

## FIFTY-NINTH DAY

St. Paul, Minnesota, Saturday, May 12, 1973.

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Prayer by the Chaplain.

## CALL OF THE SENATE

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

Arnold	Frederick	Laufenburger	Olson, J. L.	Stokowski
Ashbach	Gerty	Lewis	Patton	Tennessen
Berg	Hansen, Baldy	Lord	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Chmielewski	Humphrey	Milton	Pillsbury	Willet
Coleman	Keefe, S.	Novak	Renneke	
Davies	Kirchner	Ogdahl	Solon	
Doty	Kleinbaum	Olhoft	Spear	
Dunn	Kowalczyk	Olson, A. G.	Stassen	

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

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

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

Quorum present.

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

## MEMBERS EXCUSED

Messrs. Anderson, Borden, and Hughes were excused from the Session of today. Mr. Ueland was excused from the Session of today, beginning at 4:30 o'clock p.m.

**INTRODUCTION OF BILLS**

Mr. Olson, H. D. introduced—

S. F. No. 2483: A bill for an act relating to the vending of food; providing for the regulation and licensing of food vendors and their vending machine locations and for the state pre-empting such fields in certain cases; amending Minnesota Statutes 1971, Section 28A.09.

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

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

Mr. Olson, H. D. introduced—

S. F. No. 2484: A bill for an act relating to the policemen's relief association in the city of Fairmont; membership in the public employees police and fire fund.

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

Messrs. Krieger, Nelson and Renneke introduced—

S. F. No. 2485: A bill for an act relating to 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.

Which was read the first time.

**SUSPENSION OF RULES**

Mr. Krieger moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to S. F. No. 2485 and that the rules of the Senate be so far suspended as to give S. F. No. 2485 its second and third reading and placed on its final passage.

**CALL OF THE SENATE**

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

Arnold	Frederick	Kleinbaum	Ogdahl	Purfeerst
Berg	Gearty	Krieger	Olhott	Renneke
Borden	Hansen, Baldy	Larson	Olson, A. G.	Sillers
Coleman	Hansen, Mel	Lewis	O'Neill	Solon
Davies	Hanson, R.	Lord	Patton	Spear
Doty	Humphrey	McCutcheon	Perpich, A. J.	Stokowski
Dunn	Keefe, S.	Milton	Perpich, G.	Ueland
Fitzsimons	Kirchner	Novak	Pillsbury	Willet

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

The question recurring on the adoption of the motion of Mr. Krieger,

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

And the roll being called, there were yeas 27 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

Which motion did not prevail. So S. F. No. 2485 was referred to the Committee on Rules and Administration.

#### INTRODUCTION OF BILLS—CONTINUED

Messrs. Olhoft, Borden and Thorup introduced—

S. F. No. 2486: A bill for an act establishing a state advisory council for home and family; prescribing its membership, powers, and duties; appropriating money.

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

Messrs. Olhoft and McCutcheon introduced—

S. F. No. 2487: A bill for an act relating to training; creating a state training center; creating a state training center advisory council.

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

Messrs. Olhoft, Willet and Wegener introduced—

S. F. No. 2488: A bill for an act relating to the membership of municipalities and other political subdivisions in state and national associations; amending Minnesota Statutes 1971, Section 471.96, Subdivision 1.

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

Mr. Olson, A. G. introduced—

S. F. No. 2489: A bill for an act imposing a gross earnings tax on certain utility companies in lieu of ad valorem taxes; providing for

the payment of said taxes into a gas utilities revenue fund; penalties for failure to file reports or make payments; providing exemptions from taxation; providing for distribution of taxes; appropriating money.

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

Mr. Olson, A. G. introduced—

S. F. No. 2490: A bill for an act imposing a gross earnings tax on certain utility companies in lieu of ad valorem taxes; providing for the payment of said taxes into an electric utilities revenue fund; penalties for failure to file reports or make payments; providing exemptions from taxation; providing for distribution of taxes; appropriating money.

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

Messrs. Wegener, Dunn and Willet introduced—

S. F. No. 2491: A bill for an act relating to water resources; providing that the state water resources board be an agency within the department of natural resources; prescribing the powers and duties of the board and the commissioner of natural resources in relation thereto; amending Minnesota Statutes 1971, Section 105.71; repealing Minnesota Statutes 1971, Sections 105.72 to 105.79.

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

Mr. North introduced—

S. F. No. 2492: A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 15A.20, Subdivision 2; 273.052; 273.063; 274.16; 375.12; 375.13; 393.03; 393.05; 393.06; 393.08, Subdivision 1; Laws 1969, Chapter 1063, Section 1 and Laws 1971, Chapter 632; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter 438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as

amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 1664, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55, as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 105, Section 1, Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, 354, 572 and 824; Laws 1957, Chapters 108, 111 and 251; Laws 1957, Chapter 448, as amended by Laws 1972, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapters 236, 237, 238, 373, 451, 497, 523 and Extra Session Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter

556; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606, 611, and 950.

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

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 17, 225, 1993, 2118, 1087, 1835, 1836, 2148 and 2233.

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

Returned May 11, 1973

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1253, 1755, 2360, 837, 986 and 1197.

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

Transmitted May 10, 1973.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1339 and 2383.

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

Transmitted May 11, 1973.

### FIRST READING OF HOUSE BILLS

H. F. No. 1253: A bill for an act relating to the sales and use tax; exemptions; providing that auctioneers or sellers for bids shall not be exempt from the tax; amending Minnesota Statutes 1971, Section 297A.-25, Subdivision 1.

H. F. No. 1755: A bill for an act relating to taxation; providing certain credits for brewers; amending Minnesota Statutes 1971, Section 340.47, Subdivision 2.

H. F. No. 2360: A bill for an act authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article IX, Section 6; and Article XVI, Section 12; and the expenditure of the proceeds thereof.

H. F. No. 837: A bill for an act relating to highways; providing for a two year moratorium on interstate highway construction.

H. F. No. 986: A bill for an act relating to the Minneapolis-St. Paul Metropolitan Airports Commission; jurisdiction, membership,

and taxing and borrowing powers of the commission; general obligation revenue financing by the commission; and providing for a legislative air transport commission; amending Minnesota Statutes 1971, Sections 360.102, Subdivisions 2, 3, 4, 5, and 9, and by adding a subdivision; 360.103; 360.104, Subdivisions 1, 2, 3, 4, and 5; 360.105, Subdivisions 2 and 4; 360.106, Subdivision 3; 360.107, Subdivision 17; 360.109, Subdivision 1, and by adding a subdivision; 360.111; 360.113, Subdivision 1; 360.114; and 360.122; and repealing Minnesota Statutes 1971, Sections 360.104, Subdivision 6; 360.113, Subdivisions 2 to 5; 360.116; and 360.119.

H. F. No. 1197: A bill for an act relating to education; permitting six school districts to implement and experiment with an educational scholarship program; permitting both public and private schools to participate; permitting participating school districts to contract for federal funds; establishing guidelines for school participation; providing demonstration boards to administer, regulate, test and report the operation of the program; amending Minnesota Statutes 1971, Section 290.086, by adding a subdivision.

H. F. No. 1339: A bill for an act relating to counties; authorizing expenditures for promotion of economic or industrial development; amending Minnesota Statutes 1971, Section 375.18 by adding a subdivision; repealing Minnesota Statutes 1971, Section 395.08.

H. F. No. 2383: A bill for an act relating to public welfare; reducing the maximum age for receipt of aid to families with dependent children; amending Minnesota Statutes 1971, Section 256.12, Subdivision 14.

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

H. F. No. 2097: A bill for an act relating to Ramsey county; tax equalization procedure; repealing Special Laws 1876, Chapter 212, as amended.

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

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

H. F. No. 2270: A bill for an act relating to the village of North St. Paul; authorizing the construction and financing of certain awnings in the village pursuant to Minnesota Statutes, Chapter 429.

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

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

H. F. No. 2154: A bill for an act authorizing the city of Shakopee to appoint nonresidents of the city to its water, light, power and building commission under certain conditions.

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

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

H. F. No. 231: A bill for an act relating to the metropolitan sewer board; payment of annual credit to municipalities; amending Minnesota Statutes 1971, Section 473C.05, Subdivision 4.

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

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

H. F. No. 66: A bill for an act relating to the village of Roseville; procedure upon levy of certain special assessments.

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

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

H. F. No. 633: A bill for an act relating to towns; authorizing all towns to make local improvements and to assess the cost thereof against benefited property; amending Minnesota Statutes 1971, Sections 429.011, Subdivision 2; and 435.19, Subdivision 1.

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

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

"Section 1. Minnesota Statutes 1971, Section 429.011, is amended by adding a subdivision to read:

*Subd. 2b. "Municipality" also includes any town in the case of*



*construction, reconstruction or improvement of a town road including curbs and gutters and storm sewers and in the case of those improvements designated in section 429.021, subdivision 1, clause (1)."*

Further amend the title on line 2, strike everything after "1971," and strike the third line and insert in lieu thereof: "Section 429.011, by adding a subdivision."

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

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

H. F. No. 1338: A bill for an act relating to Olmsted county; authorizing expenditures for promotion of economic or industrial development.

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

Page 1, line 1, strike "board" and insert "boards"

Page 1, line 1, after "Olmsted" strike "county" and insert "and Mower counties"

Page 1, line 2, strike "the county" and insert "their counties"

Page 1, line 3, strike "county" and insert "counties"

Page 1, line 4, strike "board" and insert "boards"

Page 1, line 4, after "Olmsted" strike "county" and insert "and Mower counties"

Amend the title by striking "county" and inserting "and Mower counties"

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

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

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

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

Page 1, strike all of Section 1.

Renumber the sections in order.

Amend the title as follows:

In the second line of the title, strike "410.05, by adding a subdivision;"

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

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

H. F. No. 2096: A bill for an act relating to county extension service; removing limitations on the levy and appropriation for extension activities; amending Minnesota Statutes 1971, Section 38.36.

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

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

H. F. No. 2052: A bill for an act relating to St. Louis county; providing funds for the maintenance and support of county extension work in St. Louis county; amending Laws 1971, Chapter 370, Section 1.

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

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

H. F. No. 2002: A bill for an act relating to bonds; public officers; requiring that bonds of public officers be filed in the office of the register of deeds; amending Minnesota Statutes 1971, Sections 375.03; 382.10; 382.12; 386.01; 386.18; 388.01; 389.011, Subdivision 3; 390.01; 485.01; 488.10, Subdivision 2; 508.31; 525.04; 525.09; 525.10; 574.20; and repealing Minnesota Statutes 1971, Sections 382.09 and 382.11.

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

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

H. F. No. 659: A bill for an act relating to the city of Willmar; authorizing land acquisition and development to promote industry and alleviate unemployment.

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

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

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

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

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

H. F. No. 2397: A bill for an act relating to zoning; authorizing board of appeals to permit variances for use of one family dwelling; amending Minnesota Statutes 1971, Section 462.357, Subdivision 6.

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

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

H. F. No. 2294: A bill for an act relating to the issuance of bonds by the Village of Emmons.

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

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

H. F. No. 2107: A bill for an act relating to intoxicating liquor; regulation of the on-sale thereof; amending Minnesota Statutes 1971, Section 340.07, Subdivision 5.

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

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

H. F. No. 1871: A bill for an act relating to the village of Roseville and the city of Brooklyn Center; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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

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

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

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

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

H. F. No. 1416: A bill for an act relating to mental health; hospitalization and commitment act; amending Minnesota Statutes 1971, Section 253A.08, Subdivision 1.

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

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

H. F. No. 972: A bill for an act relating to public welfare; selection of county board members; amending Minnesota Statutes 1971, Section 393.01, Subdivision 2.

