4. [REVIEW OF APPLICATION FOR STATE FUNDS.] The council shall review all applications or requests of commissions and local governmental units for state funds allocated or granted for improvements of metropolitan significance. Each such commission and governmental unit shall, before transmitting an application or request to the state, submit the application or request to the council for its comments and recommendations with respect

to whether or not the project for which funds are proposed to be expended is consistent with the comprehensive development guide for the metropolitan area, including the priorities established by the guide. The comments and recommendations shall be submitted to the state along with the application or request.

Subd. 5. [REVIEW OF CAPITAL PLANS AND PROJECTS OF STATE.] Each state agency of the state of Minnesota shall, prior to the adoption or implementation of any capital improvement plan or the undertaking of any capital improvement project having metropolitan significance, submit to the council the proposed plan or a description of the proposed project. The council, within 60 days after receiving the plans, shall review each such plan or project and prepare and file with the submitting governmental unit, institution, department, or commission its written comments and recommendations as to whether the plan or project is consistent with the comprehensive development guide for the metropolitan area. No such plan may be adopted or implemented and no such project may be undertaken prior to the filing by the council of its comments and recommendations or the passage of 120 days from the date of submission of the plan or project description to the council, whichever is the sooner. Plans or projects for the acquisition of land for or the construction of highways, roads or bridges having metropolitan significance shall be reviewed and approved pursuant to the provisions of article III.

Subd. 6. [COUNCIL REVIEW; MUNICIPALITIES.] Each city, village, borough, town, and county all or part of which lies within the metropolitan area, shall submit to the metropolitan council for comment and recommendation thereon its proposed long-term comprehensive plans, including but not limited to plans for land use. The proposed plans shall be submitted to the council after their approval by the planning commission of the local government unit and before final approval by the governing body of the city, village, borough, town or county. The council shall maintain such plans in its files available for inspection by members of the public. No action shall be taken to place any such plan or part thereof into effect until 90 days have elapsed after its submission to the council. Promptly after submission, the council shall notify each city, village, borough, town, county, or special district which may be affected by the plans submitted, of the general nature of the plan, the date of submission, and the identity of the submitting unit. Political subdivisions contiguous to the submitting unit shall be notified in all cases. Within 30 days after receipt of such notice any governmental unit so notified may request the council to conduct a hearing at which the submitting unit and any other governmental unit or subdivision may present its views. The council may attempt to mediate and resolve differences of opinion which exist among the participants in the hearing with respect to the plans submitted. Any major alteration to a plan subsequent to the council's review shall be submitted to and acted upon by the council in the same manner as the original plan. The comments and recommendations of the council shall be filed with the plan of the local government unit at all places where the plan is required by law to be kept on file.

Subd. 7. [PUBLIC AND PRIVATE CAPITAL IMPROVEMENTS.] All capital improvements having metropolitan significance proposed to

be undertaken within the metropolitan area by any person or local governmental unit shall be subject to review and recommendation by the metropolitan council. Before undertaking any such improvement, the person or governmental unit shall submit to the council, on a form prescribed by the council, a statement setting forth a description of the improvement; its function, location and estimated cost; a land acquisition and construction schedule; and such additional information as the council may deem necessary. The council shall review the statement to determine whether the proposed improvement is consistent with the comprehensive development guide and, if appropriate, the applicable policy plan and shall notify the person or governmental unit of its determination in writing setting forth the reasons the improvement is recommended or not recommended. The council may refer a proposed capital improvement to the advisory board created pursuant to subdivision 2 for its recommendations as to whether the improvement has metropolitan significance and whether it is consistent with the comprehensive development guide and applicable policy plans.

Subd. 8. [PROCEDURE FOR REVIEW AND APPROVAL.] The council shall hold a public hearing on any proposed improvement (as defined in subdivision 1) subject to its review and approval by this section. Thirty days before the hearing notice thereof shall be published in a newspaper circulated throughout the metropolitan area and shall be mailed to the state agency, local governmental unit or person proposing the improvement and to all local governmental units which may be affected by the proposed improvement. All interested parties shall be permitted to present their views on the proposed improvement and the hearing may be continued. The council shall file its decision and the reasons therefor in writing. The decision of the council that the improvement is or is not of metropolitan significance shall be subject to judicial review in the manner provided in Minnesota Statutes, Sections 15.0424 through 15.0426. The council shall be obligated to review and, on its own initiative if necessary, all improvements having metropolitan significance required to be reviewed by this section regardless of whether such proposed improvements are submitted to the council by the state agency, local governmental units or person undertaking them. Any local governmental unit which may be affected by an improvement may request that the council review it. Upon receipt of such a request, the council shall call and conduct a hearing and render a decision in the manner herein provided.

Sec. 11. [473B.062] [DEVELOPMENT PROGRAMS OF COMMISSIONS.] Subdivision 1. [PREPARATION OF DEVELOPMENT PROGRAMS.] Each metropolitan commission shall prepare a development program covering the detailed technical planning, engineering, financing and scheduling necessary to the development of the program elements to be performed by the commission and the implementation of the policy plan adopted by the council pursuant to section 9 of the article. The plan may include such other technical information as the commission deems necessary. The program shall cover at least the five-year period commencing with the first calendar year beginning after its submission or such longer period as the council may prescribe. The program shall describe all capital improvements to be undertaken in such period and with respect to each improvement shall include the following:

(a) a description of the improvement, its location, function and estimated cost;

(b) the proposed manner of financing the capital costs of the improvement, and the sources of revenue available for payment of such costs;

(c) a schedule showing on a yearly basis the timing of land acquisition, construction and capital expenditures for the improvement;

(d) a review and description of the public need for the improvement, alternatives to the improvement (including alternatives not involving capital expenditures), the environmental and social effects of the improvement and all actions and steps theretofore taken by the commission with respect to the improvements;

(e) an estimate of the probable impact of the improvement on the responsibilities of the other metropolitan commissions;

(f) an estimate of the annual operating costs of the improvement and the sources of revenue available for payment of such costs;

(g) an evaluation of the relative priority of the improvement vis-a-vis other capital improvements described in the program;

(h) each program shall include such additional information as the council or commission may deem appropriate.

Subd. 2. [SUBMISSION TO AND APPROVAL BY COUNCIL.] The development program prepared by the commission shall be submitted to the council for review and approval or disapproval. If the council determines that the program is consistent with the development guide it shall approve the program as submitted. If it determines that the program is inconsistent with the development guide, it shall disapprove it and return it to the submitting commission with comments and the commission shall make appropriate revisions in the program and resubmit it to the council for review and approval or disapproval. Before approving a program or returning it to the submitting commission, the council shall hold a public hearing on the program and its comments thereon, if any, in the manner prescribed by section 8 of this article. Within two years of the approval of its first development program by the council and biennially thereafter each commission shall review the program, make such revisions as are necessary, including an updating of the five-year capital improvement program, and submit the plan to the council for its review and approval or disapproval as herein provided.

Subd. 3. [EFFECT OF DEVELOPMENT PROGRAM.] After approval by the council of a development program plan the commission shall implement the program, and no capital improvements not authorized by the program shall be adopted or undertaken by the commission unless approved by the council.

Sec. 12. [473B.063] [METROPOLITAN COMMISSION BUDGETING.] **Subdivision 1. [CALENDAR YEAR.]** Each metropolitan commission shall adopt a budget for each calendar year.

Subd. 2. [BUDGET PREPARATION AND APPROVAL.] Each commission shall prepare a proposed budget on or before August 1 in 1974 and each year thereafter, showing for the next calendar year esti-

mated receipts of money from all sources and funds on hand at the beginning of the calendar year, and estimated expenditures for costs of (a) operation, administration, and maintenance; (b) acquisition and betterment of capital improvements and (c) debt service. Between August 1 and October 1 of each year, the commission shall hold a public hearing on the proposed budget. Not less than 14 days before the hearing, the commission shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed budget may be examined by any interested person. Those parts of the budget relating to expenditures for acquisition and betterment of capital improvements shall be submitted to the council on or before August 1 of each year and shall be subject to approval by the council. The council shall act to approve or disapprove by October 1 of each year. Before December 15 of each year the commission, after obtaining approval of the council for any changes in the capital improvements budget, shall by resolution adopt a final budget. Each commission shall file its final budget with the council on or before December 20 of each year. Except in an emergency, for which procedures shall be established by the commission, the commission and its officers, agents and employees shall not spend money for any purpose, other than debt service, without an appropriation by the commission or in excess of the amount appropriated therefor, and no obligation to make such an expenditure shall be enforceable except as the obligation of the person or persons incurring it. The creation of any debt obligation or the receipt of any federal or state grant is a sufficient appropriation of the proceeds for the purpose for which it is authorized, and of the tax or other revenues pledged to pay the obligation and interest on it whether or not specifically included in any annual budget. The commission may, after obtaining approval of the council, amend the capital improvements budget at any time by transferring any appropriation from one purpose to another, except appropriations of money for debt service, and appropriations of the proceeds of bonds issued for a specific purpose. The council shall file the budgets of all commissions with the secretary of the senate and the clerk of the house of representatives not later than January 15 of each year.

Subd. 3. [PROGRAM BUDGETING.] The council may in consultation with the commissions adopt regulations providing for program budgeting (as defined in section 16.141, subdivision 1) by each of the commissions. Upon adoption of such regulations, each commission shall submit program budgets to the council in the form established by the regulations. Within three years after the effective date of this article, the council and all commissions shall adopt budgets in program budget form.

Subd. 4. [REVIEW OF USER CHARGES.] Thirty days prior to the establishment of or change in any user charges or fees or schedule of user charges or fees the commission shall forthwith submit proposed charges or fees or schedule to the council. The council shall review and comment upon the charges, fees, or schedule with particular reference to (1) their consistency with the development guide and policy plan, and (2) their fiscal impact on the metropolitan area, especially their impact on future debt service requirements, the financing of future capital improvements, and the various local government units and classes of users. On or before January 15 of each year, the council shall transmit

the charges, user fees or schedules of all commissions and its comments thereon to the secretary of the senate and chief clerk of the house of representatives for consideration by the legislature.

Sec. 13. [473B.09] [FINANCIAL DISCLOSURE.] *Subdivision 1. Each member of the council and the commissions shall file with the executive director of the council by April 1 of each year, forms prescribed by the council, a report listing his occupation and membership on the board of directors or similar governing body, of membership in or employment by any profit or nonprofit corporation, partnership, labor organization, professional or business association cooperative or other financial, educational health or business institution. The report shall also disclose each of the member's financial interests, including both assets and liabilities, of a value in excess of \$1,000. Assets shall exclude accounts in banks, credit unions and savings and loan associations, United States Government Savings Bonds, the member's or employee's homestead, household goods and personal effects, personal automobile, and the cash value of life insurance. Liabilities shall exclude indebtedness on the member's or employee's homestead, household goods and personal effects, personal automobile, and the cash value of life insurance.*

Subd. 2. [INTEREST IN CONTRACTS PROHIBITED.] *No commissioner or any person holding appointment under the commission shall be interested directly or indirectly in any contract entered into by the commission. No commissioner shall be subject to any personal liability on account of any liability of the commission.*

Sec. 14. [LOCAL PLANNING ASSISTANCE.] *The metropolitan council may, at the request of local government units, enter into contracts with local government units for the provision of services for comprehensive community planning to coordinate local and metropolitan planning. This may include:*

(1) Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities together with long-range fiscal plans for such development;

(2) Programming of capital improvements based on a determination of relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program;

(3) Coordination of all related plans of the departments or subdivision of the government concerned;

(4) Inter-governmental coordination of all related planned activities among the state and local governmental agencies concerned; and

(5) Preparation of regulatory and administrative measures in support of the foregoing.