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

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

H. F. No. 483: A bill for an act relating to the practice of massage; amending Minnesota Statutes 1971, Sections 146.16; 154.04; and 155.19; repealing Minnesota Statutes 1971, Sections 148.33 to 148.511.

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

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

H. F. No. 482: A bill for an act relating to health; occupations in protection thereof; registration; suspension, revocation or denial thereof; amending Minnesota Statutes 1971, Section 148.75; repealing Minnesota Statutes 1971, Section 147.08.

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

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

H. F. No. 284: A bill for an act relating to the practice of medicine; physicians, surgeons, and osteopaths; licensing thereof; amending Minnesota Statutes 1971, Section 147.021, Subdivision 1.

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

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

H. F. No. 2144: A bill for an act relating to wild animals; affording protection to the wolverine; providing a penalty; amending Minnesota Statutes 1971, Sections 97.55, Subdivision 8; and 100.27, Subdivision 1.

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

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

H. F. No. 1821: A bill for an act relating to the environmental impact, reduction, reuse and recycling of solid waste; authorizing state grants to regions, municipalities, and institutions therefor; prescribing duties and powers of the Minnesota pollution control agency; providing penalties; imposing a solid waste disposal charge; appropriating funds.

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

Page 2, strike line 3

Renumber the remaining subdivisions

Page 2, line 29, strike "and the director find" and insert in lieu thereof "finds"

Page 4, line 30, strike "affected by this section may" and insert in lieu thereof "in effect on final enactment of this act may, if the parties to the contract mutually agree,"

Page 4, line 31, after "section." insert "If a party to such a contract, after a good faith attempt to renegotiate the contract, is unable to do so and the contract will continue in effect on and after July 1, 1974, the commissioner of taxation, after notice from the party in such form as the commissioner may prescribe and setting forth these facts, shall issue to the party a certificate that solid waste materials disposed of pursuant to the contract are exempt from the user fee imposed by this section. The operator of a solid waste disposal facility may require such a party to display his certificate of exemption at the operator's request."

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

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

H. F. No. 666: A bill for an act relating to Independent School District No. 332; education; state aids and teacher contracts.

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

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

H. F. No. 1567: A bill for an act relating to education; state aids for summer school or year-round classes; amending Minnesota Statutes 1971, Section 124.20.

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

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

H. F. No. 2234: A bill for an act relating to education; clarifying responsibilities of the higher education advisory council; amending Minnesota Statutes 1971, Section 136A.02, Subdivision 6.

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

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

H. F. No. 1714: A bill for an act authorizing the issuance of bonds by Independent School District No. 877.

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

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

H. F. No. 1566: A bill for an act relating to education; requiring all special and independent school districts to provide transportation to pupils living two miles or more from school; amending Minnesota Statutes 1971, Section 123.39, Subdivision 1.

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

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

H. F. No. 1275: A bill for an act relating to education; school district elections; amending Minnesota Statutes 1971, Section 123.32, Subdivisions 5 and 24, and by adding subdivisions.

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

Page 1, line 15, after "*ballot*" and before "*in*" insert "*envelope*"

Page 2, line 27, after "*other*" and before "*delivered*" strike "*ballots*" and insert "*ballot envelopes*"

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

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

H. F. No. 1895: A bill for an act relating to waters, watercraft safety; authorizing the commissioner of natural resources to regulate the size of motors; amending Minnesota Statutes 1971, Section 361.26, Subdivision 2.

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

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

H. F. No. 1716: A bill for an act relating to wild animals; limiting the use of certain firearms in relation to firearm deer seasons; amending Minnesota Statutes 1971, Section 100.29, Subdivisions 3 and 9.

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

Page 1, line 10, before "smooth-bore" strike "(1)" and insert "{a}"

Page 1, line 13, before "22 caliber" strike "(2)" and insert "{b}"

Page 1, line 15, start a new paragraph with "(3)"

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

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

H. F. No. 1702: A bill for an act relating to agriculture; providing for the investigation of the complaints of food producers, processors and handlers licensed by the state.

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

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

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

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

Page 1, line 10, after "168B.13." insert "*Vehicles on the premises of junk yards and automobile graveyards, which are defined, maintained and licensed in accordance with section 161.242, or which are licensed and maintained in accordance with local laws and zoning regulations, shall not be considered abandoned motor vehicles within the meaning of this definition.*"

Page 2, line 18, after "ownership." insert "*Before such a vehicle is issued a new certificate of title it must receive a motor vehicle safety check.*"

Page 2, line 30, after "may" insert "*contract with others or, if no bids are received, may*"

Page 2, line 31, strike "either"

Page 2, line 31, strike "or it may contract with others, or both,"

Page 2, line 32, strike ", incineration, volume reduction," and insert in lieu thereof "and"

Page 2, lines 32 and 33, strike “, or other services necessary to prepare” and insert in lieu thereof “of”

Page 2, line 33, strike “or other methods of disposal”

Page 2, strike lines 34 and 35

Page 2, line 36, strike “3” and insert in lieu thereof “2”

Page 3, line 14, after “168B.08.” insert “the agency shall not approve any disposal contract that (a) has been entered into without prior notice to and request for bids from all persons duly licensed by the agency pursuant to section 168B.10, subdivision 2; (b) does not provide for a full performance bond; or (c) does not provide for total collection and transportation of abandoned motor vehicles, except that the agency may approve a disposal contract covering solely collection or transportation of abandoned motor vehicles where the agency determines total collection and transportation to be impracticable and where all other requirements herein have been met and the unit of government, after proper notice and request for bids, has not received any bid for total collection and transportation of abandoned motor vehicles.”

Page 3, lines 17 and 18, reinstate the stricken language

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. 1870: A bill for an act relating to the city of Minneapolis and authorizing condemnation of real property in certain instances pursuant to procedures set forth in its home rule charter or Minnesota Statutes 1971, Chapter 430.

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

Page 1, line 1, after “117” insert “except those provisions which relate to relocation assistance”

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. 1635: A bill for an act relating to Bois Forte Indian Reservation at Nett Lake; providing for the retrocession to the United States of America of all criminal jurisdiction in that area of Indian country.

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. 1065: A bill for an act relating to probate; regulating the availability of summary proceedings; amending Minnesota Statutes 1971, Section 525.51, Subdivision 5.

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. 1059: A bill for an act relating to county attorneys; creating a county attorneys council and the office of executive director; creating the offices of district attorney; prescribing powers and duties; and appropriating money; amending Minnesota Statutes 1971, Section 15A.083, Subdivision 3.

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

Page 4, line 5, strike "\$110,000" and insert in lieu thereof "\$75,000"

Page 4, line 6, strike "\$110,000" and insert in lieu thereof "\$75,000"

Underline all new language in the bill

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. 1641: A bill for an act relating to Hennepin county; soil and water conservation; expenditures from general revenue fund.

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

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

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

Page 1, line 3, strike "1968" and insert in lieu thereof "1972" and in the same line strike "1969" and insert in lieu thereof "1973"

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

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

H. F. No. 988: A bill for an act relating to Hennepin county; tax levies for the purposes of the county park reserve district; amending Laws 1967, Chapter 721, Section 2, as amended; and Laws 1971, Chapter 954, Section 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. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 2127: A bill for an act relating to courts; setting the salary of the judge of municipal court in North St. Paul; amending Minnesota Statutes 1971, Section 488.21, 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. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which was referred

H. F. No. 1639: A bill for an act authorizing the village of Plymouth to refund temporary improvement bonds issued in the years 1969 to 1973; amending Laws 1971, Chapter 557, Section 1.

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

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

H. F. No. 715: A bill for an act relating to metropolitan transit; exempting property not served by transit system from tax levies; amending Minnesota Statutes 1971, Section 473A.111, Subdivisions 1 and 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. Novak from the Committee on Finance, to which was referred

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

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

Page 4, line 5, after "*each*" and before "*course*" insert "*occupational*"

Page 4, line 9, strike "*each*"

Page 4, line 10, strike "*student*" and insert "*students*"

Page 4, line 10, strike "*an*"

Page 4, line 10, strike "*position*" and insert "*positions*"

Page 9, line 25, strike "*and understand*"

Page 12, line 8, strike "*a reasonable enrollment fee,*" and insert "*15 percent of the total cost of the course but*"

Page 12, line 25, strike "*a reasonable*" and insert "*15 percent of the total cost of the course but*"

Page 12, line 26, strike "*enrollment fee,*"

Page 13, line 10, strike "*a reasonable enrollment fee*" and insert "*25 percent of the total cost of the course but*"

Page 13, line 11, strike "\$50" and insert "\$100"

Page 13, line 23, strike "*a reasonable*"

Page 13, line 24, strike "\$50." and insert "\$75. *In no event shall the amount charged exceed the total stated cost of the course.*"

Page 13, line 24, strike "*enrollment fee*" and insert "*25 percent of the total cost of the course but*"

Page 15, strike lines 8 through 15

Page 16, strike lines 1 through 3

Page 16, line 21, strike "*erroneous,*"

Page 17, line 5, after "*when*" strike the balance of the line and insert "*it is obvious*"

Page 17, line 6, strike everything before "*that*"

Page 18, line 8, strike "*erroneous,*"

Renumber the subdivisions in sequence

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

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

H. F. Nos. 1253, 2360, 837, 986, 1197, 371, 1339, 2383, 1146 and 2247 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. Nos. 2360 and 1197 to the Committee on Finance.

H. F. No. 2383 to the Committee on Health, Welfare and Corrections.

H. F. No. 371 to the Committee on Judiciary.

H. F. No. 1339 to the Committee on Local Government.

H. F. Nos. 837 and 986 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1253 to the Committee on Taxes and Tax Laws.

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.
1146	1315				
2247	2182				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1146 be amended as follows:

Page 1, line 9, delete "\$86,725.78" and insert in lieu thereof "\$102,557.23"

And when so amended, H. F. No. 1146 will be identical to S. F. No. 1315 and further recommends that H. F. No. 1146 be given its second reading and substituted for S. F. No. 1315 and S. F. No. 1315 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2247 be amended as follows:

Page 5, line 4, delete "municipality" and insert in lieu thereof "city"

Page 5, line 16, after "auditor" delete ", and shall not when added to" and insert in lieu thereof ". At no time shall"

Page 5, line 25, delete "municipality" and insert in lieu thereof "city of Saint Paul"

Page 9, line 2, before "council" insert "city"

Page 9, line 9, after "Sections" insert "475.51, 475.53,"

Page 9, line 10, after "475.70," insert "and"

Page 9, line 10, after "475.71" and before the period, delete ", and 475.74"

Page 9, line 22, delete everything after the period

Page 9, delete lines 23 through 28

Page 10, delete lines 1 through 19

Page 10, after line 22, insert the following:

"During the period that the district is subject to tax increment, the county auditor shall include no more than the original taxable value of such real property in the assessed valuation upon which he computes the mill rates of all taxes levied by the state, the county, the municipality, the school district and every other taxing district in which the property is situated; but he shall extend all mill rates so determined against the entire market value of such property for that year."

Page 16, line 1, before "The" insert "In its discretion,"

Page 16, line 1, delete "shall" and insert in lieu thereof "may create and"

Page 16, line 2, delete "at least"

And when so amended, H. F. No. 2247 will be identical to S. F. No. 2182 and further recommends that H. F. No. 2247 be given its second reading and substituted for S. F. No. 2182 and S. F. No. 2182 be indefinitely postponed. Amendments adopted.

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

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

S. F. Nos. 2021 and 1059 were read the second time.

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

H. F. Nos. 666, 1567, 2234, 1714, 1566, 1275, 1895, 1716, 1702, 1302, 1870, 1635, 1065, 1641, 1693, 988, 2127, 1639, 715, 2097, 2270, 2154, 231, 66, 633, 1338, 1023, 2096, 2052, 2002, 659, 1749, 2397, 2294, 2107, 1871, 1416, 972, 483, 482, 284, 2144, 2247, and 1146 were read the second time.