Sec. 15. [REPEALER.] *Minnesota Statutes 1971, Section 473B.06, Subdivisions 6, 7 and 8 are hereby repealed.*

Sec. 16. [EFFECTIVE DATE.] *The articles I through V become effective January 1, 1974.*

ARTICLE II—METROPOLITAN SEWER SERVICE COMMISSION

Section 1. Minnesota Statutes 1971, Section 473C.03, Subdivision 1, is amended to read:

473C.03 [METROPOLITAN SEWER SERVICE COMMISSION.] Subdivision 1. [ESTABLISHMENT; APPOINTMENTS.] A metropolitan sewer service board *commission* is established as an agency of the council comprised of not fewer than seven members who shall be appointed by the metropolitan council as hereinafter provided. The council shall combine the council districts into precincts, each comprised of at least two contiguous council districts, and shall then appoint one board member for each precinct. If the boundaries of the council districts are at any time relocated, the boundaries of the precincts shall also be relocated. Not more than half of the board members may be appointed from among the residents of any one sewer service area established pursuant to section 473C.08, and shall be organized, structured and administered as provided in this chapter and Article I of this act.

Sec. 2. Minnesota Statutes 1971, Section 473C.06, subdivision 3, is amended to read:

Subd. 3. [MUNICIPAL PLANS AND PROGRAMS.] As soon as practicable after the adoption of the first ~~comprehensive~~ *policy* plan by the council as provided in ~~subdivision 1~~ *article I, section 9*, and before undertaking the construction of any extensions or additions to its disposal system or the substantial alteration or improvement of its existing disposal system, each local government unit shall adopt a similar ~~comprehensive~~ *policy* plan for the collection, treatment and disposal of sewage for which the local government unit is responsible, coordinated with the council's plan, and may revise the same as often as it deems necessary. Each such plan shall be submitted forthwith to the sewer service board *commission* for review and shall be subject to the approval of the board *commission* as to those features affecting the board's responsibilities as determined by the board *commission*. Any such features disapproved by the board *commission* shall be modified in accordance with the board's *commission's* recommendations. No construction of new sewers or other disposal facilities, and no substantial alteration or improvement of any existing sewers or other disposal facilities involving such features, shall be undertaken by any local government unit unless its governing body shall first find the same to be in accordance with its comprehensive plan and program as approved by the board *commission*.

Sec. 3. Minnesota Statutes 1971, Section 473C.10, is amended to read:

473C.10 [SERVICE COMMISSION BUDGET.] The sewer service board *commission* shall prepare, and submit to the council and adopt a budget at the time and in the manner provided in and otherwise comply with article I, section 12 for approval on or before September 1 in 1960 and each year thereafter, a budget showing, for the following calendar year or other fiscal

year, determined by the council, estimated receipts of money from all sources including but not limited to payments by each local government unit, federal or state grants, taxes on property, and funds on hand at the beginning of the year, and estimated expenditures for costs of (a) operation, administration, and maintenance of the metropolitan disposal system, including credits to each local government unit under section 473C.06, subdivision 4, and deferments under section 473C.08, subdivision 7; (b) acquisition and betterment of treatment works and interceptors, and (c) debt service, including principal and interest on general obligation bonds and certificates issued pursuant to section 473C.12, obligations assumed under section 473C.05, subdivisions 2 and 3, and any money judgment entered by a court of competent jurisdiction. Appropriations for purposes within these general categories shall be itemized in such detail as the council shall prescribe. The board and its officers, agents and employees shall not spend money for any purpose, other than debt service, without an appropriation or in excess of the amount appropriated therefor, and no obligation to make such an expenditure shall be enforceable except as the obligation of the person or persons incurring it. The creation of any debt obligation or the receipt of any federal or state grant is sufficient appropriation of the proceeds for the purpose for which it is authorized, and of the tax or other revenues pledged to pay the obligation and interest on it, whether or not specifically included in any annual budget. The council may, at the board's request, amend the budget at any time by transferring from one purpose to another any appropriation except appropriations of bond proceeds and of money for debt service.

Sec. 4. Minnesota Statutes 1971, section 473C.18, subdivision 1, is amended to read:

473C.18 [RELATION TO EXISTING LAWS.] The provisions of sections 473C.01 to 473C.17 shall be given full effect notwithstanding the provisions of any law not consistent therewith including but not limited to section 473B.06, subdivision 6. The powers conferred on the council and the board *commission* under sections 473C.01 to 473C.17 shall in no way diminish or supersede the powers conferred on the agency by chapters 115 and 116.

Sec. 5. *In the next edition of Minnesota Statutes, the Revisor of Statutes shall change the term "board" to "commission" wherever the term refers to the metropolitan sewer service board.*

Sec. 6. Minnesota Statutes 1971, Section 473C.16, Subdivision 3, is amended to read:

Subd. 3. The commission shall prepare and submit to the council for *approval review* plans and specifications for the acquisition or betterment of interceptors or treatment works authorized by the council's comprehensive plan, and after *approval review* by the council, and approval by the agency if required, may advertise for bids for all work and materials called for by such plans and specifications, and award a contract to the lowest responsible bidder.

Sec. 7. Minnesota Statutes 1971, Sections 473C.03, Subdivisions 2, 3, 4, 5, 6, 7, and 9; 473C.04; 473C.06, Subdivisions 1 and 2 are hereby repealed.

ARTICLE III-THE METROPOLITAN TRANSPORTATION COMMISSION

Section 1. Minnesota Statutes 1971, Section 473A.01, Subdivision 2 is amended to read:

Subd. 2. "Metropolitan ~~transit~~ *transportation area*" or "~~transit transportation area~~" or "area" or "MTA" means the ~~Twin Cities~~ metropolitan public ~~transit transportation area~~ hereinafter established.

Sec. 2. Minnesota Statutes 1971, Section 473A.01, Subdivision 3 is amended to read:

Subd. 3. "Metropolitan ~~transit~~ *transportation commission*" or "~~transit transportation commission~~" or "commission" means the ~~Twin Cities area~~ metropolitan ~~transit transportation~~ commission hereinafter created.

Sec. 3. Minnesota Statutes 1971, Section 473A.01, is amended by adding a subdivision to read:

Subd. 12. "Metropolitan council" or "council" means the metropolitan council created by Minnesota Statutes 1971, Section 473B.02.

Sec. 4. Minnesota Statutes 1971, Section 473A.02 is amended to read:

473A.02 [LEGISLATIVE DETERMINATION, POLICY AND PURPOSE.] The legislature finds and determines that nearly half the people of the state live in the metropolitan ~~transit transportation~~ area hereinafter established. The population of that area is growing faster than in any other area of the state, and it is continually visited by large numbers of people from other parts of the state, resulting in a heavy and steadily increasing concentration of resident and transient population and creating serious problems of public transit and public highway traffic in the area. The present public transit systems in the area consist largely of bus lines using the public highways and streets. These systems are inadequate to meet the needs for public transit in the area. A major part of the transportation of people in the area is provided by private motor vehicles. All of the foregoing adds heavily to the traffic load on the state highways which constitute the main routes of travel to, from, and through the area, aggravating the congestion and danger of accidents thereon, polluting the surrounding air, intensifying the wear and tear on those highways and streets, increasing the cost of maintenance thereof, and the number, size, and cost of new highways that must be constructed in the area. These effects will progressively grow worse as the population of the area increases, imposing serious handicaps on the business, industry, property development, recreation, and other beneficial activities of the residents of the area and visitors thereto, and causing severe and

widespread harm to the public health, safety and welfare of the area and the entire state. It is beyond the capacity of the present operators of public transit systems and other existing public and private agencies unassisted to make adequate provision for public transit in the area or for dealing effectively with the aforesaid problems and conditions therein. The legislature therefore declares as the public policy of the state that for the protection and advancement of the public health, safety, and welfare of the metropolitan ~~transit~~ *transportation* area and the entire state, and in order to provide for adequate public transit within the area, reduce the traffic congestion and hazards on the state and other highways and streets therein, and relieve the other harmful conditions aforesaid, there is urgent need for the establishment of that area as herein defined, for the creation of the metropolitan ~~transit~~ *transportation* commission therefor with the powers and duties herein prescribed, *for the implementation of a comprehensive transportation policy plan for the area* and for the other measures herein provided for.

Sec. 5. Minnesota Statutes 1971, Section 473A.03 is amended to read:

473A.03 [METROPOLITAN TRANSPORTATION AREA, ESTABLISHMENT.] There is hereby established a ~~Twin Cities metropolitan public transit~~ *transportation* area comprising the counties of Hennepin, Ramsey, Anoka, Washington, Dakota, Scott, and Carver.

Sec. 6. Minnesota Statutes 1971, Section 473A.04, Subdivision 1 is amended to read:

473A.04 [METROPOLITAN TRANSPORTATION COMMISSION.] Subdivision 1. [COMMISSION; CREATING AND COMPOSITION.] There is hereby created a ~~Twin Cities area metropolitan transit~~ *transportation* commission for the *metropolitan* area, composed of nine members, herein called commissioners, selected ~~and serving as hereinafter provided or members, which commission shall be organized, structured and administered as provided in this chapter and article I of this act.~~

Sec. 7. Minnesota Statutes 1971, Section 473A.05, Subdivision 10 is amended to read:

Subd. 10. [COMMISSION BUDGET; APPROVAL THEREOF.] During the month of June in each year, the commission shall at its regular meeting establish a budget consisting of an operating expense budget for the current fiscal year, a capital expense budget for the current fiscal year, and a capital improvement program for the five fiscal years past the current fiscal year. The capital expense budget and the capital improvement program shall be submitted to the metropolitan council for its approval or disapproval and comment which shall be given within 60 days after submission. The absence of such approval or comment as to the items contained therein shall constitute approval of such items. If circumstances require a significant change in the budget or program, the commission shall submit the matter to the council for its approval within 30 days upon the above terms.

The commission and the council shall cooperate in such manner and provide such information so as to make possible meaningful evaluation of these items and of the comments thereon in implementation of the purposes of Minnesota Statutes 1967, Section 473B.02. The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of article I, section 12 of this act.

Sec. 8. Minnesota Statutes 1971, Chapter 473A, is amended by adding a section to read:

[473A.051] [TRANSPORTATION POLICY PLAN; FEDERAL PROGRAMS.] *Subdivision 1. [TRANSPORTATION POLICY PLAN.] The council shall adopt a transportation policy plan as a part of its comprehensive development guide as in Article I, Section 9 hereof, which shall include policies both capital and non-capital relating to all transportation forms. The plan shall be designed to promote the legislative determinations, policies and purposes set forth in section 4 of this article to the end of providing the area an integrated and efficient transportation system. The transportation commission, state highway department, and affected counties and municipalities may provide such technical assistance as may be requested by the council.*

Subd. 2. The metropolitan council shall be the designated planning agency for any long-range comprehensive transportation planning required by Section 134 of the Federal Highway Act of 1962 and Section 4 of Urban Mass Transportation Act of 1964. The council shall assure administration and coordination of transportation planning with appropriate agencies and municipalities, and together with the commission shall establish such an advisory body in fulfillment of the planning responsibilities of the council and commission. The council and commission together shall be the agency for planning and carrying out urban regional transportation programs in the metropolitan area and entitled to receive any federal funds provided for each such agency to carry out their respective responsibilities as described under this act.

Sec. 9. Minnesota Statutes 1971, Section 473A.06 is amended by adding a subdivision to read:

Subdivision 1a. [DEVELOPMENT PROGRAM.] The commission shall prepare and submit in the manner provided in and satisfying the requirements of article I, section 11 of the act, a transportation development program, including both capital and non-capital elements, providing for the implementation of the policy plan adopted by the council. In preparing the program, the commission shall consult with and obtain the views of counties and municipalities in the metropolitan area, the state highway department and the state planning agency, and for that purpose may create such advisory committees as may be necessary.

Such program shall provide for and include coordination of routes and operations of all publicly and privately owned transportation facilities within the area to the end that combined efficient and rapid transportation may be provided for the use of the public in the entire area. The commission may designate a segment of the

system planned as a pilot or demonstration transportation project using, without limitation, new technology including airborne systems, or traditional systems of evolved or modern form. The transportation development program shall include the general alignment and profile, approximate points of access, facility classification, approximate cost, relation to other existing and planned transportation routes and facilities, and a statement of the expected general effect on present and future use of the property within the corridor. The program shall be accompanied with a statement of need for the proposed construction or improvement, a description of alternate routes which were considered, and an explanation of the advantages and disadvantages in the selection of any route considered. The transportation development program shall also contain a description of the type of right of way or routes required; the type of transit service to be provided in each portion of the system; designation of transit mode; and appropriate general operating criteria.

Sec. 10. Minnesota Statutes 1971, Section 473A.06, is amended by adding a subdivision to read:

Subdivision 1b. [APPROVAL OF HIGHWAY PROJECTS.] Before acquiring land for or constructing a state highway or principal arterial road in the area (hereinafter a project) the state highway department or local government unit proposing such acquisition or construction shall submit to the council a statement describing the proposed project. The statement shall be in the form and detail required by the council. Immediately upon receipt of the statement, the council shall transmit a copy to the commission which shall review and evaluate in relation to the development program the project and report its comments and recommendations to the council. The council shall also review the statement to ascertain its consistency with the development guide. No such project may be undertaken unless the council determines that it is consistent with the policy plan and development program. This approval shall be in addition to the requirements of any other statute, ordinance, or regulation.

Sec. 11. Minnesota Statutes 1971, Section 473A.06, Subdivision 3 is amended to read:

Subd. 3. [SERVICES OF DEPARTMENT OF HIGHWAYS.] The mass transit system specified in subdivision 1 shall be designed, as far as practicable, so as to provide, in combination with public highways, adequate means and facilities of maximum attainable efficiency for public transportation to, from, and within the metropolitan transit area, and to relieve the congestion, traffic hazards, and other objectionable conditions aforesaid on the public highways caused by lack of adequate provisions for public transit. In planning, designing, and constructing the mass transit transportation system the commission may make use of engineering and other technical and professional services, including regular staff and qualified consultants, which the commissioner of highways can furnish, upon fair and reasonable reimbursement for the cost thereof; provided, that the commission shall have final authority over the employment of any services from other sources which it

may deem necessary for such purposes. The commissioner of highways may furnish all engineering, legal, and other services, if so requested by the commission and upon fair and reasonable reimbursement for the cost thereof by the commission, which the commission requests for the purposes stated in this subdivision, including the acquisition by purchase, condemnation, or otherwise in the name of the commission of all lands, waters, easements, or other rights or interests in lands or waters required by the commission.

Sec. 12. Minnesota Statutes 1971, Section 473A.111, Subdivision 1 is amended to read:

473A.111 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of chapter 473A, and the metropolitan transit system on or after August 1 of 1971 the metropolitan transit commission may levy upon all taxable property within the metropolitan transit taxing district, defined herein, a transit tax *which* shall not in any year exceed the sum of the following:

(a) An amount equal to ~~2.0~~ 1.6 mills times the assessed value of all such property some or all of the proceeds of which may be used to provide for the full and timely payment of its certificates of indebtedness and other obligations of the commission to which collections of the wheelage tax and replacement property tax under Minnesota Statutes 1969, Section 473A.14, have been pledged, plus any amount needed for compliance with any final judgment of a court of competent jurisdiction requiring payment of any amount of the wheelage tax levied by the commission for 1971 and prior years; plus

(b) such additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations to which property taxes under this section have been pledged, provided that the amount of principal and interest to come due on such obligations shall not exceed \$3,000,000 in any year.

Sec. 13. Minnesota Statutes 1971, Section 473A.16 is amended to read:

473A.16 [ACT EXCLUSIVE.] The exercise by the commission of the powers provided in sections 473A.01 to 473A.18 shall not be subject to regulation by or the jurisdiction or control of any other public body or agency, either state, county, or municipal, except as specifically provided in sections 473A.01 to 473A.18 *and article I or this act*, ~~and further except that in the event a public body or agency shall be created to exercise the powers of the commission as provided in sections 473A.01 to 473A.18, such powers shall be exercised by such other public body or agency.~~

Sec. 14. Minnesota Statutes 1971, Section 473A.18 is amended to read:

473A.18 [CITATION.] Sections 473A.01 to 473A.18 may be cited as the ~~Twin Cities area metropolitan transit commission act of 1967 metropolitan transportation commission act of 1973.~~

Sec. 15. *In the next edition of Minnesota Statutes, the revisor of*

statutes shall change the term "metropolitan transit area" to "metropolitan transportation area," the term "transit area" to "transportation area," the term "metropolitan transit commission" to "metropolitan transportation commission," the term "transit commission" to "transportation commission," and the term "transit commissioner" to "transportation commissioner" wherever each such term appears in Minnesota Statutes, Chapter 473A.

Sec. 16. [REPEALER.] Minnesota Statutes 1971, Sections 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 473A.05, Subdivisions 1, 2, 3, 4, 5 and 6; 473A.06, Subdivision 1; and 473A.065; are hereby repealed.

ARTICLE IV—METROPOLITAN PARKS AND OPEN SPACE COMMISSION

Section 1. [LEGISLATIVE PURPOSE.] Subdivision 1. The pressure of urban growth in the metropolitan area at the same time increases the need and decreases the amount of land available in the area for recreation, conservation, and amenity. Preservation of metropolitan open space is difficult to accomplish solely by action of individual local governmental units. It is therefore necessary to provide for the establishment of a metropolitan park and open space system, and a metropolitan parks and open space commission.

Subd. 2. In order to control mosquitoes more effectively and to make more efficient use of the resources now employed for mosquito control, it is necessary to include Carver county in the metropolitan mosquito control program and to transfer the functions of the metropolitan mosquito control district to the metropolitan parks and open space commission.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 9, the terms defined in this section have the meanings given them.

Subd. 2. "Metropolitan area" means the area comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. "Commission" means the metropolitan parks and open space commission established by section 3 of this article.

Subd. 4. "Council" means the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 5. "Park district" means a park district created under Minnesota Statutes, Chapter 398.

Subd. 6. "Regional recreation open space" means the land and water areas determined by the council to be of metropolitan significance in providing for a balanced system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks, and large recreation parks.

Subd. 7. "Policy plan" means a plan adopted by the council for parks and open space pursuant to article I, section 9, of this act.

Subd. 8. "Development program" means a plan adopted by the com-

mission pursuant to article 1, section 11, recreational open space and the nature of its development and use.

Subd. 9. "Metropolitan mosquito control district" means that district established pursuant to Minnesota Statutes 1971, Section 399.02.

Sec. 3. [METROPOLITAN PARKS AND OPEN SPACE COMMISSION.] *A metropolitan parks and open space commission is established as an agency of the council and shall be organized, structured and administered as provided in this chapter and article 1 of this act.*

Sec. 4. [REGIONAL RECREATION OPEN SPACE SYSTEM.]
Subdivision 1. [POLICY PLAN.] *In accordance with the procedures established in article 1, section 9, of this act, and after consultation with park districts, counties and municipalities in the metropolitan area, the council shall adopt a policy plan for regional recreation open space as a part of the council's metropolitan development guide. The policy plan shall identify generally the areas which should be acquired by a public agency to provide a system of regional recreation open space comprising park district, county and municipal facilities which, together with state facilities, reasonably will meet the outdoor recreation needs of the people of the metropolitan area and shall establish priorities for acquisition and development.*

Subd. 2. [DEVELOPMENT PROGRAM; COMMISSION.] *The commission shall prepare and submit in the manner provided in article 1, section 11, of this act a development program implementing with respect to the functions assigned it by sections 1 to 5 of this article the policy plan adopted by the council.*

Subd. 3. [DEVELOPMENT PROGRAMS; LOCAL GOVERNMENTS.] *(a) Each park district located wholly or partially within the metropolitan area, and each county in the metropolitan area not wholly within a park district, shall prepare and submit and from time to time revise and resubmit to the commission a development program and annual budget for the acquisition and development of regional recreation open space located within the district or county, consistent with the council's policy plan and, to the extent applicable, the commission's development program.*

(b) The commission shall review each plan submitted to determine whether it is consistent with the council's policy plan and, to the extent applicable, the commission's development program. If it is not consistent, the commission shall return the plan with its comments to the park district or county for revision and resubmittal.

Sec. 5. [ACQUISITION, GRANTS, TAX EQUIVALENTS; FINANCING.]
Subdivision 1. [COMMISSION ACQUISITION.] *The commission shall have the same powers as a county under Minnesota Statutes, Section 398.32, Subdivision 1, except the power of eminent domain, to acquire any land or water area, or any interests, easements or other rights therein, which are included in the policy plan whenever such areas have not been acquired for recreation open space purposes within the period of time hereinafter specified. Before proceeding with the acquisition of any such area or other rights, the commission shall by resolution offer a grant covering the full cost of acquisition to the park district or county in which the area or other*

rights are situated. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within 12 months after the adoption of the resolution, the commission shall by resolution offer such a grant to another park district or county or to a municipality in the metropolitan area. If the acquisition process has not been initiated within 60 days or if the area or other rights have not been acquired within six months after the adoption of the resolution, the commission may proceed with acquisition. The commission may, in its discretion, contract with a municipality, park district or county for such services as may be needed to complete such acquisition. The commission shall manage such areas so as to preserve them for future recreation open space purposes and may contract with a municipality, park district or county for such management. The commission shall convey such areas or other rights to a municipality, park district or county for development and operation consistent with an approved recreation open space development program.

Subd. 2. [LOCAL ACQUISITION.] Any park district or municipality wholly or partially within the metropolitan area, and any county in the metropolitan area not wholly within a park district, may acquire, develop and manage any land or water area, or any interests, easements or other rights therein, comprising regional metropolitan area recreation open space in the same manner as it is authorized to do for other park and recreation purposes, and such area or other rights shall constitute a part of the park and recreation system of the acquiring agency.

Subd. 3. [GRANTS.] The commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies may enter into contracts for this purpose. The fact that a county, park district or municipality has developed regional scale parks shall not prejudice its application for funds.

Subd. 4. [TAX EQUIVALENTS.] In each of the four years after the commission or park district, county or municipality acquires fee simple title to any real property included in the regional recreation open space system, the commission shall pay to the municipality or township in which the property is situated an amount equal to the total amount of the taxes levied thereon for municipal or township purposes for collection in the year in which title passed, diminished by 20 percent for each subsequent year to and including the year of payment; provided that for any year in which taxes on the property, or on the privilege of using or possessing it, are paid this tax equivalent shall not be paid.

Subd. 5. [SALE OF BONDS.] The metropolitan council may sell and issue general obligation bonds to provide funds for the purposes set forth in subdivisions 1, 3, and 4 of section 5 of this article. The maturities and interest rates of each series of such bonds shall be fixed so that the maximum amount of principal and interest to become due on all such bonds in any year does not exceed an amount equal to seven-tenths of one mill on each dollar of assessed valua-

tion of taxable property in the metropolitan area as assessed in the year immediately preceding the year in which the bonds are issued.

The council shall sell and issue such bonds in the manner provided in Minnesota Statutes, Chapter 475, and shall have the same powers and duties as a municipality issuing bonds under that chapter, except that no election shall be required, and the debt limitations in chapter 475 or any other law shall not apply to such bonds. The bonds shall be secured in accordance with Minnesota Statutes, Section 475.61, and any taxes required to be levied for their payment shall be spread against all taxable property in the metropolitan area and shall not be subject to limitation as to rate or amount.