#### **SUSPENSION OF RULES**

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

#### **MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2353.

H. F. No. 2353: A bill for an act relating to Ramsey county; appropriations by the county for the preliminary plans of a detention center or centers.

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

Messrs. Tomlinson, Dieterich and Andersen, R. have been appointed as such committee on the part of the House.

House File No. 2353 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

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

Transmitted May 11, 1973

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2353 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 611, No. 182 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 611: A bill for an act relating to public safety; division of highway patrol; providing salary adjustments for members of the highway patrol assigned to air patrol duty; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 3.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1134, No. 181 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1134: A bill for an act relating to the organization and operation of state government; the powers and duties of the commissioner of iron range resources and rehabilitation; creation, powers and duties of advisory commission; appropriation of funds; amending Minnesota Statutes 1971, Sections 298.22 and 298.221.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	Olson, A. G.	Solon
Ashbach	Fitzsimons	Knutson	Olson, H. D.	Spear
Bang	Gearty	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Perpich, G.	Tenneessen
Chenoweth	Hanson, R.	Lord	Pillsbury	Thorup
Chmielewski	Humphrey	McCutcheon	Purfeerst	Ueland
Conzemius	Keefe, J.	Moe	Renneke	Wegener
Davies	Keefe, S.	Novak	Schrom	
Doty	Kirchner	Olhoff	Sillers	

Those who voted in the negative were:

Frederick	Josefson	Nelson	O'Neill	Patton
Jensen				

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1699, No. 206 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1699: A bill for an act relating to education; veteran farmer cooperative training program; 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1091, No. 203 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1091: A bill for an act relating to health; authorizing the commissioner of public welfare to make grants to aid in the purchase, construction or remodeling of community residential facilities for the mentally retarded and cerebral palsied; directing the commissioner of public welfare to establish an advisory board on community residential facilities for the mentally retarded and cerebral palsied; 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1566, No. 200 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1566: A bill for an act appropriating money to the state department of education for deficiencies in state aid for education programs for adults.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.



**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1742 No. 195 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1742: A bill for an act relating to the credentialing of allied health manpower under the state board of health; 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 56 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Jensen voted in the negative.

So the bill passed and its title was agreed to.

**SUSPENSION OF RULES**

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

**MESSAGE FROM THE HOUSE—CONTINUED**

Mr. President:

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

S. F. No. 1353: A bill for an act relating to community corrections; authorizing a state subsidy to local units of government for providing community based corrections services; prescribing the powers of the commissioner of corrections; appropriating funds therefor.

Senate File No. 1353 is herewith returned to the Senate.

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

Returned May 11, 1973

**CONCURRENCE AND REPASSAGE**

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 1353 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1353 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	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
Brown	Jensen	Lord	Patton	Stokowski
Chenoweth	Josefson	McCutcheon	Perpich, A. J.	Tennessen
Chmielewski	Keefe, J.	Milton	Perpich, G.	Thorup
Conzemius	Keefe, S.	Moe	Pillsbury	Ueland
Doty	Kirchner	Nelson	Purfeerst	Wegener
Dunn	Kleinbaum	North	Renneke	Willet
Fitzsimons	Knutson	Novak	Schaaf	

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

**MESSAGE FROM THE HOUSE—CONTINUED**

Mr. President:

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

S. F. No. 1160: A bill for an act relating to natural resources and the environment; establishing the Minnesota environmental quality council; stating the powers and duties of the council; appropriating money.

Senate File No. 1160 is herewith returned to the Senate.

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

Returned May 11, 1973

**CONCURRENCE AND REPASSAGE**

Mr. Moe moved that the Senate do now concur in the amendments by the House to S. F. No. 1160 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1160 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

#### MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 900: A bill for an act relating to water pollution control; authorizing certain advisory and regulatory powers of the pollution control agency over disposal systems; providing penalties; amending Minnesota Statutes 1971, Sections 115.01, Subdivisions 1, 2, 4, 5, and 10, and by adding subdivisions 115.03; Subdivisions 1 and 4, and by adding a subdivision; 115.04; 115.05, Subdivision 1; 115.07, Subdivision 3; 115.44, Subdivisions 5 and 8; 115.49, Subdivision 1, and by adding a subdivision; Chapter 115, by adding sections; 116.05, Subdivision 1; 116.075; 116.11; repealing Minnesota Statutes 1971, Sections 115.05, Subdivision 2; 115.07, Subdivisions 2, 4, and 6; 115.43, Subdivision 3; 115.45, Subdivision 2; 115.47; 115.81; 116.08; 116.30 and 116.31.

Senate File No. 900 is herewith returned to the Senate.

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

Returned May 11, 1973

#### CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 900 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 900 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

#### MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 1095: A bill for an act relating to the regulation of barbers in the state of Minnesota; amending Minnesota Statutes 1971, Sections 154.03; 154.16; 154.18; and 154.22.

Senate File No. 1095 is herewith returned to the Senate.

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

Returned May 11, 1973

#### CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate do now concur in the amendments by the House to S. F. No. 1095 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1095 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

**MESSAGE FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1355:

H. F. No. 1355: A bill for an act relating to the operation of the state government; prescribing compensation, retirement and related benefits for certain state officers and employees, and establishing certain compulsory retirement requirements; amending Minnesota Statutes 1971, Sections 43.01, Subdivision 9, and by adding subdivisions; 43.03, Subdivision 3; 43.051; 43.111; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivision 2; 43.122; 43.126, Subdivision 1; 43.24, Subdivision 1; 43.50, Subdivision 1; 299D.03, Subdivision 2; 352.04, Subdivisions 2 and 3; 352.115, Subdivisions 2 and 3, and by adding subdivisions; 352.116, Subdivision 1; 352.118; 352.22, Subdivision 1; 356.21, Subdivision 5; and Chapter 352, by adding sections; repealing Minnesota Statutes 1971, Section 16.02, Subdivision 20a.

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

Lindstrom, J.; Quirin, Parish, Moe and Weaver have been appointed as such committee on the part of the House.

House File No. 1355 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

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

Transmitted May 11, 1973

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1355 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

**MESSAGE FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1854.

H. F. No. 1854: 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 repealing Laws 1969, Chapter 1104, Section 11.

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

Vento, Ferderer and Faricy have been appointed as such committee on the part of the House.

House File No. 1854 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

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

Transmitted May 11, 1973

Mr. O'Neill moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1854 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

#### **MESSAGE FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 786: A bill for an act relating to the city of St. Paul; fixing the salaries of elected officials; providing a method of fixing future compensation of elected officials.

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

Transmitted May 11, 1973

Mr. McCutcheon moved that H. F. No. 786 be laid on the table. Which motion prevailed.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Conzemius moved that H. F. No. 805 be withdrawn from the Committee on Rules and Administration and laid on the table. Which motion prevailed.

Mr. Coleman moved that S. F. No. 2167 and the Conference Committee Report be laid on the table and the Report be printed in the Journal. Which motion prevailed.

#### **CONFERENCE COMMITTEE REPORT ON S. F. NO. 2167**

A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders', dairymen's, horticultural and poultry association and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23.

May 12, 1973

Honorable Alec Olson, President of the Senate

Honorable Martin Sabo, Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 2167, report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 2167 be amended by striking all matter after the enacting clause and in lieu thereof substituting the following:

“Section 1. APPROPRIATIONS. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury, or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975.

### APPROPRIATIONS

#### Available for the Year

	1973	1974	1975
	\$	\$	\$
<b>Sec. 2. GENERAL GOVERNMENT</b>			
Subdivision 1. Interstate Cooperation Commission and Council of State Governments.		37,810	37,810
Subd. 2. Minnesota-Wisconsin Boundary Area Commission. . .		21,600	21,600
Provided that the amount that may be expended shall not exceed the amount provided for the commission by the state of Wisconsin.			
Subd. 3. Uniform Laws Commission			
(a) For expenses . . . . .		6,900	7,500
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Subd. 4. The Great Lakes Commission . . . . .		25,000	25,000
Subd. 5. The Education Commission of the States . . . . .		16,000	16,000

	1973	1974	1975
	\$	\$	\$
The above appropriation includes funds for the state advisory council.			
Subd. 6. National Governors' Conference .....		8,500	8,500
Subd. 7. Advisory Commission on Intergovernmental Relations		1,000	1,000
Provided that the department of administration shall be responsible for the disbursement of the funds provided in this subdivision.			
Subd. 8. Capitol Area Architectural and Planning Commission .....		45,000	
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.			

### Sec. 3. PROTECTION TO PERSONS AND PROPERTY

Subdivision 1. For mileage and per diem for conveying prisoners to the state reformatory and state prison and for conveying youths to the youth conservation commission ....

28,000      28,000

Should the appropriation for either year be insufficient, then the appropriation for the other year shall be available therefor.

Provided, however, that the amounts appropriated by subdivision 1 include payments for:

(a) Upon certification by the commissioner of corrections that any person committed to the youth conservation commission has absconded or otherwise violated the terms of his parole or probation and should be returned to the state reformatory, the state training school for boys, the Minnesota home



	1973	1974	1975
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	\$	\$	\$
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school, or other similar correctional institutions which may be hereafter established for their confinement, the necessary expenses of parole or probation officers, sheriffs, or other officers incurred in returning such person, including per diem and expenses of guards, shall be approved by the state auditor and paid out of the state treasury from funds appropriated for such purposes. The auditor may allow for such expenses the necessary expenses incurred by the sheriff or other officer in going to and returning from the particular correctional institution concerned and \$10 per day for each guard, and such sum as is necessary for actual traveling expenses. All bills shall be rendered in writing, fully itemized, verified, and accompanied by the receipt of the superintendent of the appropriate institution for the delivery of such ward of the youth conservation commission in a form prescribed by the state auditor.

(b) The mileage shall be reimbursed in accordance with the travel regulations governing state employees pursuant to Minnesota Statutes 15A.20, Subdivision 1, without regard to the number of guards or prisoners conveyed.

#### Sec. 4. DEVELOPMENT AND CONSERVATION OF NATURAL RESOURCES

##### Subdivision 1. Societies and Associations

##### (a) State Horticultural Society

1. For maintenance . . . . .	9,300	9,300
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##### (b) For expenses of the Junior Livestock Show in Duluth . . . .

1,400	1,400
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	1973	1974	1975
\$	\$	\$	
Said sum to be paid to the junior livestock association of Duluth and to be expended by said association for the payment of the expenses and transportation of boys and girls displaying exhibits and in attendance at the junior livestock show at Duluth and for prizes awarded to exhibitors at said show.			
(c) For aid to Minnesota Livestock Breeders Association . . .		14,000	14,000
(d) For aid to Northern Sheep Growers Associations . . . . .		750	750
(e) For aid to Southern Sheep Growers Associations at LeSueur, Minnesota . . . . .		500	500
(f) For Red River Valley Livestock Associations . . . . .		6,000	6,000
Provided that the amount appropriated by item (f) hereof shall be disbursed pursuant to provisions of Minnesota Statutes, Section 38.02.			
(g) For the Red River Valley Dairymen's Association, Inc., for the purpose of promoting better dairying . . . . .		1,500	1,500
Items (a), (c), (d), (e), (f), and (g) shall be appropriated under provisions of Minnesota Statutes, Section 17.07.			
Subd. 2. Aid to Agricultural Societies and Poultry Associations			
(a) Aid to county and district agricultural societies . . . . .		240,000	240,000
Of the amount appropriated by item (a), \$4,500 each year is for livestock premiums to county fair associations for carrying on boys' and girls' club work.			
Provided that the amount appropriated by item (a) hereof			

	1973	1974	1975
	\$	\$	\$
shall be disbursed according to Minnesota Statutes, Section 38.02.			
Notwithstanding any other law to the contrary, the amount appropriated by item (a) shall only be disbursed to those county and district agricultural societies including the Cass County Agricultural Association whose premium lists exceed \$2,000.			
Provided that out of the amounts appropriated by item (a) hereof, \$1,000 each year shall be available to the Red Lake Band of Chippewa Indians to be expended as may be directed by the Indian council for the purpose of encouraging such activities and arts as will advance the economic and social interest of their people and particularly to promote a program of agricultural development that will utilize to the greatest possible extent the lands and forest owned by them. This appropriation may be used to help maintain an agricultural extension service; to promote 4-H club work, or for premiums for the competitive display of exhibits at any fair or exposition that may be arranged under the direction of the council.			
(b) For aid in payment of premiums at exhibitions of poultry for the poultry associations mentioned in Laws 1949, Chapter 718, Section 7, Subdivision 8 .....		3,500	3,500

Provided that out of the amounts appropriated by item (b) hereof the amount of \$1,125 shall be allotted each fiscal year to aid the Minnesota state poultry association in the pay-

	1973	1974	1975
	\$	\$	\$

ment of premiums and other necessary expenses, exclusive of salaries or wages of any kind, at its annual exhibition.