Subd. 6. [TAX LEVIES.] The commission may levy taxes upon all taxable property in the metropolitan area to provide funds for the purposes of sections 1 to 7. The tax levied for any year shall not exceed nine-tenths of one mill for all purposes on each dollar of assessed valuation of all such taxable property less the tax levied for such year to pay debt service on bonds issued pursuant to subdivision 3. The amount of taxes which may be levied in any year shall be further reduced by the amount of any funds received by the commission during the previous year from (1) federal grants and (2) appropriations to the commission from revenues received from taxes, penalties and interest under Minnesota Statutes 1971, Section 297.01 through 297.13 or any other taxes collected by the state. The tax shall be levied and collected in the manner provided by Minnesota Statutes, Section 473.08.

Sec. 6. [MOSQUITO CONTROL.] The functions of the metropolitan mosquito control district and its employees are transferred to the metropolitan parks and open space commission.

The commission shall take measures to control mosquitoes in the metropolitan area in accordance with expert and technical plans. The chief administrator shall develop the mosquito control program of the metropolitan area and shall supervise its execution. It may enter into agreements with counties, cities, villages, boroughs, or towns of the state of Minnesota outside of the metropolitan area to conduct mosquito control activities in these political subdivisions in order to effectuate mosquito control in the metropolitan area.

Sec. 7. [GENERAL POWERS.] Subdivision 1. In addition to the powers granted by sections 1 to 6 of this article, the commission shall have all other powers necessary or convenient to discharge the duties imposed by law, including, but not limited to those specified in this section.

Subd. 2. The commission may sue and be sued.

Subd. 3. The commission may employ such persons and contract for such services and materials, supplies and equipment as may be necessary to carry out its functions.

Subd. 4. The commission may accept gifts, may apply for and accept grants or loans of money or other property from the United States, the state, or any person for any of its purposes, may enter into any agreement required in connection therewith, and may hold.

use, and dispose of such money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 5. The commission may act under the provisions of section 471.59, or any other appropriate law providing for joint or cooperative action between government units.

Subd. 6. The commission may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with its metropolitan parks and open space and mosquito control functions; and may advise and assist the metropolitan council and other government units on system planning matters within the scope of its powers, duties and objectives.

Subd. 7. Members of the commission, its officers, and employees, while on the business of the commission, may enter upon any property within the metropolitan area at reasonable times to determine whether mosquito breeding exists thereon, and such persons may take all necessary and proper steps for the control of mosquitoes on such property as the chief administrator of the commission may designate. Commission members and officers and employees of the commission may enter upon any property and clean up any stagnant pool of water, the shores of lakes and streams, and other breeding places for mosquitoes within the metropolitan area. Such persons may spray with insecticides approved by the chief administrator any area within the metropolitan area that is found to be a breeding place for mosquitoes.

Subd. 8. Contracts for the purchase of materials, supplies, and equipment shall be made in accordance with Minnesota Statutes 1971, Chapter 471.345, Subdivisions 1 to 6.

Sec. 8. The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of article I, section 12 of this act.

Sec. 9. [REPEALER.] Minnesota Statutes 1971, Chapter 399, is hereby repealed.

ARTICLE V—METROPOLITAN HOUSING COMMISSION

Section 1. [FINDINGS AND DECLARATION OF POLICY.] It is hereby found and determined that: the conditions found to exist by the municipal housing and redevelopment act, as amended, continue to exist throughout the state and in the area in which the metropolitan council has jurisdiction; substandard, slum and blighted areas exist in the metropolitan area which cannot be redeveloped without government assistance; there is a shortage of decent, safe and sanitary dwelling accommodations available to persons of low and moderate income at rentals or prices they can afford; many local governments in the metropolitan area are unable adequately to provide the financing and staff necessary for an effective housing and redevelopment authority; for each such local government to establish a separate authority would result in an inefficient use of manpower and services; and there is therefore a need to create and enable a metropolitan housing commission to make available to the local governmental units in the metro-

politan area those services provided for in the municipal housing and redevelopment act.

Sec. 2. [DEFINITIONS.] *Subdivision 1. Unless the context clearly indicates otherwise, the following terms, for the purposes of this act, shall have the meanings ascribed to them in this section.*

Subd. 2. The terms defined in the municipal housing and redevelopment act shall, for the purposes of this act, have the meanings given them in that act.

Subd. 3. "Comprehensive development guide" means that document created by the council pursuant to Minnesota Statutes 1971, Section 473B.06, Subdivision 5, and section 4 of this article.

Subd. 4. "Council" shall mean the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 5. "Local government unit" means any municipal corporation or governmental subdivision located fully or in part in the metropolitan area of exercising any powers therein.

Subd. 6. "Metropolitan area" shall mean the area in which the council has jurisdiction under Minnesota Statutes, Section 473B.02.

Subd. 7. "Metropolitan housing commission" means that commission established in section 3 of this article.

Sec. 3. [METROPOLITAN HOUSING COMMISSION; POLICY PLAN DEVELOPMENT PROGRAM.] *Subdivision 1. [ESTABLISHMENT.] A metropolitan housing commission is established, which shall have the structure, membership and organization provided in this article and in article 1 of this act.*

Subd. 2. [HOUSING POLICY PLAN.] In accordance with the procedures established in article 1, section 9 of this act the council shall prepare and adopt a housing policy plan for the development of housing as a part of its comprehensive development guide.

Subd. 3. [DEVELOPMENT PROGRAM BY COMMISSION.] The commission shall prepare and submit in the manner provided in article 1, section 11 of this act a development program implementing with respect to the functions assigned it by sections 1 to 8 of this article the policy plan adopted by the council.

Subd. 4. [SPECIAL STUDIES.] In preparing, amending and implementing the housing policy plan, and development program the council and commission are empowered to undertake and to carry out studies and analyses of the housing needs within the metropolitan area, including data with respect to population and family groups and the distribution thereof according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages, desirable patterns for land use and community growth, and other factors affecting the local housing needs and the meeting thereof, and to make the results of those studies and analyses available to the public and building, housing and supply industries and to engage in research and disseminate information on housing.

Sec. 4. [FINANCES.] *Subdivision 1. For purposes of the special benefit taxes authorized by section 462.545, subdivision 6, each municipality in the metropolitan area shall constitute a separate taxing district. The council may, when requested by the commission, levy a special benefit tax at such times and in the manner provided in section 462.545, subdivision 6, but may not levy a tax in a municipality without the consent by resolution of the governing body of the municipality.*

Subd. 2. The commission may expend for the purposes of this act any of the revenue derived pursuant to sections 7 and 8 of this article. In addition to the purposes set forth in section 473B.08, the council, through the commission, may expend for the purposes of this act any of the revenue derived pursuant to such section. The commission may also expend for the purposes of this act revenue derived pursuant to section 462.545, subdivision 6, provided that such expenditures be limited to the municipalities where the revenue was derived and be limited, as to each such municipality, to the amount of revenue derived from that municipality.

Sec. 5. [POWERS AND DUTIES OF THE METROPOLITAN HOUSING COMMISSION.] *Subdivision 1. [HOUSING AND REDEVELOPMENT AUTHORITY POWER.] In addition to, and not in limitation of, all other powers vested in it by law, the commission, and the members thereof, shall have, throughout the metropolitan area, the same functions, rights, powers, duties, privileges, immunities and limitations as are provided for housing and redevelopment authorities created for municipalities, and for the commissioners of such authorities. All the provisions of law applicable to housing and redevelopment authorities created for municipalities shall be applicable to the commission acting as an authority, except as clearly indicated otherwise from the context. Minnesota Statutes, Section 462.425, shall have no application to the commission. The commission may plan and propose projects within the boundaries of any municipality or county, and may otherwise exercise the powers of an authority at any time; provided however, that the commission may not carry out any housing project, housing development project, redevelopment project or urban renewal project within the boundaries of any municipality without the prior approval of the governing body of the municipality in which any such project is to be located, and provided further that the commission shall not propose to the governing body of a municipality any project located within the area of operation of any municipal authority made active pursuant to section 462.425, or any county authority created by special legislation, without first submitting the proposed project to such municipal or county authority for its review and recommendations; provided, that the commission shall not undertake a project where the affected county housing authority and municipality agree to undertake a project within 60 days after the project has been proposed. All plans and projects of the commission shall be consistent with the development guide, housing policy plan and the development program.*

Subd. 2. [TECHNICAL ASSISTANCE.] The commission may provide technical assistance to existing municipal or county housing and redevelopment authorities at the request of such authorities.

Subd. 3. [COOPERATION WITH OTHER GOVERNMENT

AGENCIES.] *The commission may cooperate with or act as agent for the federal government, the state government, or any agencies or instrumentalities thereof, in carrying out the provisions of any federal or state legislation relating to the general purposes of the municipal housing and redevelopment act.*

Subd. 4. [CITIZEN PARTICIPATION.] *The commission shall, as part of any project proposal to a municipality, propose a means for citizens to participate in the formulation and carrying out of projects undertaken by the commission pursuant to the terms of this article.*

Subd. 5. [DEMONSTRATION PROJECTS.] *The commission shall prepare a detailed report on the progress of any demonstration project undertaken by the commission. Such report shall be filed with the legislature not later than January 15 of each legislative year.*

Sec. 6. [EFFECT UPON MUNICIPAL AND COUNTY HOUSING AND REDEVELOPMENT AUTHORITIES.] *Nothing in this act shall be construed to impair the powers and obligations of municipal, county or multi-county housing and redevelopment authorities within the metropolitan area.*

Sec. 7. Minnesota Statutes 1971, Section 287.05, Subdivision 1, is amended to read:

287.05 [TAX ON RECORDATION OR REGISTRATION; SUPPLEMENTAL MORTGAGES.] Subdivision 1. A tax of 15 cents is hereby imposed upon each \$100, or fraction thereof, of the principal debt or obligation which is or may be secured by any mortgage of real property situate within any county in the state other than the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington executed, delivered, and recorded or registered; provided, however, that said tax shall be imposed but once upon any mortgage and extension thereof. A tax of 20 cents is hereby imposed upon each \$100, or fraction thereof, of the principal debt or obligation which is or may be secured by any mortgage of real property situate within the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington executed, delivered, and recorded or registered; provided, however, that said tax shall be imposed but once upon any mortgage and extension thereof. If any such mortgage describes any real estate situate outside of this state, such tax shall be imposed upon that proportion of the whole debt secured thereby as the value of the real estate therein described situate in this state bears to the value of the whole of the real estate described therein, as such value is determined by the commissioner of taxation upon application of the mortgagee.

Sec. 8. Minnesota Statutes 1971, Section 287.12, is amended to read:

287.12 [TAXES, HOW APPORTIONED.] All taxes paid to the county treasurers in counties of the state other than the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington under the provisions of section 287.01 to 287.12 shall be

apportioned, one-sixth to the general fund of the state, one-sixth to the county revenue fund, and the balance to be divided equally between the school district and the city, village, or town in which the real estate described in the mortgage is situated. *All taxes paid to the county treasurers of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington under the provisions of sections 287.01 to 287.12 shall be apportioned, one fourth to the metropolitan housing commission Article VI of this act ; the remaining three fourths shall be apportioned one sixth to the general fund of the state, one sixth to the county revenue fund, and the balance to be divided equally between the school district and the city, village or town in which the real estate described in the mortgage is situated.* Where the amount determined to be apportionable in any instance to any given school district, city, village or town or the metropolitan council is less than \$1, such amount shall be retained in the county revenue fund.

Sec. 9. The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of article I, section 12 of this act."

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

"A bill for an act relating to the seven county metropolitan area; changing the terms of Metropolitan Council members from 6 to 4 years; increasing the number of members of the Council from 15 to 17; reapportioning the districts of council members; enabling the Council to set the salaries of its members; renaming the Metropolitan Sewer Service Board; changing the Metropolitan Transit Commission to a Metropolitan Transportation Commission; creating a Metropolitan Parks and Open Space Commission; transferring the functions of the Metropolitan Mosquito Control District to the Parks and Open Space Commission; creating a Metropolitan Housing Commission; clarifying and making uniform the structure, organization and administration of regional commissions; providing for appointment by the governor of all members of the commissions; requiring relocation payments when property is acquired by commission; clarifying the planning and review process in the seven-county area; providing for council review and recommendation for all capital projects of metropolitan significance; providing planning assistance for local governmental units; removing from the Council the power of approval of operating budgets and plans and specifications of the Metropolitan Sewer Service Board; amending Minnesota Statutes 1971, Sections 287.05, Subdivision 1; 287.12; 473A.01, Subdivisions 2, 3, and by adding a subdivision; 473A.02; 473A.03; 473A.04, Subdivision 1; 473A.06, Subdivision 3, and by adding subdivisions; 473A.111, Subdivision 1; 473A.16; 473A.18; and Chapter 473A by adding a section; 473B.02, Subdivisions 1, 2, 3, 4 and 5; 473B.04; 473B.06, by adding a subdivision; and Chapter 473B, by adding sections; 473C.03, Subdivision 1; 473C.06, Subdivision 3; 473C.10; 473C.16, Subdivision 3; and 473C.18, Subdivision 1; repealing Minnesota Statutes 1971, Chapter 399; Sections 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 473A.05, Subdivisions 1, 2, 3, 4, 5 and 6; 473A.06, Subdivision 1; 473A.065; 473B.06, Subdivisions 6, 7 and 8;

473C.03 Subdivisions 2, 3, 4, 5, 6, 7 and 9; 473C.04; and 473C.06, Subdivisions 1 and 2."

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

Pursuant to Rule 56, a roll call vote was taken on the motion to strike Article IV in its entirety from H. F. 515 as amended.

There were yeas 8 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Knutson	Lewis	Milton	Stokowski
Kirchner	Krieger	McCutcheon		

Those who voted in the negative were:

Chenoweth	Gearity	Keefe, J.	North	Schaaf
Doty	Humphrey			

The motion prevailed.

Pursuant to Rule 56, a roll call vote was taken on the motion to reconsider the striking of Article IV in its entirety from H. F. No. 515 as amended.

There were yeas 8 and nays 7, as follows:

Those who voted in the affirmative were:

Chenoweth	Gearity	Lewis	North	Schaaf
Doty	Humphrey	Milton		

Those who voted in the negative were:

Ashbach	Kirchner	Krieger	Stokowski	McCutcheon
Keefe, J.	Knutson			

The motion prevailed.

Pursuant to Rule 56, a roll call vote was taken on the motion to reconsider the original motion to strike Article IV in its entirety from H. F. No. 515 as amended, and renumber the articles.

There were yeas 8 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Kirchner	Krieger	Milton	Stokowski
Keefe, J.	Knutson	McCutcheon		

Those who voted in the negative were:

Chenoweth	Gearity	Lewis	North	Schaaf
Doty	Humphrey			

The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon,

S. F. Nos. 134, 857, 1397, 1514, 2269 and 1088.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. Report adopted.

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

S. F. No. 1283, together with the committee report thereon, A bill for an act relating to cable communications; 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 receive the action of the previous referring committee. Report adopted.

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

S. F. No. 1235 together with the committee report thereon, A bill for an act establishing a Minnesota state racing commission; providing duties and authority; appropriating money; amending Minnesota Statutes 1971, Section 609.75, Subdivision 3.

Reports the same back with the recommendation that the report from the Committee on Labor and Commerce be not adopted and that the bill be re-referred to the Committee on Labor and Commerce. Report adopted.

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

H. F. No. 606: A bill for an act relating to eminent domain; providing for uniform relocation assistance, services, payments and benefits for displaced persons; repealing Minnesota Statutes 1971, Section 117.095.

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

Page 2, line 16, after "highway purposes" insert "or acquisitions for which the state department of highways performs relocation assistance services for the department of administration,"

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

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

H. F. No. 901: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete Statutory references and text; eliminating certain duplicitious and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 15.50, Subdivision 2; 124.32, Subdivision 1; 290.92, Subdivisions 3, 6, 7, 8, 9, 11, 12, 13, and 15; 297A.24; 340.60, Subdivision 4; 463A.03, Subdivision 2; 462A.17, Subdivi-

sion 1; 481.15, Subdivision 2; and 488A.76, Subdivision 1; repealing Minnesota Statutes 1971, Section 35.832; and Laws 1969, Chapter 528.

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

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

H. F. No. 548: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicious and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Chapter 3, by adding a section; Chapter 46, by adding a section; Sections 9.071; 62C.14, by adding a subdivision; 124.221; 169.121, Subdivision 3; 179.68, Subdivision 3; 197.45, Subdivision 1; 412.-851; 462.581; 475.67, Subdivision 12; 490.025, Subdivisions 1 and 2; 645.023, Subdivision 2; and Laws 1969, Chapter 251, Section 2; repealing Minnesota Statutes 1971, Chapter 41; and Section 309.-176.

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

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

H. F. No. 622: A bill for an act relating to courts; grand juries; causes of challenge to a grand juror; amending Minnesota Statutes 1971, Section 628.54.

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

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

H. F. No. 833: A bill for an act relating to decedent's estates; requiring mailing of notice to a foreign consul in certain circumstances; amending Minnesota Statutes 1971, Section 525.83.

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

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

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

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

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

H. F. No. 704: A bill for an act relating to probate proceedings; sales, leases, and mortgages in connection with probate matters; amending Minnesota Statutes 1971, Section 525.64.

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

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

H. F. No. 759: A bill for an act relating to probate proceedings; bond in summary administration; amending Minnesota Statutes 1971, Section 525.51; Subdivision 5.

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

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

H. F. No. 703: A bill for an act relating to probate proceedings; partial distribution of probate estates; amending Minnesota Statutes 1971, Section 525.482.

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

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

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

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

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

H. F. No. 83: A bill for an act relating to licenses; prohibiting the issuance of licenses in certain instances.

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

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

H. F. No. 1515: A bill for an act relating to decedents' estates; revising a spouse's power to elect against a will; amending Minnesota Statutes 1971, Section 525.215.

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

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

H. F. No. 627: A bill for an act relating to probate proceedings; inventory and appraisal of estates in probate court; amending Minnesota Statutes 1971, Sections 525.33 and 525.331.

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

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

H. F. No. 11: A bill for an act relating to human rights; forbidding discrimination in the extension of credit because of sex; amending Minnesota Statutes 1971, Section 363.03, by adding a subdivision.

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

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

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

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

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

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

Reports the same back with the recommendation that the bill be re-referred to the Committee on Natural Resources and Agriculture. Report adopted.

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

S. F. No. 498, together with the Committee Report thereon, A bill for an act relating to crimes; defining criminal abortion; providing a penalty; amending Minnesota Statutes 1971, Chapter 609, by adding a section; repealing Minnesota Statutes 1971, Sections 617.18 and 617.19.

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

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

S. F. No. 1322, together with the Committee Report thereon, A bill for an act authorizing municipalities to create development districts within their corporate boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote development programs to be carried out in each of the districts created; authorizing the issuance of bonds to carry out such development programs; authorizing the use of the tax increment created in the development districts to pay off the principal and interest on such bonds; authorizing municipalities to operate pedestrian systems and special lighting and similar systems; authorizing municipalities to assess the cost of operations against the development districts; authorizing municipalities to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

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

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

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

Reports the same back with the recommendation that the bill receive the action of the previous referring committee. Report adopted.

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

H. F. Nos. 1709, 2352, 2016, 2351, 2208, 2015, 2132, 2178 for comparison to companion Senate Files, reports 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:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1709	1855	2132	2349		
2352	2260	2178	2174		
2016	1391				

GENERAL ORDERS

H.F. No.	S.F. No.
2351	2343
2208	2223
2015	1289

and that the above Senate Files be indefinitely postponed.

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.

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

H. F. Nos. 2093, 1948, 484, 2174 and 2180 for comparison to companion Senate Files, reports the following House Files were found not identical with 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.
2093	2096	1948	1947	2180	1908
484	821				
2174	1918				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2093 be amended as follows:

Page 3, delete line 28

Page 4, delete line 1

Page 4, line 7, delete "*charitable*" and insert in lieu "*Charitable*"

Page 4, line 27, delete "*any*" and insert in lieu "*Any*"

Page 6, line 17, delete "STATEMENT" and insert in lieu thereof "REQUIREMENT"

Page 6, line 19, delete "6" and insert in lieu thereof "5"

Page 13, line 28, delete "*commissioner*"

Page 14, line 1, delete the underscored language

Page 14, line 2, strike the comma and insert thereafter "*commissioner of securities of the department of commerce*"

Page 15, line 10, delete "18" and insert in lieu "17"

Page 18, after line 15, insert a section to read:

"Sec. 18. *Minnesota Statutes 1971, Section 309.51, is repealed.*"

Renumber the sections in sequence

And when so amended, H. F. No. 2093 will be identical to S. F. No. 2096 and further recommends that H. F. No 2093 be given its second reading and substituted for S. F. No. 2096 and S. F. No. 2096 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 484 be amended as follows:

Page 2, line 15, before "*other*" insert an underscored comma

Page 2, line 16, after "*statutes*" insert an underscored comma

And when so amended, H. F. No. 484 will be identical to S. F. No. 821 and further recommends that H. F. No. 484 be given its second reading and substituted for S. F. No. 821 and S. F. No. 821 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2174 be amended as follows:

Page 1, after line 25, insert a section to read;

"Sec. 3. Minnesota Statutes 1971, Section 648.31, Subdivision 2, is amended to read:

Subd. 2. [NEW LAWS INCORPORATED.] The revisor of statutes ~~shall~~ *may*, as soon as possible after the adjournment of each ~~such biennial~~ session of the Legislature, incorporate with the body of the text of the Minnesota Statutes the amendments made to any of the statutes contained therein at such session of the Legislature and at any extra session of the Legislature ~~held since the last preceding biennial session~~, and omit any sections or statutes expressly repealed."

Renumber the remaining sections

Further, amend the title in line 7, after "648.31," by inserting "Subdivision 2, and"

And when so amended, H. F. No. 2174 will be identical to S. F. No. 1918 and further recommends that H. F. No. 2174 be given its second reading and substituted for S. F. No. 1918 and S. F. No. 1918 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 1948 be amended as follows:

Page 1, line 6, delete the colon and insert in lieu thereof a comma

Page 1, line 7, delete "(1)"

And when so amended, H. F. No. 1948 will be identical to S. F. No. 1947 and further recommends that H. F. No. 1948 be given its second reading and substituted for S. F. No. 1947 and S. F. No. 1947 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2180 be amended as follows:

Page 18, line 5, delete "under this act"

Page 18, line 6, delete "If the target company is an"

Page 18, delete all of lines 7 through 10

And when so amended, H. F. No. 2180 will be identical to S. F. No. 1908 and further recommends that H. F. No. 2180 be given its second reading and substituted for S. F. No. 1908 and S. F. No. 1908 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.

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

H. F. Nos. 1675, 1764, 2050, 1436 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. 1675 to the Committee on Governmental Operations.