Provided that the northern poultry association (being a consolidation of fourteen northwestern county associations) shall receive not to exceed \$150.

Provided that no one association or society will receive an amount greater than the annual premium paid to exhibitors by them and shall not in any case exceed the sum of \$150 to any one county.

Provided further that any society or association to be entitled to their distributive share of this appropriation shall file annually with the department of agriculture on or before the first day of April of each year, a sworn statement signed by the president or secretary of such association or society showing the amount of cash premiums paid during the year to exhibitors, and the amount to be distributed to such society or association from said fund shall be based and determined upon the amount of cash premiums paid out as hereinbefore provided. Provided further that except as herein provided where there is more than one association in a county, the amount allocated to such county, not exceeding \$150 aforesaid, shall be distributed to the societies in equal amounts.

## Sec. 5. SOCIAL SECURITY

### Subdivision 1. Minnesota Veterans Home

(a) Maintenance and repairs .	519,924	519,122
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	1973	1974	1975
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	\$	\$	\$
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Of the amounts appropriated by item (a), including such additional federal funds and dedicated receipts as may be available for maintenance and repair not to exceed \$1,034,654 is for salaries for the year ending June 30, 1974, and \$1,035,398 is for salaries for the year ending June 30, 1975, but may be augmented by such specific sums as are appropriated for salary increases by the 1973 legislature.

Of the amounts appropriated by item (a), no additional classified employees shall be granted beyond the approved roster of 100 classified employees.

Federal aid, compensation, or reimbursement from the federal government or otherwise received by the Minnesota veterans home, and all receipts from maintenance charges are hereby reappropriated to be used for the purpose of supplementing the appropriation herein provided for.

No portion of the money appropriated for salaries shall be used to pay merit increases to employees in the unclassified service.

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employees paid from this appropriation.

#### Subd. 2. Miscellaneous Accounts

##### (a) Disabled American Veterans

1. For salaries, supplies and expense to be expended as provided by Laws 1941, Chapter 425 .....

10,000

10,000

	1973	1974	1975
	\$	\$	\$
(b) United Spanish War Veterans			
1. Maintenance, including publication of departmental reports .....		2,240	2,240
(c) Veterans of Foreign Wars			
1. For carrying out the provisions of Laws 1945, Chapter 455 .....		9,250	9,250

#### Sec. 6. EDUCATION, LIBRARIES, MUSEUMS AND RECREATION

Subdivision 1. For Minnesota Historical Society

(a) Grants and aids .....	1,581,451	1,615,706
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The above appropriation includes sufficient funds to pay salary increases authorized by the 1973 legislature.

From the appropriation made to the historical society by this act, employees, with the exception of the director, shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. The appropriation includes funds to provide for a seven-day-a-week tour program in the capitol and historical buildings. The historical building shall remain open for public use on Saturdays and, if necessary, adjustments in the remainder of the week day schedule may be effected by the Minnesota historical society. Notwithstanding any other laws to the contrary, the society may purchase fire, wind, hail and vandalism insurance from this appropriation. The amount of funds necessary to meet expenses shall be paid to the society upon certification by the direc-

	1973	1974	1975
	\$	\$	\$
tor of the Minnesota historical society of this amount to the state auditor.			
Any unexpended balance remaining at the end of the first year shall be returned to the state treasury and credited to the state general fund.			
Notwithstanding any other law to the contrary the appropriations made in this act shall be subject to the charter of the Minnesota historical society of 1849 and as amended in 1856.			
The Minnesota historical society shall report annually by November 15 of each year to the governor, the commissioner of administration and the appropriate finance committees of the house and the senate the amount and purpose for which state funds under this subdivision were expended for each fiscal year of the biennium.			
The grant-in-aid appropriation herein provided shall be expended in the manner and under the terms and conditions described by the governing body of the Minnesota historical society.			
(b) Science Museum Extension Program .....		125,000	
The appropriation herein provided shall be expended according to the provisions of Minnesota Statutes 138.035.			
Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
Subd. 2. For maintenance of Sibley House to be expended by the Sibley House Association .....		11,225	11,225

	1973	1974	1975
	\$	\$	\$
Notwithstanding any other law to the contrary, the amount of \$2,000 is provided each year out of the above appropriation for fire, wind, hail, and vandalism insurance.			
Subd. 3. For aid to school districts as provided by Minnesota Statutes 124.31 . . . . .		50,000	50,000
Provided that this appropriation shall cancel if Minnesota Statutes 124.31 are repealed.			
Provided that any sums received by any school district from the above appropriation shall be in addition to all other forms of state aid and shall not be deducted from any other state aid to schools.			
Subd. 4. For Minnesota Academy of Science . . . . .		13,500	13,500
Subd. 5. Minnesota State Arts Council . . . . .		300,000	300,000
Provided that the state funding for grants and subsidies may not be expended unless matched by federal funds.			
Provided that none of the state share of grants and subsidies may be used for matching salary expenditures of any of the various arts councils.			
Every publication, program or other graphic material prepared by the Minnesota state arts council, or prepared for use by any other organization in connection with an activity funded in whole or part by the council shall bear the legend: "This activity is made possible, in part, by a grant provided by the Minnesota State Legislature and the Congress of the United States."			
Provided that the Minnesota			



	1973	1974	1975
	\$	\$	\$

state arts council shall submit a written report to the house appropriations and senate finance committees on July 1, 1974. Such report shall include but not be limited to the specific purposes for which the appropriation was expended for the fiscal year ending June 30, 1974. It shall include an itemization of the programs and projects supported and the source of the funds each received. It also shall contain a detailed proposal for the expenditure of the appropriation provided in this subdivision for the fiscal year ending June 30, 1975. The council shall submit a written report to the 1975 legislature. The report shall be similar in format to the above report but shall cover each of the years of the 1973-75 biennium.

#### Subd. 6. Minnesota Safety Council

(a) For salaries, supplies and expenses .....	47,500	47,500
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These amounts are appropriated from the trunk highway fund and shall be disbursed pursuant to Laws 1967, Chapter 550, Section 2.

#### Sec. 7. MISCELLANEOUS...

Subdivision 1. For special aid to cities having large proportion of property paying gross earnings taxes, Minnesota Statutes 276.15 .....

207,500	210,000
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Subd. 2. For special aid to counties having large proportion of property paying gross earnings taxes, Minnesota Statutes, Sections 373.20 to 373.24

37,500	37,500
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Subd. 3. For special aid to towns having large proportion of property paying gross earn-

	1973	1974	1975
	\$	\$	\$
ings taxes, Laws 1939, Chapter 324, as amended by Laws 1943, Chapter 506, and pursuant to Laws 1943, Chapter 559. . . . .		1,500	1,500
<b>Sec. 8. CIVIL AIR PATROL</b>			
(a) For supplies, expense and equipment . . . . .		30,000	30,000
To be disbursed by the department of public safety on certification of Commander, the Minnesota wing of the civil air patrol.			
Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
<b>Sec. 9. MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS .</b>		15,000	15,000
Provided that a portion of these funds shall be expended for education of the public relative to the sterilization of domestic pets.			
Provided further that a report shall be submitted to the 1974 and the 1975 legislature regarding expenditures for public information programs.			
<b>Sec. 10. SOUTHERN MINNESOTA RIVERS BASIN COMMISSION . . . . .</b>		55,000	
Any unexpended balances remaining in the first year shall not cancel but shall be available for the second year of the biennium.			
<b>Sec. 11. UNEMPLOYMENT COMPENSATION . . . . .</b>	854.47		
In reimbursement of unemployment compensation benefits paid for former employees of the Minnesota veterans home.			

	1973	1974	1975
	\$	\$	\$
Sec. 12. EMPLOYEES COMPENSATION .....	6,478.83		

To be transferred by the state auditor to the department of labor and industry compensation revolving fund, in payment of obligations incurred by the Minnesota veterans home.

Sec. 13. UNOBLIGATED BALANCES. The unobligated balances on hand as of June 30, 1973, June 30, 1974, and June 30, 1975, in the several appropriations and accounts of each of the departments or divisions for which an appropriation is made herein out of the general fund, are hereby cancelled into the general fund as of June 30, 1973, June 30, 1974, and June 30, 1975, and the unobligated balances on hand as of June 30, 1974, and June 30, 1975, appropriated out of any other fund shall be cancelled into the fund from which they are appropriated as of June 30, 1974, and June 30, 1975. The provisions of this section shall not apply where otherwise indicated in this act or to aid, contributions, or reimbursements received from the federal government by the state, and all such federal aid, contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Sec. 14. Any moneys made available to any state department or agency by this act by appropriation, transfer, or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Sec. 15. [373.23] LIMIT OF PAYMENTS. In the event the appropriation provided is insufficient to pay the full amount to which these counties shall be entitled annually thereunder, the state auditor shall apportion the sum pro rata to each of the counties.

Sec. 16. PAYMENTS. Subdivision 1. Notwithstanding any law to the contrary, the aids provided in section 4, subdivisions 1b, 1f, and 2a shall hereinafter be disbursed by the department of agriculture and any certifications for payments shall also hereinafter be with or made by the department of agriculture.

Subd. 2. Notwithstanding any law to the contrary, the aids provided in Section 6, Subdivision 3, shall hereinafter be disbursed by the department of education.

Subd. 3. Notwithstanding any law to the contrary, the aids provided in Section 7, Subdivisions 1, 2, and 3 shall hereinafter be disbursed by the department of taxation.

Subd. 4. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall change the terminology referred to by Subdivisions 1, 2, and 3 of Section 16."

Further amend S. F. 2167 by striking the title and inserting in lieu thereof the following:

"A bill for an act relating to the organization and operation of state government; appropriating money for the conservation and development of the state's natural resources; providing for maintenance of the Minnesota historical society; for county and district agricultural societies; for various stockbreeders', dairymen's, horticultural and poultry associations and societies; for sheriffs' per diem and mileage in certain cases; for vessel tonnage tax; for maintenance of the Sibley house; for maintenance of various semi-state activities; for aids to local subdivisions of government and school districts; for maintenance of the uniform laws commission; for maintenance of the capitol area architectural and planning commission; and for other purposes; and amending Minnesota Statutes 1971, Section 373.23."

We request adoption of this report and repassage of the bill in accordance therewith:

Senate Conferees: (Signed) Norbert Arnold, Gerald Willet, Harmon Ogdahl, Mel Hansen and Ralph Doty.

House Conferees: (Signed) A. J. (Tony) Eckstein, James Swanson, Peter Fugina, Andrew Skaar and Rodney Searle.

### SUSPENSION OF RULES

Mr. Perpich, A. J. moved that H. F. No. 2173 be withdrawn from the Committee on Rules and Administration. Which motion prevailed.

Mr. Perpich, A. J. moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to H. F. No. 2173 and that the rules of the Senate be so far suspended as to give H. F. No. 2173 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 2173: A bill for an act relating to taxation; levy limitations; amending Minnesota Statutes 1971, Sections 275.11, by adding a subdivision; and 412.251.

Was read the second time.

H. F. No. 2173 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to:

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 34 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

### CONFERENCE COMMITTEE REPORT ON S. F. NO. 34

A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; amending Minnesota Statutes 1971, Chapter 149, by adding a section.

May 4, 1973

Honorable Alec G. Olson, President  
of the Senate

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

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 34, report that we have agreed upon the items in dispute and recommend as follows:

That S. F. No. 34 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Chapter 149, is amended by adding a section to read:

[149.09] [STATEMENTS; PRICES; CREMATION WITHOUT CASKET.] *Subdivision 1. [ITEMIZED STATEMENT TO BE FURNISHED.] Every person licensed or granted a permit pursuant to this chapter, including funeral directors and funeral establishments, shall furnish at the time funeral arrangements are made for the care and disposition of the body of a deceased person, an itemized statement in compliance with rules adopted by the board of health pursuant to Minnesota Statutes, Chapter 15. The rules shall require a separate listing of cost in the following categories: casket; burial vault; use of facilities for funeral services; use of facilities for reviewal; specifically itemized transportation*

*costs; specifically itemized funeral service merchandise; embalming; preparation of the body; other professional services; and a statement of all anticipated cash advances and expenditures.*

*Subd. 2. [REQUIRING RETAIL PRICE OF CASKET TO BE DISPLAYED.] Every funeral director or operator who offers a casket for sale shall display the retail price of the casket in a conspicuous place on the casket.*

*Subd. 3. [AUTHORIZING CREMATION OR CALCINATION WITHOUT A CASKET.] A person operating a crematory or calcinatory shall not require that human remains be placed in a casket before cremation or calcination or that human remains be cremated or calcinated in a casket or refuse to accept human remains for cremation or calcination for the reason that human remains are not in a casket. This subdivision does not prohibit the requiring of a container or disposal unit to protect the physical health or safety of any individual. The listing of costs statement required in subdivision 1 shall include the following statement for which a charge is made in conspicuously legible print: Minnesota law does not require that remains be placed in a casket before or at the time of cremation.*

*Subd. 4. [PENALTY.] Any violation of subdivisions 1 to 3 shall constitute unprofessional conduct within the meaning of section 149.05, subdivision 1, clause (5)."*

Further, delete the title and insert in lieu thereof the following:

*"A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; requiring the retail price of burial caskets to be clearly marked; authorizing cremation or calcination without a casket; providing a penalty; amending Minnesota Statutes 1971, Chapter 149, by adding a section."*

We request adoption of this report and repassage of the bill in accordance therewith.

Senate Conferees: (Signed) Robert D. North, Howard A. Knutson and John Milton.

House Conferees: (Signed) Donald M. Moe, William R. Ojala and James L. Adams.

Mr. North moved that the foregoing recommendations and Conference Committee report on S. F. No. 34 be now adopted and that the bill be repassed as amended by the Conference Committee. Which motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 34: A bill for an act relating to funeral directing; requiring an itemized statement of funeral costs; amending Minnesota Statutes 1971, Chapter 149, by adding a section.

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

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

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

Those who voted in the affirmative were:

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

So the bill, as amended by the Conference Committee, re-passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 2437:

Messrs. Davies; Olson, J. L.; Arnold; Hughes and Ashbach. Which motion prevailed.

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on S. F. No. 1626:

Messrs. Anderson, Sillers, O'Neill, Doty and Borden. Which motion prevailed.

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 2275:

Messrs. Ogdahl; Kirchner; Perpich, G.; Moe and Tennessee. Which motion prevailed.

#### RECESS

Mr. Coleman moved that the Senate do now recess until 1:45 o'clock p.m. Which motion prevailed.

The hour of 1:45 o'clock p.m. having arrived, the President called the Senate to order.

#### MEMBERS EXCUSED

Mr. Chmielewski was excused for the balance of this afternoon's Session.

#### CALL OF THE SENATE

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

Anderson	Fitzsimons	Keefe, S.	Milton	Schrom
Berg	Frederick	Kirchner	Moe	Solon
Bernhagen	Gearty	Kleinbaum	Novak	Stokowski
Chenoweth	Hansen, Baldy	Laufenburger	Perpich, A. J.	Thorup
Chmielewski	Hansen, Mel	Lewis	Pillsbury	Wegener
Coleman	Hanson, R.	Lord	Purfeerst	Willet
Dunn	Humphrey	McCutcheon	Schaaf	

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

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 491, No. 205 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Jensen 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. 1893, No. 179 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1893: A bill for an act relating to public welfare; authorizing the commissioner of public welfare, and certain counties and municipalities to make grants for child care service and for certain programs for child care; amending Minnesota Statutes 1971, Sections 245.83, Subdivisions 2 and 3, and by adding a subdivision; 245.84; 245.85; 245.86; and 245.87.



Mr. North moved to amend S. F. No. 1893, as follows:

Page 2, line 20, after "*private*" insert "*non-profit*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 9 and nays 33, as follows:

Those who voted in the affirmative were:

Chenoweth	Keefe, S.	Lewis	North	Spear
Conzemius	Kleinbaum	Lord	Olson, H. D.	

Those who voted in the negative were:

Bang	Fitzsimons	Josefson	Nelson	Solon
Berg	Frederick	Keefe, J.	Novak	Stassen
Bernhagen	Gearty	Knutson	Perpich, A. J.	Stokowski
Blatz	Hansen, Baldy	Kowalczyk	Pillsbury	Ueland
Brown	Hansen, Mel	Larson	Purfeerst	Willet
Chmielewski	Hanson, R.	McCutcheon	Renneke	
Dunn	Humphrey	Milton	Schrom	

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

S. F. No. 1893 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 44 and nays 4, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kleinbaum	Novak	Schrom
Berg	Gearty	Larson	Olhoff	Solon
Blatz	Hansen, Baldy	Laufenburger	Olson, A. G.	Spear
Chenoweth	Hansen, Mel	Lewis	Olson, H. D.	Stassen
Chmielewski	Hanson, R.	Lord	Patton	Stokowski
Coleman	Humphrey	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Jensen	Milton	Pillsbury	Ueland
Dunn	Keefe, J.	Nelson	Purfeerst	Willet
Fitzsimons	Keefe, S.	North	Renneke	

Messrs. Bernhagen, Brown, Knutson, and Kowalczyk voted in the negative.

So the bill passed and its title was agreed to.

#### SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to make H. F. Nos. 1581 and 9 Special Orders to be heard immediately, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

#### SPECIAL ORDER

H. F. No. 1581: A bill for an act relating to the Minnesota housing finance agency; prescribing its powers and duties; providing for the financing thereof; amending Minnesota Statutes 1971, Sections 462A.02, by adding a subdivision; 462A.03, Subdivisions 2, 4, 7, 9, and 10, and by adding subdivisions; 462A.05,

Subdivisions 2, 3, 4, 5, 9, 10, and by adding subdivisions; 462A.06, Subdivisions 11 and 12; 462A.07, Subdivision 5; 462A.08, Subdivisions 1, 2, and 3; 462A.09; 462A.10, Subdivisions 2, 3, 4, 5, and 9; 462A.16; 462A.17, Subdivision 1; 462A.18, Subdivision 2; 462A.20, Subdivision 2; 462A.21, Subdivisions 2, 3, and 4; and 462A.22; repealing Minnesota Statutes 1971, Sections 462A.06, Subdivisions 13 to 16; and 462A.23.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kleinbaum	Olson, A. G.	Stassen
Berg	Gearty	Knutson	Olson, H. D.	Stokowski
Blatz	Hansen, Baldy	Kowalczyk	Patton	Thorup
Brown	Hansen, Mel	Laufenburger	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	Lord	Pillsbury	Wegener
Chmielewski	Humphrey	Milton	Purfeerst	Willet
Coleman	Jensen	Nelson	Renneke	
Conzemius	Josefson	North	Schaaf	
Dunn	Keefe, J.	Novak	Schrom	
Fitzsimons	Keefe, S.	Olhoft	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 9: A bill for an act relating to labor; creating a division of labor standards; providing for minimum wage and overtime standards; providing penalties for violations; repealing Minnesota Statutes 1971, Sections 175.38; 175.39; and 177.01 to 177.20.

Mr. Milton moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 5, line 15, strike "hospital" and insert "health care facility"

Which motion prevailed. So the amendment was adopted.

Mr. Kowalczyk moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 9, line 19, strike "for gratuities and"

Page 9, strike lines 27 and 28

Page 10, strike lines 1 through 10 and insert "Subd. 5. An employee who receives \$20 or more per month in gratuities is a tipped employee. His employer is entitled to a credit in an amount up to 25% of the minimum wage which a tipped employee receives."

## CALL OF THE SENATE

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

Berg	Hansen, Mel	Kowalczyk	Patton	Stassen
Blatz	Hanson, R.	Larson	Perpich, A. J.	Stokowski
Brown	Humphrey	Lord	Perpich, G.	Tennessee
Coleman	Josefson	Milton	Pillsbury	Thorup
Conzemius	Keefe, J.	Nelson	Purfeerst	Ueland
Dunn	Keefe, S.	North	Renneke	Wegener
Frederick	Kirchner	Novak	Schaaf	
Gearty	Kleinbaum	Olhoff	Schram	
Hansen, Baldy	Knutson	Olson, H. D.	Spear	

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

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 44 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kowalczyk	North	Schaaf
Arnold	Gearty	Larson	Novak	Sillers
Borden	Hansen, Baldy	Laufenburger	Ogdahl	Solon
Chenoweth	Hansen, Mel	Lewis	Olson, A. G.	Spear
Coleman	Humphrey	Lord	Olson, H. D.	Stassen
Conzemius	Jensen	McCutcheon	O'Neill	Stokowski
Davies	Keefe, J.	Milton	Perpich, A. J.	Tennessee
Doty	Keefe, S.	Moe	Perpich, G.	Thorup
Dunn	Knutson	Nelson	Purfeerst	

Those who voted in the negative were:

Ashbach	Brown	Kleinbaum	Patton	Renneke
Bernhagen	Frederick	Krieger	Pillsbury	Ueland
Blatz	Hanson, R.			

Which motion prevailed. So the amendment was adopted.

Mr. Tennessee moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 8, line 28, strike "declaratory judgment" and insert "appropriate relief"

Which motion prevailed. So the amendment was adopted.

Mr. Olson, A. G. moved to amend H. F. No. 9, the Senate unofficial engrossment as follows:

Page 2, line 17, strike "who have reached the age of 18"

Page 2, after line 19, insert "(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm;"

Re-number the clauses accordingly.

Which motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 4, strike lines 6 through 9

Page 4, line 10, after "subd." strike "3" and insert "2"

Page 4, line 10, strike "subdivisions" and insert "subdivision"

Page 4, line 10, strike "or 2"

Page 4, line 13, strike "subdivisions" and insert "subdivision"

Page 4, line 13, strike "or 2"

Page 4, line 14, strike "whichever is applicable to the employer"

The question being taken on the adoption of the amendment,

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

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 37 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Lord	Olhoft	Spear
Borden	Hughes	McCutcheon	Olson, A. G.	Stassen
Chenoweth	Humphrey	Milton	Olson, H. D.	Stokowski
Coleman	Keefe, J.	Moe	Perpich, A. J.	Tennessen
Conzemius	Keefe, S.	Nelson	Perpich, G.	Thorup
Davies	Kowalczyk	North	Purfeerst	
Doty	Laufenburger	Novak	Schaaf	
Gearty	Lewis	Ogdahl	Sillers	

Those who voted in the negative were:

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

Which motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 9, strike lines 22 through 26

Renumber the subdivisions accordingly

Which motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend H. F. No. 9, the Senate unofficial engrossment as follows:

Page 3, line 21, after "circus" strike the comma and insert "or"

Page 3, line 21, after "fair" strike "or theater"

Mr. Laufenburger moved a substitute amendment to amend H. F. No. 9, the Senate unofficial engrossment, as follows:

Page 3, Line 21, after the word "or" insert the words "motion picture"

Mr. Krieger moved that the Senate do now adjourn.