H. F. No. 2050 to the Committee on Labor and Commerce.

H. F. No. 1436 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1764 to the Committee on Transportation and General Legislation.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 1633, 737, 1123, 1825, 1993, 2085, 1246, 1789, 498, 1514, 2269, 428, 1397, 1808, and 857 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 627, 1515, 83, 1591, 606, 901, 704, 548, 490, 622, 833, 1547, 268, 248, 515, 1709, 2352, 2016, 2351, 2208, 2015, 2132, 2178, 2093, 484, 2174, 1948, 2180, 759, 703, 11, and 904 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Hansen, Baldy moved that H. F. No. 601 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Judiciary. Which motion prevailed.

Mr. Hansen, Baldy moved that H. F. No. 713 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Governmental Operations. Which motion prevailed.

Mr. Conzemius moved that S. F. No. 2410 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Finance. Which motion prevailed.

SUSPENSION OF RULES

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

CALENDAR OF ORDINARY MATTERS

S. F. No. 1782: A bill for an act relating to the county of McLeod; tax levy for road and bridge purposes.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1523: A bill for an act relating to motor vehicles; registration and taxation; registrar of motor vehicles; amending Minnesota Statutes 1971, Section 168.325, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1623: A bill for an act relating to privacy of communications; amending Minnesota Statutes 1971, Section 626A.05, 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 taken, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1643: A bill for an act relating to the city of St. Louis Park; authorizing the city council to establish special assessment districts.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

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

So the bill passed and its title was agreed to.

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

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Anderson and Milton voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1231: A bill for an act relating to planning commissions of certain counties and municipalities, and their controls; amending Minnesota Statutes 1971, Sections 394.25, by adding a subdivision; and 462.352, Subdivision 10.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1797: A bill for an act relating to Ramsey county; establishing a commission for the study of local government; prescribing duties and obligations; providing for report by the commission to the legislature; appropriating money.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2165: A bill for an act relating to the City of Red Lake Falls; determination of financial requirements for the firemen's relief fund.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2338: A bill for an act relating to public welfare; permitting Ramsey county and the city of St. Paul to incur certain debt and impose taxes to discharge it for public hospital and social service programs.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Krieger voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2121: A bill for an act relating to the city of Minneapolis; authorizing the city to acquire and finance a rehabilitation and therapy health care facility as a project under the municipal industrial development act.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Hansen, Mel voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1930: A bill for an act relating to municipal housing and redevelopment authorities; rehabilitation loans and grants; amending Minnesota Statutes 1971, Sections 462.445 by adding a subdivision; and 462.581.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2320: A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property under certain conditions; authorizing the expenditure of county road and bridge funds for the construction and maintenance of bicycle paths on roads under county jurisdiction; amending Laws 1971, Chapter 950, Sections 2, by adding a subdivision; and 7.

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

So the bill passed and its title was agreed to.

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

Was read the third time.

With the unanimous consent of the Senate, Mr. McCutcheon moved to amend S. F. No. 2277, as follows:

Strike lines 22 through 24

Which motion prevailed. So the amendment was adopted.

S. F. No. 2277 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 0, as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 2148: A bill for an act relating to Independent School District No. 625; amending Laws 1969, Chapter 911, Section 2, as amended.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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 Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 750: A bill for an act relating to taxes on and measured by net income; limiting the deductions attributable to farming; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, 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 46 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Larson	Olson, A. G.	Spear
Arnold	Fitzsimons	Laufenburger	Olson, H. D.	Stassen
Bernhagen	Frederick	Lewis	Patton	Stokowski
Borden	Gearty	Lord	Perpich, A. J.	Thorup
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Chmielewski	Hughes	Milton	Purfeerst	Willet
Coleman	Humphrey	Moe	Renneke	
Conzemius	Josefson	North	Schaaf	
Davies	Keefe, S.	Novak	Schrom	
Doty	Kleinbaum	Olhoft	Solon	

Those who voted in the negative were:

Ashbach	Brown	Kirchner	Nelson	Pillsbury
Bang	Hansen, Baldy	Kowalczyk	Ogdahl	Sillers
Berg	Hansen, Mel	Krieger	O'Neill	Ueland
Blatz				

So the bill passed and its title was agreed to.

S. F. No. 1302: A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 830: A bill for an act relating to taxation; exempting certain sales of advertising material from sales tax; amending Minnesota Statutes 1971, Section 297A.25, 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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Brown and Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1480: A bill for an act relating to meetings of state agencies and of governing bodies open to public; providing a penalty; amending Minnesota Statutes 1971, Section 471.705; repealing Minnesota Statutes 1971, Section 10.41.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Larson	Olhoft	Spear
Arnold	Fitzsimons	Lewis	Olson, A. G.	Stassen
Bang	Gearty	Lord	Olson, H. D.	Stokowski
Borden	Hansen, Mel	McCutcheon	O'Neill	Thorup
Brown	Hughes	Milton	Perpich, A. J.	Wegener
Chenoweth	Humphrey	Moe	Perpich, G.	Willet
Chmielewski	Keefe, J.	Nelson	Pillsbury	
Coleman	Keefe, S.	North	Purfeerst	
Conzemius	Kleinbaum	Novak	Schaaf	
Davies	Kowalczyk	Ogdahl	Solon	

Those who voted in the negative were:

Ashbach	Dunn	Hanson, R.	Krieger	Schrom
Berg	Frederick	Josefson	Patton	Sillers
Bernhagen	Hansen, Baldy	Knutson	Renneke	Ueland
Blatz				

So the bill passed and its title was agreed to.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Nelson voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 2417, No. 207 on the General orders calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 2417: A bill for an act relating to the organization and operation of state government; appropriating money therefor and

limiting the use thereof; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases including conservation, parks, recreational lands and trails, wildlife and spawning areas, and historic sites; fixing and limiting the amount of fees to be collected in certain cases; making funds available for seaway trade promotion; providing penalties for misusing appropriated funds; amending Minnesota Statutes 1971, Sections 3.102, 15.50; repealing Laws 1965, Chapter 810, Section 23, Subdivision 3 as amended by Laws 1967, Chapter 867, Section 9.

Mr. Brown moved to amend S. F. No. 2417 as follows:

Page 6, Section 7, Subd. 1, strike	"145,100	145,100"
and insert in lieu thereof	"50,000	50,000"
Page 16, Section 31, Subd. 2, strike	"200,000	200,000"
and insert in lieu thereof	"300,000	300,000"

CALL OF THE SENATE

Mr. Hughes imposed a call of the Senate on S. F. No. 2417.

The following Senators answered to their names:

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

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

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 21 and nays 41, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Knutson	O'Neill	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	Patton	
Blatz	Hanson, R.	Krieger	Pillsbury	
Brown	Keefe, J.	Nelson	Sillers	
Dunn	Kirchner	Ogdahl	Stassen	

Those who voted in the negative were:

Anderson	Doty	Larson	Olson, A. G.	Spear
Ashbach	Fitzsimons	Lewis	Olson, H. D.	Stokowski
Berg	Gearty	Lord	Perpich, A. J.	Thorup
Borden	Hansen, Baldy	McCutcheon	Perpich, G.	Wegener
Chenoweth	Hughes	Milton	Purfeerst	Willet
Chmielewski	Humphrey	Moe	Renneke	
Coleman	Josefson	North	Schaaf	
Conzemius	Keefe, S.	Novak	Schrom	
Davies	Kleinbaum	Olhoft	Solon	

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

Mr. Nelson moved to amend S. F. No. No. 2417, as follows:

Page 8, Section 13, Subd. 4 after the line beginning with "(b)" insert a new line:

"Reimbursement to local governments
for peace officer training costs 100,000 100,000"

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 22 and nays 40, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kirchner	Nelson	Stassen
Bernhagen	Hansen, Mel	Knutson	Patton	Ueland
Blatz	Hanson, R.	Kowalczyk	Pillsbury	
Brown	Josefson	Krieger	Renneke	
Dunn	Keefe, J.	McCutcheon	Sillers	

Those who voted in the negative were:

Anderson	Davies	Larson	Ogdahl	Schaaf
Arnold	Fitzsimons	Laufenburger	Olhoft	Schrom
Ashbach	Gearty	Lewis	Olson, A. G.	Solon
Borden	Hansen, Baldy	Lord	Olson, H. D.	Spear
Chenoweth	Hughes	Milton	O'Neill	Stokowski
Chmielewski	Humphrey	Moe	Perpich, A. J.	Thorup
Coleman	Keefe, S.	North	Perpich, G.	Wegener
Conzemius	Kleinbaum	Novak	Purfeerst	Willet

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

S. F. No. 2417 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 47 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Hanson, R.	Laufenburger	Novak
Arnold	Conzemius	Hughes	Lewis	Ogdahl
Ashbach	Davies	Humphrey	Lord	Olhoft
Blatz	Doty	Josefson	McCutcheon	Olson, A. G.
Borden	Dunn	Keefe, S.	Milton	Olson, H. D.
Chenoweth	Fitzsimons	Kirchner	Moe	O'Neill
Chmielewski	Gearty	Kleinbaum	North	Perpich, A. J.

Perpich, G.
Purfeerst
Renneke

Schaaf
Schrom
Sillers

Solon
Spear

Stokowski
Thorup

Wegener
Willet

Those who voted in the negative were:

Bang
Berg
Bernhagen
Brown

Frederick
Hansen, Baldy
Hansen, Mel
Kowalczyk

Keefe, J.
Knutson
Kowalczyk

Larson
Nelson
Patton

Pillsbury
Staasen
Ueland

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p.m. Which motion prevailed.

The hour of 7:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Laufenburger was excused from this evening's Session, beginning at 9:00 o'clock p.m. Mr. Gearty was excused from this evening's Session, beginning at 9:15 o'clock p.m.

CALL OF THE SENATE

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

Anderson
Arnold
Berg
Bernhagen
Brown
Chenoweth
Coleman
Conzemius

Davies
Doty
Dunn
Fitzsimons
Frederick
Gearty
Hansen, Baldy
Hanson, R.

Hughes
Kirchner
Kleinbaum
Knutson
Kowalczyk
Krieger
Laufenburger
Lewis

Lord
McCutcheon
Ogdahl
Olson, H. D.
Patton
Perpich, A. J.
Perpich, G.
Purfeerst

Sillers
Solon
Spear
Thorup
Wegener
Willet

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Conzemius moved to recall S. F. No. 750 from the House for further consideration. Which motion prevailed.

Mr. Knutson moved that the name of Mr. North be added as co-author to S. F. No. 2369. Which motion prevailed.

Mr. Knutson moved that the name of Mr. Kowalczyk be added as co-author to S. F. No. 2118. Which motion prevailed.

Mr. Ogdahl moved that the name of Mr. Nelson be added as co-author to S. F. No. 1971. Which motion prevailed.

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. Ogdahl in the chair.

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

H. F. No. 295, which the committee recommends to pass with the following amendments offered by Messrs. Thorup; Hansen, Baldy; Conzemius, Krieger, Nelson, Kirchner and O'Neill:

Mr. Thorup moved to amend H. F. No. 295, the printed bill, as follows:

Page 12, after line 19, add:

"Sec. 36. [EFFECTIVE DATE.] *This act shall take effect the day following its final enactment.*"

Which motion prevailed. So the amendment was adopted.

Mr. Thorup then moved to amend H. F. No. 295, the printed bill, as follows:

Page 7, line 35, after "*petition*" insert "*and determination by the mediator,*"

Page 8, line 3, after "*arbitration*" insert "*and the director has determined that an impasse has been reached*"

Which motion prevailed. So the amendment was adopted.