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

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

And the roll being called, there were yeas 25 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gearty	Lewis	Olson, A. G.	Schrom
Borden	Hansen, Baldy	Lord	Olson, H. D.	Spear
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Stassen
Coleman	Humphrey	Milton	Perpich, G.	Stokowski
Conzemius	Keefe, S.	Moe	Purfeerst	Tennessen
Davies	Kleinbaum	Novak	Renneke	Thorup
Doty	Laufenburger	Olhoft	Schaaf	Wegener

Which motion did not prevail.

The question recurred on the adoption of the substitute amendment of Mr. Laufenburger.

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

The question then recurred on the adoption of the amendment of Mr. Milton. Which motion prevailed. So the amendment was adopted.

Mr. Keefe, J., moved to amend H. F. No. 9, the printed bill, as follows:

Page 3, strike lines 16 & 17.

Renumber the clauses in sequence.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 25 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Milton	Patton
Bang	Frederick	Keefe, J.	Nelson	Perpich, G.
Berg	Hansen, Mel	Knutson	Olson, H. D.	Pillsbury
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Renneke
Brown	Jensen	Krieger	O'Neill	Sillers

Those who voted in the negative were:

Anderson	Doty	Kirchner	Novak	Stokowski
Arnold	Gearty	Kleinbaum	Olhft	Tennessen
Chenoweth	Hansen, Baldy	Lewis	Olson, A. G.	Thorup
Coleman	Hughes	Lord	Perpich, A. J.	Wegener
Conzemius	Humphrey	McCutcheon	Purfeerst	Willet
Davies	Keefe, S.	Moe	Schaaf	

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

Mr. Olson, H. D. moved to amend H. F. No. 9, the Senate unofficial engrossment as follows:

Page 4, line 12, strike "90" and insert "80"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 31 and nays 29, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Olson, H. D.	Schrem
Ashbach	Hansen, Baldy	Kowalczyk	Olson, J. L.	Sillers
Bang	Hansen, Mel	Krieger	O'Neill	Willet
Berg	Hanson, R.	Laufenburger	Patton	
Blatz	Jensen	Nelson	Pillsbury	
Brown	Josefson	Ogdahl	Purfeerst	
Dunn	Kleinbaum	Olhft	Renneke	

Those who voted in the negative were:

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

Which motion prevailed. So the amendment was adopted.

H. F. No. 9 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 49 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Novak	Schrem
Arnold	Doty	Kleinbaum	Ogdahl	Sillers
Ashbach	Dunn	Kowalczyk	Olhft	Spear
Bang	Gearty	Laufenburger	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Borden	Hanson, R.	Lord	O'Neill	Tennessen
Brown	Hughes	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Humphrey	Milton	Perpich, G.	Wegener
Coleman	Keefe, J.	Moe	Purfeerst	Willet
Conzemius	Keefe, S.	Nelson	Schaaf	

Those who voted in the negative were:

Frederick	Jensen	Krieger	Patton	Renneke
Hansen, Baldy	Knutson	Olson, J. L.	Pillsbury	

So the bill, as amended, 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 revert to Messages From the House, First Reading of House Bills and Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

**MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 54, 475, 771, 1222, 1242, 1332, 1498, 1560, 1666 and 1803.

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

Returned May 11, 1973

Mr. President:

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

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

Senate File No. 794 is herewith returned to the Senate.

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

Returned May 11, 1973

Mr. Olhoft moved that S. F. No. 794 be laid on the table. Which motion prevailed.

Mr. President:

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

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

Senate File No. 1247 is herewith returned to the Senate.

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

Returned May 11, 1973

Mr. Keefe, S. moved that S. F. No. 1247 be laid on the table. Which motion prevailed.

Mr. President:

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

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

Senate File No. 746 is herewith returned to the Senate.

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

Returned May 11, 1973

Mr. Tennesen moved that S. F. No. 746 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. 647, 680, 932 and 2225.

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

Transmitted May 11, 1973

#### FIRST READING OF HOUSE BILLS

H. F. No. 647: A bill for an act relating to agriculture; collective bargaining; providing for mandatory bargaining between producers or associations and handlers; providing criteria.

H. F. No. 680: A bill for an act relating to pollution; providing for the reimbursement to a successful plaintiff or intervenor of his costs in an action; amending Minnesota Statutes 1971, Chapter 116B, by adding a section.

H. F. No. 932: A bill for an act relating to intoxicating liquor and non-intoxicating malt liquor; days and hours of sale; amending Minnesota Statutes 1971, Sections 340.034, Subdivision 1; and 340.14, Subdivisions 1 and 5.

H. F. No. 2225: A bill for an act relating to insurance; providing for legal expense insurance; amending Minnesota Statutes 1971, Sections 60A.06, Subdivision 1; 60A.07, Subdivisions 5a, 5b, and 5c; and 60A.08, by adding a subdivision.

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, with the exception of those pertaining to appointments be now adopted. Which motion prevailed.



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

H. F. No. 458: A bill for an act relating to education; reorganization of school districts; exempting certain unorganized territories from inclusion within independent or special districts; amending Minnesota Statutes 1971, Chapter 122, by adding a section.

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

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

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

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

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

H. F. No. 1080: A bill for an act relating to taxation; requiring the payment of certain taxes prior to the registration or licensing of aircraft; amending Minnesota Statutes 1971, Chapters 297A and 360, by adding sections.

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

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

S. F. No. 2444: A bill for an act relating to taxation; providing for the correction of mill rates stated in Minnesota Statutes.

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

Page 1, after line 12, add a section to read:

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

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 re-referred the following appointment:

#### **METROPOLITAN COUNCIL**

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

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Chenoweth moved that the foregoing committee report be laid on the table. Which motion prevailed.

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

H. F. No. 1612: A bill for an act relating to the establishment of a riding and hiking trail from the Twin Cities metropolitan area to Jay Cooke state park in Carlton county; providing authority for acquisition of interests in land and development, maintenance and operation of the trail.

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

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

"Section 1. Minnesota Statutes 1971, Section 85.015, is amended by adding a subdivision to read:

*Subd. 10. Minnesota-Wisconsin Boundary Trail, Ramsey, Anoka, Washington, Chisago, Pine, and Carlton Counties.*

*(a) The trail shall originate in the vicinity of Arden Hills, Ramsey county, and thence extend northeasterly, traversing Anoka and Washington counties to the vicinity of Taylors Falls in Chisago county; thence northwesterly and northerly to St. Croix state park in Pine county; thence northerly to Jay Cooke state park in Carlton county, and there terminate.*

*(b) The trail shall be developed primarily for riding and hiking."*

Amend the title as follows:

Page 1, line 2, strike "providing authority for acquisition of interests

Page 1, strike all of line 3, and insert "amending Minnesota Statutes 1971, Section 85.015, by adding a section."

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. 1213: A bill for an act relating to public museums, galleries, and schools of arts or crafts in cities of the first class; tax levy; amending Minnesota Statutes 1971, Section 450.25.

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

Page 1, line 17, strike "1.5" and insert ".35"

Page 2, line 7, after "purposes." insert "*The mill rate referred to herein shall be mills as determined after the adoption of section 273.1102.*"

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. 2290: A bill for an act relating to taxation; providing for use of cigarette tax stamping machines; amending Minnesota Statutes 1971, Section 297.03, Subdivision 6.

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

Page 2, after line 3, add a section to read:

*"Sec. 2. The sum of \$30,000 is appropriated annually from the general fund in the state treasury to the tax department for the purchase of said heat-applied stamps."*

Page 2, line 4, Renumber Sec. 2. to Sec. 3.

Amend the title, as follows:

Page 1, line 3, after ";" insert "appropriating moneys;"

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

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

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

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

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

**"Section 1. [ROAD AND BRIDGE LEVY.]** The county board of St. Louis county may levy for St. Louis county road and bridge purposes in 1973 not to exceed five mills on the dollar of the taxable valuation of the county; in 1974, not to exceed six mills on the dollar of the taxable valuation of the county; in 1975, not to exceed seven mills; in 1976, not to exceed eight mills; and in 1977 and subsequent years, not to exceed 8.34 mills on the dollar of the taxable valuation of the county.

**Sec. 2. [LEVY LIMITATIONS.]** After July 1, 1973, any annual increase in the tax levy for road and bridge purposes by St. Louis county shall be disregarded when computing levies permitted under levy limitations provided by Minnesota Statutes, Section 275.50 to 275.56.

**Sec. 3. [EFFECTIVE DATE.]** This act is effective upon approval by the county board of St. Louis county, and upon compliance with Minnesota Statutes, Section 645.021."

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. 2445: A bill for an act relating to taxation; transferring administration of homestead property tax relief in taconite and iron ore areas to commissioner of taxation; amending Minnesota Statutes 1971, Sections 273.135, Subdivisions 3 and 4; and 273.136, Subdivisions 2 and 3.

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

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

H. F. No. 242: A bill for an act relating to highway traffic regulations; television in motor vehicles; prohibiting the use of certain listening devices while operating a motor vehicle; amending Minnesota Statutes 1971, Section 169.471.

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

Page 1, line 5, after "earphones" insert "*which are used in both ears simultaneously*"

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

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

H. F. No. 1829: A bill for an act relating to armories; defining armory; amending Minnesota Statutes 1971, Section 193.139, by adding a subdivision.

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

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

H. F. No. 854: A bill for an act relating to the designation of a specific route for the great river road in Minnesota; amending Minnesota Statutes 1971, Chapter 161, by adding a section; repealing Minnesota Statutes 1971, Sections 161.143 to 161.147.

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

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

H. F. No. 1506: A bill for an act relating to elections; providing for the appointment of volunteer deputies; providing for the registration of the elderly and disabled at their residences, and for the registration of other eligible voters at various locations; amending Minnesota Statutes 1971, Sections 201.05; and 201.20, by adding subdivisions.

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

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

H. F. No. 2111: A bill for an act relating to elections; permitting voting compartments when electronic voting systems are in use; amending Minnesota Statutes 1971, Sections 203.10, Subdivision 2; and 206.026, Subdivision 1.

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

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

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.

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

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

H. F. No. 952: A bill for an act relating to housing; requiring installation of fire extinguishers in apartments.

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

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

H. F. No. 1264: A resolution memorializing the President and Congress to enact a moratorium on railroad abandonments.

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

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

S. F. No. 2418: A bill for an act relating to the promotion of tourism in the state; providing for the financing of tourist and related recreational facilities; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision.

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

S. F. No. 540: A bill for an act relating to highways; reapportioning the five percent of the net highway user tax distribution fund set aside pursuant to Article XVI, Section 5 of the Constitution; providing that a portion thereof apportioned to the county state-aid highway fund be allocated to towns for town road purposes; appropriating

money; amending Minnesota Statutes 1971, Sections 161.081; 161.082, by adding a subdivision; and 161.085.

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

Page 1, line 21, strike "45" and insert in lieu thereof "10"

Line 26, strike "10" and insert in lieu thereof "45"

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

S. F. No. 2430: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16, Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a subdivision; and 23, Subdivision 5.

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

Page 5, line 23, reinstate "an"

Page 5, lines 24 to 28, reinstate the stricken language and strike the new language

Page 6, strike the new language in lines 1 to 13

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

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

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

Page 1, strike lines 1 to 16

Page 2, strike lines 1 to 32

Page 3, line 10, strike "*Pleasant Avenuc*" and insert in lieu thereof "*The proposed northern boundary line of the highway department right-of-way*"

Page 3, line 11, strike "*centerline of Pleasant Avenue*" and insert in lieu thereof "*proposed northern boundary line of the highway department right of-way*"

Renumber the sections in sequence

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

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

S. F. No. 1064: A bill for an act relating to Hennepin county; retirement of county employees; amending Laws 1965, Chapter 855, Section 15, 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. Gearty from the Committee on Governmental Operations, to which was re-referred

H. F. No. 827: A bill for an act relating to retirement, directing a study of private pension funds; appropriating money.

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

Page 1, line 1, strike "department of commerce" and insert "legislative retirement study commission;"

Page 1, line 6, strike "department of commerce" and insert "legislative retirement study commission"

Page 1, line 7, strike "legislative retirement study commission and the"; in the same line insert a period after "legislature" and strike "by No-"

Page 1, strike lines 8 and 9

Page 1, line 11, strike "state department of commerce" and insert "legislative retirement study commission"

Page 1, line 14, strike "state department of commerce" and insert "legislative retirement study commission"

Page 2, line 2, strike "department of commerce" and insert "legislative retirement study commission"

Page 2, line 3, strike "This appropriation shall be avail-", and strike all of line 4

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

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

H. F. No. 371: A bill for an act relating to crimes and criminals; providing minimum sentences for certain felonies; amending Minnesota Statutes 1971, Section 609.11.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 680 and 932 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. 680 to the Committee on Judiciary.

H. F. No. 932 to the Committee on Labor and Commerce.

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

H. F. No. 358: A bill for an act relating to teachers retirement association; amending Minnesota Statutes 1971, Sections 136.80, Subdivision 1; 136.82, Subdivision 2; 354.05, Subdivision 25; 354.-07, Subdivision 1; 354.09, Subdivision 3; 354.145; 354.31; 354.32; 354.33, Subdivisions 1, 5, 7, 8 and 9; 354.39; 354.41, Subdivision 3; 354.42, Subdivisions 2, 3 and 5; 354.44, Subdivisions 2, 6 and 7; 354.45, Subdivision 2; 354.48, Subdivision 3; 354.50, by adding a subdivision; 354.55, Subdivisions 3 and 8, and by adding subdivisions; 354.62, Subdivisions 2 and 5; 354.63, Subdivision 2; and 11.25, by adding a subdivision; repealing Minnesota Statutes 1971, Section 354.09, Subdivision 5.

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

Strike all of Sec. 6 on pages 4, 5, 6, and 7

Page 9, lines 20 and 21, strike the new language and insert in lieu thereof: *"1 percent per year of formula service credit for the first ten years and 1.5 percent for each subsequent year of formula service credit"*

Page 10, lines 22 and 23, strike the new language and insert in lieu thereof *".5 percent per year of formula service credit for the first ten years and .75 percent for each subsequent year of formula service credit"*

Page 10, strike line 36

Page 11, strike lines 1 to 5

Page 12, lines 15 and 16, reinstate the stricken language

Page 14, Lines 14 and 15, strike the new language and insert in lieu thereof *"2 percent per year of formula service credit for the first ten years and 2.5 percent for each subsequent year of formula service credit"*

Page 15, lines 16 and 17, strike the new language and insert in lieu thereof *"1 percent per year of formula service credit for the first ten years and 1.25 percent for each subsequent year of formula service credit"*



Page 18, line 28, strike "twenty" and insert "thirty"

Page 19, lines 15 and 16, reinstate the stricken language

Page 19, after line 16, insert a new section to read:

"Sec. . Minnesota Statutes 1971, Section 354.55, is amended by adding subdivisions to read:

*Subd. 16 (1) Teachers who retire after June 30, 1973 and who failed to make an election pursuant to section 354.145, subdivision 1, clause (1) shall have their annuity at retirement computed under section 354.33, subdivision 1 or subdivision 7, whichever is larger.*

*(2) Teachers who retire after June 30, 1973 and who failed to make an election pursuant to section 354.145, subdivision 2, clause (1) shall have their annuity at retirement computed under section 354.44, subdivision 2 or subdivision 6, whichever is larger.*

*Subd. 17. (1) Teachers who retired after June 30, 1972 and before July 1, 1973 who failed to make an election pursuant to section 354.145, subdivision 1, clause (1) shall have their annuity recomputed under the law in effect on June 30, 1973 under the provisions of either section 354.33, subdivision 1 or subdivision 7, whichever is larger.*

*(2) Teachers who retired after June 30, 1972 and before July 1, 1973 and who failed to make an election pursuant to section 354.145, subdivision 2, clause (1) shall have their annuity recomputed under the law in effect on June 30, 1973 under the provisions of either section 354.44, subdivision 2 or subdivision 6, whichever is larger.*

Page 21, strike lines 20 to 36

Page 22, strike lines 1 and 2 and insert new sections to read as follows:

Sec. 31. Minnesota Statutes 1971, Section 354.55, is amended by adding a subdivision to read:

*Subd. 15. All Annuities payable from the Minnesota adjustable fixed benefit fund which are in effect on June 30, 1973 shall be increased by an amount, that when added to the increases granted to such annuities pursuant to section 11.25, subdivisions 12 and 13 and the increase provided in this section effective July 1, 1973, equals thirty percent of the amount of annuity payable on June 30, 1973.*

*The actuarially computed reserves for the increase provided herein and for the annuities in effect on June 30, 1973 plus any interest required shall be transferred to the Minnesota adjustable fixed benefit fund and all money necessary to meet the requirements of certification or withdrawal are authorized in accordance with section 11.25, subdivision 11.*

*Any additional annuity shall begin to accrue on July 1, 1973 and shall be considered the "originally determined benefits" for the purpose of future adjustments.*

*Notwithstanding the provisions of section 356.18, increases in annuity payments pursuant to this act will be made automatically unless written notice is filed by the annuitant with the board of trustees of the teachers retirement association requesting that the increase shall not be made.*

*Notwithstanding other provisions of chapter 11 as amended, effective July 1, 1973, all assets in the annuity stabilization reserve and expense account of the Minnesota adjustable fixed benefit fund shall be credited proportionately to the individual retirement funds' participation. The increase herein provided shall be in lieu of the adjustment provided by section 11.25, subdivisions 12 and 13, scheduled to take effect January 1, 1974. The increased benefits accruing as of July 1, 1973 shall be considered the "originally determined benefits" for the purpose of future adjustments.*

Sec. 32. Minnesota Statutes 1971, Section 354.46, Subdivision 1, is amended to read:

354.46 [PAYMENTS AFTER DEATH.] Subdivision 1. Benefits for spouse and children of teacher. Upon the death of a member before retirement or upon the death of a former member who was disabled and receiving disability benefits pursuant to section 354.48 at the time of his death, who has had at least 18 months of allowable service, his surviving dependent spouse and dependent children under the age of 18 shall receive the monthly benefit provided below. Where a member died on or after July 1, 1955, leaving any dependent child, such dependent child shall receive the benefits provided in this subdivision commencing from and after the effective date of Extra Session Laws 1957, Chapter 16.

(a) Surviving dependent

spouse ..... 30 percent of the member's monthly average salary ~~not to exceed \$65 per month in effect over the last full six months of allowable service preceding death~~

(b) Each dependent child . . . .

20 10 percent of the member's monthly average salary ~~not to exceed \$45 per month in effect over the last full six months of allowable service preceding death~~

~~In addition to the amounts provided in (a) and (b) hereof, 10 percent of the member's monthly average salary not to exceed \$20 per month shall be paid to be divided equally among the dependent children. Payments for the benefit of any dependent child under the age of 18 years shall be made to the surviving parent, or if there be none, to the legal guardian of such child. The maximum monthly benefit shall not exceed \$250.00 \$400 for any one family. The surviving dependent spouse benefit shall terminate upon his or her remarriage, and the dependent children's~~

benefit shall be reduced pro tanto when any child is no longer dependent.

If the member and the surviving dependent spouse are killed in a common disaster and if the total of all survivors benefits paid under this subdivision is less than the accumulated deductions plus interest payable, the surviving children shall receive the difference in a lump sum payment.

Any survivor of a member whose average salary was less than \$75 per month shall not be entitled to the benefits provided in this subdivision. If the survivor benefits provided in this subdivision exceed in total the monthly average salary of the deceased member, these benefits shall be reduced to an amount equal to the deceased member's monthly average salary.

*Effective January 1, 1973, the surviving depepndent spouse's benefit provided herein may be waived but the benefits of a dependent child can only be waived by order of the district court."*

Renumber the sections in sequence

Further amend the title, line 3, by striking "354.145;" line 3, after "7," insert "and" and after "8" strike "and 9"; line 4, after "354.45, Subdivision 2;" insert "354.46, Subdivision 1;" line 6, strike "and 11.25, by adding a subdivision;"

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

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

S. F. No. 2373: A bill for an act relating to retirement; bureau of health personnel in cities of the first class; amending Minnesota Statutes 1971, Section 425.02; and Chapter 425, by adding a section; repealing Laws 1971, Chapter 578, Section 2.

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

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

"Section 1. Subdivision 1. Notwithstanding any provision to the contrary in Minnesota Statutes 1971, Chapter 425, as of July 1, 1973, each employee of the bureau of health in the city of St. Paul who is a member of the bureau of health pension fund established pursuant to Chapter 425 shall cease to be a member of such fund and become a member of the public employees' retirement association.

Subd. 2. Each such employee shall receive services credit in the basic plan of the public employees retirement association as if he had been a member of such fund during his entire service in the bureau of health.

Subd. 3. The retired or disabled former employees receiving benefits from the bureau of health pension fund shall be transferred without change in the level of benefits to the responsibility of the public employees' retirement association as of July 1, 1973.

Subd. 4. The public employees' retirement association shall make said former employees of the bureau of health who are retired under service pensions subject to the provisions of the Minnesota adjustable fixed benefit fund as if each person had retired on July 1, 1973 with the amount of monthly pension he is receiving.

Sec. 2. Subdivision 1. The city of St. Paul shall pay the public employees' retirement association for the reserves required to be deposited July 1, 1973 with the Minnesota adjustable fixed benefit fund to support the benefits being paid to the retired persons transferred pursuant to this act.

The amount shall be determined in accordance with an assumed interest rate off five percent and the mortality table in use by the public employees' retirement association.

Subd. 2. The city of St. Paul shall pay the public employees' retirement association for the past service obligations for the active employed members of the bureau of health relief association calculated on the basis of the benefit formula and actuarial assumptions in use as of the effective date of the transfer.

Subd. 3. The total obligation to the public employees' retirement association acquired as provided herein shall be calculated by the actuary of that fund and submitted to the city of St. Paul's city administrator along with an explanation of the procedure and data used in the calculation. The city council may submit the result for an analysis to the actuary of the bureau of health pension fund. In case the city council and the public employees' retirement association do not agree on the total obligation, the actuary of the Minnesota state retirement system or the actuary of the state teachers' retirement association may be retained to determine the total obligation. The total obligation shall be determined no later than October 1, 1973.

Subd. 4. The assets as of July 1, 1973 of the bureau of health pension fund shall be paid to the public employees' retirement association as a credit against the total obligation. Any additional assets that accrue to the bureau of health pension fund after July 1, 1973 and before December 31, 1973 shall also be so paid and so credited.

Sec. 3. Subdivision 1. The total obligation when finally determined shall be considered to have accrued as of July 1, 1973 and the unpaid balance after that date shall accrue interest compounded at the rate of six percent per year.

Subd. 2. The city of St. Paul shall pay to the public employees' retirement association at least one-tenth per year of the unpaid balance on October 1, 1973 of the total obligation, plus accrued interest compounded at the rate of six percent each year.