Mr. Thorup then moved to amend H. F. No. 295, the printed bill, as follows:

Page 7, Line 32, after "*shall*" insert "*only*"

Page 8, line 20, strike "*board*" and insert "*director*"

Page 8, line 24, after "*petition*" insert "*the director*"

Page 9, line 9, after "179.72." insert: "*If the employer has not petitioned for binding arbitration under subdivision 3 or 5 or if the employer has not joined in an employee's petition for binding arbitration under subdivision 3 or 5, Minnesota Statutes 179.72, Subdivision 6 shall not be applicable. If no petition has been filed within the time specified under subdivision 3 or 5, at any time thereafter the parties may invoke the provisions of subdivision 3 or 5 and Minnesota Statutes 179.72, Subdivision 6, shall be applicable.*"

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy, moved to amend H.F. No. 295 (as amended), the printed bill, as follows:

Page 2, strike lines 6 through 21

Page 4, strike lines 3 through 18

Page 4, strike lines 23 through 28

Page 9, strike lines 23 through 36

Page 12, line 17, strike "179.69, Subdivision 7;"

Renumber the sections consecutively

Amend the title as follows:

Third line of title, strike "9," and strike ", and by adding a"

Fourth line, beginning of the line, strike "subdivision"

Fourth line, strike "6" and after "179.66," strike "Subdivisions"

Fifth line, at the beginning of the line, strike "4 and" and insert "Subdivision"

Sixth line, strike "179.71, Subdivision 3;"

Eighth line, strike "179.69, Subdivision 7;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 33 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knutson	Olson, A. G.	Schrom
Bang	Hansen, Baldy	Kowalczyk	Olson, H. D.	Sillers
Berg	Hansen, Mel	Krieger	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Larson	O'Neill	Ueland
Blatz	Jensen	Nelson	Patton	Willet
Dunn	Josefson	Ogdahl	Pillsbury	
Fitzsimons	Kirchner	Olhoft	Renneke	

Those who voted in the negative were:

Anderson	Coleman	Keefe, S.	Milton	Solon
Arnold	Conzemius	Kleinbaum	Moe	Spear
Borden	Davies	Laufenburger	North	Stokowski
Brown	Doty	Lewis	Novak	Thorup
Chenoweth	Hughes	Lord	Perpich, A. J.	
Chmielewski	Humphrey	McCutcheon	Purfeerst	

Which motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend H. F. No. 295, the printed bill, as follows:

Page 2, strike lines 27 through 34

Renumber the sections in sequence

Amend the title in the third line, after "9," insert "and" and in the same line strike "and 18,"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 37 and nays 25, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Kleinbaum	Olhoft	Schrom
Bang	Frederick	Knutson	Olson, A. G.	Sillers
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hanson, R.	Krieger	Olson, J. L.	Ueland
Blatz	Jensen	Larson	O'Neill	Willet
Brown	Josefson	Nelson	Patton	
Conzemius	Keefe, J.	North	Pillsbury	
Dunn	Kirchner	Ogdahl	Renneke	

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Novak	Solon
Arnold	Doty	Lewis	Perpich, A. J.	Spear
Borden	Hansen, Mel	Lord	Perpich, G.	Stokowski
Chenoweth	Hughes	McCutcheon	Purfeerst	Thorup
Coleman	Humphrey	Milton	Schaaf	Wegener

Which motion prevailed. So the amendment was adopted.

Mr. Krieger moved to amend H. F. No. 295, the printed bill, as follows:

Page 9, strike lines 10 through 22

Renumber the sections in sequence

Amend the title as follows:

6th line, strike "179.70, Subdivision 1;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 33 and nays 26, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Arnold	Gearty	McCutcheon	Perpich, G.	Thorup
Borden	Hughes	Milton	Purfeerst	Wegener
Chenoweth	Humphrey	Moe	Schaaf	
Coleman	Keefe, S.	Novak	Solon	
Davies	Lewis	Olhoft	Spear	
Doty	Lord	Perpich, A. J.	Stokowski	

Which motion prevailed. So the amendment was adopted.

Mr. Krieger moved to amend H. F. No. 295 as follows:

Page 11, lines 2 through 5, reinstate the stricken language.

Which motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 295, the printed bill, as follows:

Page 4, line 2, strike "*due*" and insert "*dues*"

Which motion prevailed. So the amendment was adopted.

Mr. Thorup moved to amend H. F. No. 295, the printed bill, as follows:

Page 12, line 11, after "legislature" insert "*to be accepted, rejected or modified*"

Which motion prevailed. So the amendment was adopted.

Mr. Kirchner moved to amend H. F. No. 295, the printed bill, as follows:

Page 3, line 26, after the period, insert:

"In no instance shall the required contribution exceed a pro rata share of the specific expenses for services rendered incurred by the representative in relationship to the negotiation."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 31 and nays 30, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Novak	Solon
Arnold	Doty	Lord	Olhoft	Spear
Borden	Gearty	McCutcheon	Olson, A. G.	Stokowski
Chenoweth	Hansen, Baldy	Milton	Olson, H. D.	Tennessen
Coleman	Hughes	Moe	Purfeerst	Thorup
Conzemius	Humphrey	North	Schaaf	Wegener

Which motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend H. F. No. 295, the printed bill, as follows:

Page 4, line 35, after the period insert a new sentence to read:

"That portion of an arbitrator's award or negotiated agreement which contains a provision or provisions which conflicts with any statute providing for spending limitations or levy limitations shall be void and of no effect."

Which motion prevailed. So the amendment was adopted.

Mr. Ashbach moved to amend H. F. No. 295, the typewritten bill as follows:

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

"Section 1. Minnesota Statutes 1971, Section 179.63, Subdivision 6, is amended to read:

Subd. 6. "Exclusive representative" means an employee organization which has been designated by ~~more than 50 percent of a majority of those votes cast in~~ the appropriate unit and has been certified pursuant to section 179.67.

Sec. 2. Minnesota Statutes 1971, Section 179.63, Subdivision 13, is amended to read:

Subd. 13. "Teacher" means any person other than a superintendent or assistant superintendent, employed by a school district in a position for which the person must be certificated by the state board of education; and such employment does not come within the exceptions stated in subdivision 7, or defined in subdivisions 8, 9, or 14.

Sec. 3. Minnesota Statutes 1971, Section 179.64, Subdivision 1, is amended to read:

179.64 [STRIKES; PROHIBITION; PENALTIES.] Subdivision 1. *Except as otherwise provided by this act*, no person holding a position by appointment or employment in the government of the state of Minnesota, or in the government of any one or more of the political subdivisions thereof, or in the service of the public schools, or of the state university, or in the service of any authority, commission or board or any other branch of the public service, whether included or excepted from this act may engage in a strike, nor shall any such person or organization of such persons or its officials or agents cause, condone, instigate, encourage, or cooperate, in a strike.

Sec. 4. Minnesota Statutes 1971, Section 179.64, Subdivision 4, is amended to read:

Subd. 4. A public employee who knowingly violates the provisions of this section and whose employment has been terminated pursuant to this section, may, subsequent to such violation, be appointed or reappointed, employed or reemployed, but the employee shall be on probation for two years with respect to such civil service status, tenure of employment, or contract of employment, as he may have theretofore been entitled.

No employee shall be entitled to any daily pay, wages or per diem for the days on which he engaged in ~~a~~ *an unlawful or permitted strike*.

Sec. 5. Minnesota Statutes 1971, Section 179.65, Subdivision 2, is amended to read:

Subd. 2. Public employees shall have the right to form and join labor or employee organizations, and shall have the right not to

form and join such organizations. Public employees in an appropriate unit shall have the right by secret ballot to designate an exclusive representative for the purpose of negotiating grievance procedures and the terms and conditions of employment for such employees with the employer of such unit. *All public employees in an appropriate unit who are members of an appropriate unit shall be required to contribute a proportionate share of the costs of services rendered by the exclusive representative in negotiating contracts. The employer shall provide for check off of said costs and transmit same to the exclusive unit.*

Sec. 6. Minnesota Statutes 1971, Section 179.65, Subdivision 6, is amended to read:

Subd. 6. Supervisory and confidential employees, principals and assistant principals, may join and participate in employee organizations and may form their own organizations, provided, however, that nothing in this section authorizes supervisory or confidential employees ; ~~or principals and assistant principals~~; to be included in an appropriate unit. Affiliation of a supervisory or confidential employee ~~or principal or assistant principal~~ organization with another employee organization which has as its members non-supervisory employees or non-confidential employees, or non-principals or non-assistant principals is *shall not be permitted*. An employer shall not, and shall not be required by the director to extend exclusive recognition to a representative of or an organization of supervisory or confidential employees ; ~~or principals and assistant principals~~; for the purpose of negotiating terms or conditions of employment, but an employer may consult and otherwise communicate with such an organization on appropriate matters.

Sec. 7. Minnesota Statutes 1971, Section 179.66, Subdivision 4, is amended to read:

Subd. 4. A public employer has the obligation to meet and confer with supervisory employees, confidential employees ; ~~principals and assistant principals~~; or their representative regarding the terms and conditions of their employment.

Sec. 8. Minnesota Statutes 1971, Section 179.67, Subdivision 7, is amended to read:

Subd. 7. An employee organization shall be certified as the exclusive representative of an appropriate unit upon receiving a majority of votes of the employees in the appropriate unit ~~at a voting in the certification election~~.

Sec. 9. Minnesota Statutes 1971, Section 179.67, Subdivision 11, is amended to read:

Subd. 11. If no choice on the ballot receives a majority of those ~~employees votes cast~~ in the unit, the director shall conduct a run off election wherein the ballot shall contain only the two choices receiving the greater number of votes.

Sec. 10. Minnesota Statutes 1971, Section 179.67, Subdivision 12, is amended to read:

Subd. 12. Upon a representative candidate receiving a majority of *those votes of all employees cast* in a unit, the director shall certify that representative candidate as the exclusive representative of all employees in the unit.

Sec. 11. Minnesota Statutes 1971, Section 179.68, Subdivision 3, is amended to read:

Subd. 3. Employee organizations, their agents or representatives, and public employees are prohibited from:

(1) restraining or coercing employees in the exercise of their rights as provided in sections 179.61 to 179.77;

(2) restraining or coercing a public employer in the election of his representatives to be employed for the purposes of meeting and negotiating or the adjustment of grievances;

(3) refusing to meet and negotiate in good faith with a public employer, if they have been designated in accordance with the provisions of sections 179.61 to 179.77 as the exclusive representative of employees in an appropriate unit;

(4) violating any of the rules and regulations established by the director regulating the conduct of representation elections;

(5) refusing to comply with the provisions of a valid decision of an arbitration panel or arbitrator acting pursuant to sections 179.61 to 179.77;

(6) calling, instituting, maintaining or conducting a strike or boycott against any public employer on account of any jurisdictional controversy;

(7) coercing or restraining any person with the effect to:

(a) force or require any public employer to cease dealing or doing business with any other person or;

(b) force or require a public employer to recognize for representation purposes an employee organization not certified by the director;

(c) refuse to handle goods or perform services;

(d) preventing an employee from providing services to the employer;

(8) committing any act designed to damage or actually damaging physical property or endangering the safety of persons while engaging in a strike;

(9) forcing or requiring any employer to assign particular work to employees in a particular employee organization or in a particular trade, craft, or class rather than to employees in another employee organization or in another trade, craft or class;

(10) causing or attempting to cause a public employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed;

- (11) engaging in ~~a~~ *an unlawful* strike;
- (12) any picketing which results in a refusal by any person to deliver goods or perform services;
- (13) picketing which has an unlawful purpose such as, but not limited to, the furthering of a strike;
- (14) picketing which unreasonably interferes with the ingress and egress to facilities of the public employer;
- (15) seizing or occupying or destroying property of the employer;
- (16) violating or refusing to comply with any lawful order or decision issued by the director of the board as authorized by sections 179.61 to 179.77;
- (17) the persistent insistence to negotiate items clearly excluded as negotiable under section 179.63, subdivision 19.

Sec. 12. Minnesota Statutes 1971, Section 179.70, Subdivision 5, is amended to read:

Subd. 5. All arbitration decisions authorized or required by a grievance procedure shall be *final and binding on both parties* subject to those limitations of arbitration decisions contained in section 179.72, subdivision 7.

Sec. 13. Minnesota Statutes 1971, Section 179.72, Subdivision 3, is amended to read:

Subd. 3. In addition to the other powers and duties given it by law, the board has the following powers and duties;

(a) to hear and decide issues relating to the meaning of the terms "supervisory employee", "confidential employee", or "essential employee" ~~or "professional employee"~~, as defined by section 179.63;

(b) to hear and decide appeals from determinations of the director relating to the appropriateness of a unit under section 179.67;

(c) to approve or disapprove the rules and regulations promulgated by the director under section 179.71, subdivision 5(g).

Sec. 14. Minnesota Statutes 1971, Section 179.72, Subdivision 9, is amended to read:

Subd. 9. Upon issuing its decision and order involving any dispute, the panel shall transmit the order to the board and to the appropriate representative or officer of the public employer and the employees.

The public employer shall have ten days from the receipt of the order to accept or reject the decision and order; if the public employer takes no action within the ten day period the order shall be deemed to have been accepted and shall be final. The public employer may reject the order by certification to the director and if so rejected the order shall be of no force or effect. *Upon*

such rejection, public employees who are parties to the dispute, other than employees who are employees of the state of Minnesota, upon ten days written notice to the employer may engage in a permitted strike.

Sec. 15. Minnesota Statutes 1971, Section 179.72, Subdivision 13, is amended to read:

Subd. 13. This section shall ~~not~~ apply *only with respect to arbitration of grievances* to any state employee, confidential employee, or supervisory employee ; ~~principal and assistant principal~~ ; ~~nor shall any such employee derive any rights from this section .~~

Sec. 16. Minnesota Statutes 1971, Section 179.74, Subdivision 4, is amended to read:

Subd. 4. The negotiating team shall meet and negotiate with the exclusive representative of appropriate units in the manner prescribed by sections 179.61 to 179.77; provided, however, that the director of mediation services shall define appropriate units of state employees as all the employees under the same appointing authority except where professional, geographical or other consideration affecting employment relations clearly require appropriate units of some other ~~compensation~~ *composition*. Regardless of unit determination, the governor may upon the unanimous written request of exclusive representatives of units and appointing authorities direct that negotiations be conducted for one or more appointing authorities in a common proceeding.

Sec. 17. [REPEALS.] *Minnesota Statutes 1971, Sections 179.63, Subdivisions 10 and 14; 179.65, Subdivision 3; 179.66, Subdivision 3; and 179.73, are repealed."*

Further, strike the title in its entirety and insert in lieu thereof, the following:

"A bill for an act relating to labor relations; labor disputes and strikes by certain public employees; defining terms; providing for elections of exclusive representatives and arbitration; amending Minnesota Statutes 1971, Sections 179.63, Subdivisions 6 and 18; 179.64, Subdivisions 1 and 4; 179.65, Subdivisions 2 and 6; 179.66, Subdivision 4; 179.67, Subdivisions 7, 11 and 12; 179.68, Subdivision 3; 179.70, Subdivision 5; 179.72, Subdivisions 3, 9 and 13; 179.74, Subdivision 4; repealing Minnesota Statutes 1971, Sections 179.63, Subdivisions 10 and 14; 179.65, Subdivision 3; 179.66, Subdivision 3; and 179.73."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Jensen moved to amend H. F. No. 295, the printed bill, as follows:

Page 4, line 35, after the period, insert a new sentence to read: "*Any arbitrator's award or negotiated agreement containing a provision or provisions which conflict with any statute providing for spending limitations, levy limitations, or Minnesota Statutes, Section 179.66, Subdivision 1, shall be void and of no effect.*"

The question being taken on adoption of the amendment,

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Olson, H. D., moved to amend H. F. No. 295, the printed bill, as follows:

Page 3, line 6, strike "*may be provided in subdivision 7.*" and insert "*permitted in section 179.72, subdivision 9.*"

Page 3, strike all of Section 8.

Page 4, strike all of Section 13.

Page 5, lines 22, 23, and 24, reinsert the stricken language

Page 6, lines 8 through 11, strike the new matter and reinsert the stricken language.

Pages 7 and 8, strike all of Section 21

Page 8, strike all of Section 22

Pages 8 and 9, strike all of Section 23

Page 10, strike all of Section 27

Page 11, lines 10 through 15, reinsert all of the stricken language

Page 11, after line 15 insert:

"Upon such rejection, public employees who are parties to the dispute, upon ten days written notice to the public employer, may engage in the strike."

Page 11, strike all of section 29

Page 12, strike all of Section 34

Page 12, line 18, strike "and 179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9;"

Renumber the sections in sequence

Amend the title as follows:

Fourth line, after "179.64," strike "Subdivisions 1 and" and insert "Subdivision"

Fourth line, after "5," and before "6" insert "and" and after "6" strike "and 7"

Fifth and sixth lines, strike "179.69, Subdivisions 3, 5 and 6;"

Sixth line, after "1," and before "9," strike "7," and insert "and" and after "9," strike "and 10"

Seventh line, strike "179.75, Subdivision 8;"

Ninth line, strike "179.75, Subdivisions 1, 2, 3, 4, 5, 6, 7, and 9;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 20 and nays 38, as follows:

Those who voted in the negative were:

Ashbach	Brown	Keefe, J.	Larson	Renneke
Berg	Frederick	Kirchner	Olson, H. D.	Schrom
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Sillers
Blatz	Jensen	Krieger	Patton	Ueland

Those who voted in the negative were:

Anderson	Gearty	Lord	Olson, A. G.	Spear
Arnold	Hansen, Mel	McCutcheon	O'Neill	Stassen
Borden	Hughes	Milton	Perpich, A. J.	Stokowski
Coleman	Humphrey	Moe	Perpich, G.	Thorup
Davies	Keefe, S.	Nelson	Pillsbury	Wegener
Doty	Kleinbaum	North	Purfeerst	Willet
Dunn	Kowalczyk	Novak	Schaaf	
Fitzsimons	Lewis	Olhoft	Solon	

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

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

CALL OF THE SENATE

Mr. Ashbach imposed a call of the Senate.

The following Senators answered to their names:

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

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

Mr. Coleman moved that Mr. Chmielewski be excused from the balance of the Session.

The question being taken on adoption of the motion of Mr. Coleman,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

Which motion prevailed.

The question being taken on the adoption of the report of the Committee of the Whole,

And the roll being called, there were yeas 51 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olhoff	Spear
Arnold	Hansen, Baldy	Larson	Olson, A. G.	Stassen
Borden	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Brown	Hanson, R.	Lord	Olson, J. L.	Tennessen
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Thorup
Coleman	Humphrey	Milton	Perpich, G.	Wegener
Conzemius	Josefson	Moe	Purfeerst	Willet
Davies	Keefe, J.	Nelson	Schaaf	
Doty	Keefe, S.	North	Schrom	
Dunn	Kirchner	Novak	Sillers	
Fitzsimons	Kleinbaum	Ogdahl	Solon	

Those who voted in the negative were:

Ashbach	Bernhagen	Jensen	O'Neill	Renneke
Bang	Blatz	Kowalczyk	Patton	Ueland
Berg	Frederick	Krieger	Pillsbury	

Which motion prevailed. So the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennesen moved that S. F. No. 6 be taken from the table. Which motion prevailed.

Mr. Tennesen moved that the Senate do now concur in the amendments by the House to S. F. No. 6 and that the bill be placed on its repassage as amended.

Mr. Jensen moved that the Senate do not concur in the amendments by the House to S. F. No. 6 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate to act with a like Conference Committee to be appointed on the part of the House.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate.

The following Senators answered to their names:

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

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

The question being taken on adoption of the motion of Mr. Jensen,

And the roll being called, there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Hughes	Moe	Perpich, A. J.	Tennessen
Arnold	Humphrey	Nelson	Perpich, G.	Thorup
Borden	Keefe, S.	North	Purfeerst	Wegener
Chenoweth	Kleinbaum	Novak	Schaaf	Willet
Davies	Lewis	Olhoft	Schrom	
Doty	Lord	Olson, A. G.	Solon	
Gearty	McCutcheon	Olson, H. D.	Spear	
Hansen, Baldy	Milton	O'Neill	Stokowski	

Which motion did not prevail.

The question recurring on the motion of Mr. Tennessen,

And the roll being called, there were yeas 42 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Lord	Olson, A. G.	Spear
Arnold	Hughes	McCutcheon	Olson, H. D.	Stokowski
Borden	Humphrey	Milton	Olson, J. L.	Tennessen
Chenoweth	Keefe, J.	Moe	O'Neill	Thorup
Coleman	Keefe, S.	Nelson	Perpich, A. J.	Wegener
Conzemius	Kleinbaum	North	Perpich, G.	Willet
Davies	Knutson	Novak	Purfeerst	
Doty	Kowalczyk	Ogdahl	Schaaf	
Gearty	Lewis	Olhoft	Solon	

Those who voted in the negative were:

Bang	Brown	Hanson, R.	Patton	Sillers
Berg	Fitzsimons	Jensen	Pillsbury	Stassen
Bernhagen	Frederick	Josefson	Renneke	Ueland
Blatz	Hansen, Baldy	Larson	Schrom	

Which motion prevailed.

CONCURRENCE AND REPASSAGE

S. F. No. 6: A bill for an act relating to real estate; liens for improvements thereto; extent and amount thereof; requiring notice to owners; prescribing penalties; amending Minnesota Statutes 1971, Sections 514.01; 514.03; 514.05; 514.07; 514.08; and 514.11; and Chapter 514, by adding a section.

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 42 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olhoft	Solon
Arnold	Hansen, Mel	Lord	Olson, A. G.	Spear
Ashbach	Hughes	McCutcheon	Olson, H. D.	Stokowski
Borden	Humphrey	Milton	Olson, J. L.	Tennessen
Chenoweth	Keefe, J.	Moe	O'Neill	Thorup
Coleman	Keefe, S.	Nelson	Perpich, A. J.	Wegener
Conzemius	Kleinbaum	North	Perpich, G.	
Davies	Knutson	Novak	Purfeerst	
Doty	Kowalczyk	Ogdahl	Schaaf	

Those who voted in the negative were:

Bang	Fitzsimons	Josefson	Renneke	Willet
Berg	Frederick	Krieger	Schrom	
Bernhagen	Hansen, Baldy	Larson	Sillers	
Blatz	Hanson, R.	Patton	Stassen	
Brown	Jensen	Pillsbury	Ueland	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Borden moved that H. F. No. 672 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

Mr. Borden moved that the foregoing recommendation and Conference Committee Report on H. F. No. 672 be now adopted. Which motion prevailed.

Which recommendations and Conference Committee Report were adopted.

H. F. No. 672: A bill for an act relating to natural resources; preservation and management of wild and scenic rivers; establishing a system of classifications of such rivers as wild, scenic, or recreational; providing policies and standards for administration thereof.

Was read the third time, as amended by the Conference Committee Report, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee Report,

And the roll being called, there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Bernhagen; Hanson, R.; Olson, H. D. and Ueland voted in the negative.

So the bill, as amended by the Conference Committee Report, was repassed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that House Concurrent Resolution No. 9 be taken from the table. Which motion prevailed.

Mr. Coleman moved that House Concurrent Resolution No. 9 be referred to the Committee on Rules and Administration.

CALL OF THE SENATE

Mr. Krieger imposed a call of the Senate.

The following Senators answered to their names:

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

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

The question recurring on the motion of Mr. Coleman,

And the roll being called, there were yeas 35 and nays 30, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

Which motion prevailed. So House Concurrent Resolution No. 9 was referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Saturday, May 5, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.