Subd. 3. The city is authorized to levy such an amount each year as is necessary to make the payment required under this act. Such levy shall be in excess of any limitation imposed by law; or the city is hereby authorized to sell bonds in such amount as will provide funds to pay the public employees' retirement association the entire unpaid balance of the total obligations.

The maturity of such bonds shall not be more than fifteen years from

the date of sale. Such bonds may be issued and sold without a vote of the electorate and shall not be included in the net debt of the city for the purpose of any charter or statutory debt limitation and taxes for the payment of the bonds and interest thereon shall not be subject to any statutory or charter limitation of rate or amount.

Sec. 4. The active employees of the bureau of health herein transferred to membership in the public employees' retirement association may exercise an option to retire with benefits calculated in accordance with Minnesota Statutes, Chapter 425, as modified by Chapter 1102, Laws of 1969. Such option must be filed on or before September 1, 1973 with the city administrator of the city of St. Paul.

Sec. 5. Laws 1971, Chapter 578, Section 2, is repealed.

Sec. 6. This act shall be effective the day following its final enactment."

Further amend the title

Page 1, strike line 4

Strike line 5

In line 6 strike "adding a section;"

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

S. F. No. 2010: A bill for an act relating to taxation; occupation and royalty taxes on ores; providing for change of dates for assessment, payment and collection; amending Minnesota Statutes 1971, Sections 298.01, Subdivisions 1 and 2; 298.28, Subdivision 1; 299.05; 299.07; 299.09; and 299.10.

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

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

"Section 1. Minnesota Statutes 1971, Section 298.01, Subdivision 1, is amended to read:

298.01 [MINING OR PRODUCING ORES.] Subdivision 1. Every person engaged in the business of mining or producing iron ore or other ores in this state shall pay to the state of Minnesota an occupation tax equal to 15.5 percent of the valuation of all ores except taconite, semi-taconite and iron sulphides mined or produced after December 31, 1971. Said tax shall be in addition to all other taxes provided for by law and shall be due and payable from such person on May 1 or before June 15 of the year next succeeding the calendar year covered by the report thereon to be filed as hereinafter provided.

Sec. 2. Minnesota Statutes 1971, Section 298.01, Subdivision 2, is amended to read:

Subd. 2. Every person engaged in the business of producing or mining taconite, semi-taconite and iron sulphides in this state shall pay to the state an occupation tax equal to 15 percent of the valuation of all taconite, semi-taconite and iron sulphides mined or produced after December 31, 1970. The tax shall be in addition to all other taxes provided for by law and shall be due and payable from such person on *May 1 or before June 15* of the year next succeeding the calendar year covered by the report thereon to be filed as hereinafter provided.

Sec. 3. Minnesota Statutes 1971, Section 298.10, is amended to read:

298.10 [COMMISSIONER TO CERTIFY AMOUNT OF TAXES DUE AND TO BILL PERSONS LIABLE.] The commissioner of taxation shall enter on his records the amount of taxes found and determined by him to be due from any person, as herein provided; and, on or before June first, shall certify such amount to the state auditor, ~~who thereupon shall make his draft upon such person for the amount of taxes as thus certified, and place the same in the hands of the state treasurer for collection.~~ *person subject to the tax, which shall be payable to the commissioner of taxation and deposited in the state treasury.*

Sec. 4. Minnesota Statutes 1971, Section 298.12, is amended to read:

298.12 [COMMISSIONER'S CERTIFICATION PRIMA FACIE EVIDENCE OF AMOUNT DUE.] ~~The draft of the state auditor certification of the commissioner of taxation for the tax, or tax and penalties, imposed by the provisions of sections 298.01 to 298.11, shall be prima facie evidence, in any court where proceedings may be brought for its enforcement, that the amount therein stated is due the state from the person against whom the same is drawn.~~ *indicated.*

Sec. 5. Minnesota Statutes 1971, Section 298.13, is amended to read:

298.13 [ATTORNEY GENERAL TO COLLECT UNPAID TAXES.] On July first each year, ~~the state treasurer~~ *commissioner of taxation* shall deliver to the attorney general *a certification of all unpaid drafts for taxes imposed under sections 298.01 to 298.16, and he shall bring an action thereon in the district court of Ramsey county, or of the county where such ores are mined or produced, for the amount of such draft taxes, together with interest, penalties, and costs. The judgment of the court, when so obtained, shall bear interest at the rate of one percent per month and be enforceable in the manner provided by law for the enforcement of judgments obtained in civil actions.*

Sec. 6. Minnesota Statutes 1971, Section 298.28, Subdivision 1, is amended to read:

298.28 [DIVISION OF PROCEEDS.] Subdivision 1. The proceeds of the tax collected under section 298.24 shall be distributed by the state treasurer, upon certificate of the commissioner of taxation to the general fund of the state and to the various taxing districts in which the lands from which taconite was mined or quarried were located in the following manner and proportions: 11½ percent thereof to the city, village or town; 27 percent thereof to the school district; 11½ percent thereof to the county; three percent thereof to the state and 47 percent thereof, less any amount required to be distributed under subdivision 1a to the taconite property tax relief account in the apportionment fund in the state treasury. If the mining, quarrying, and concentration, or different steps in either thereof are carried on in more than one taxing district, the commissioner shall apportion equitably the proceeds of the part of the tax going to cities, villages and towns among such subdivisions as provided above, and the part going to school districts among such districts, and the part going to counties among such counties upon the basis of attributing 40 percent of the proceeds of the tax to the operation of mining or quarrying the taconite, and the remainder to the concentrating plant and to the processes of concentration, and with respect to each thereof giving due consideration to the relative extent of such operations performed in each such taxing district. His order making such apportionment shall be subject to review by the tax court at the instance of any of the interested taxing districts, in the same manner as other orders of the commissioner. The amount so distributed shall be divided among the various funds of the state, or of the taxing districts in the same proportion as the general ad valorem tax thereof. If in any year the state shall not spread any general ad valorem tax levy against real property, the state's proportion of the tax shall be paid into the general fund. The amount distributed to any city or village and one-third in 1971 and that portion not deducted from state aids in section 124.212, subdivision 8, thereafter of the amount distributed to any school district under the provisions hereof shall be included in computing the permissible levies of such city, village or school district under sections 275.11 or 275.125, provided, in computing the deduction from permissible levies of cities or villages by reason hereof effect shall be given to the cost of living adjustment allowed by section 275.11, subdivision 2, regardless of whether or not more than 25 percent of the assessed valuation consists of iron ore. On or before October 10 of each calendar year each producer of taconite or iron sulphides subject to taxation under section 298.24 (hereinafter called "taxpayer") shall file with the commissioner of taxation and with the county auditor of each county in which such taxpayer operates, and with the chief clerical officer of each school district, city or village which is entitled to participate in the distribution of the tax, an estimate of the amount of tax which would be payable by such taxpayer under said law for such calendar year; provided such estimate shall be in an amount not less than the amount due on the mining and production of concentrates up to September 30 of said year plus the amount becoming due because of probable production between September 30 and December 31 of said year, less any credit allowable as hereinafter provided. Such estimate

shall list the taxing districts entitled to participate in the distribution of such tax, and the amount of the estimated tax which would be distributable to each such district in such next ensuing calendar year on the basis of the last percentage distribution certified by the commissioner of taxation. If there be no such prior certification, the taxpayer shall set forth its estimate of the proper distribution of such tax under the law, which estimate may be corrected by the commissioner if he deems it improper, notice of such correction being given by him to the taxpayer and the public officers receiving such estimate. The officers with whom such report is so filed shall use the amount so indicated as being distributable to each taxing district except in the case of school districts one-third in 1971 and that portion not deducted from state aids in section 124.212, subdivision 8, thereafter of the indicated amount is to be used in computing, pursuant to sections 275.11 or 275.125, the permissible tax levy of such city, village or school district in the year in which such estimate is made, and payable in the next ensuing calendar year. Such taxpayer shall then pay, at the times payments are required to be made pursuant to section 294.25 298.27, as the amount of tax payable under section 298.24, the greater of (a) the amount shown by such estimate, or (b) the amount due under said section as finally determined by the commissioner of taxation pursuant to law. If, as a result of the payment of the amount of such estimate, the taxpayer has paid in any calendar year an amount of tax in excess of the amount due in such year under section 298.24, after application of credits for any excess payments made in previous years, all as determined by the commissioner of taxation, the taxpayer shall be given credit for such excess amount against any taxes which, under said section, may become due from the taxpayer in subsequent years. In any calendar year in which a general property tax levy subject to sections 275.11 or 275.125 has been made, if the taxes distributable to any such city, village or school district are greater than the amount estimated to be paid to any such city, village or school district in such year, the excess of such distribution shall be held in a special fund by the city, village or school district and shall not be expended until the succeeding calendar year, and shall be included in computing the permissible levies under sections 275.11 or 275.125, of such city, village or school district payable in such year. If the amounts distributable to any such city, village or school district, after final determination by the commissioner of taxation under section 298.28 are less than the amounts indicated by such estimates, such city, village or school district may issue certificates of indebtedness in the amount of the shortage, and may include in its next tax levy, in excess of the limitations of sections 275.11 or 275.125 an amount sufficient to pay such certificates of indebtedness and interest thereon, or, if no certificates were issued, an amount equal to such shortage.

There is hereby appropriated to such taxing districts as are stated herein and to the taconite property tax relief account in the apportionment fund in the state treasury, from any fund or account in the state treasury to which the money was credited, an amount sufficient to make the payment or transfer.



Sec. 7. Minnesota Statutes 1971, Section 298.282, Subdivision 2, is amended to read:

Subd. 2. Each year commencing in 1972, and the following final determination of the amount of taxes payable under section 298.241, the ~~state auditor~~ *commissioner of taxation* shall determine the amount in the taconite municipal aid account as of July 1 of such year the amount to be distributed to each qualifying municipality during such year. The amount to be distributed to each qualifying municipality shall be determined by dividing the total amount in said account as of July 1 by the total population according to the latest federal census of all qualifying municipalities to determine the per capita distributive share for such year and by multiplying the per capita distributive share by the population of such municipality. Upon completion of such determination, the ~~state auditor~~ *commissioner of taxation* shall certify to the chief clerical officer of each qualifying municipality the amount which will be distributed to such municipality from the taconite municipal aid account that year.

Sec. 8. Minnesota Statutes 1971, Section 298.282, Subdivision 3, is amended to read:

Subd. 3. If the amount certified by the ~~state auditor~~ *commissioner of taxation* as distributable to any qualifying municipality is greater than the amount previously estimated to have been distributable to such qualifying municipality in such year, the excess distributed to such municipality shall be held in a separate fund by the qualifying municipality and shall not be expended until the succeeding calendar year and shall be deducted, first, from the permissible general levy and then proportionately from permissible excess levies of the qualifying municipality in the succeeding calendar year. If the amount distributable to any qualifying municipality, after final determination by the ~~state auditor~~ *commissioner of taxation* is less than the amount estimated to have been distributable to such qualifying municipality, such municipality may issue certificates of indebtedness in the amount of the shortage and may include in its next tax levy in excess of then existing levy limitations an amount sufficient to pay such certificates of indebtedness and interest thereon or, if no certificates were issued, an amount equal to such shortage.

Sec. 9. Minnesota Statutes 1971, Section 298.282, Subdivision 4, is amended to read:

Subd. 4. On or before August 15, 1972, and on or before August 15 of each year thereafter, the state auditor shall issue his warrant in favor of the treasurer of each qualifying municipality in the amount determined by the ~~state auditor~~ *commissioner of taxation* to be due and payable to such qualifying municipality in such year.

Sec. 10. Minnesota Statutes 1971, Section 298.283, is amended to read:

298.283. [CHANGE OF STATUS OF MUNICIPALITY; DATE FOR DETERMINING STATUS.] If any qualifying municipality

as defined in section 298.282, is consolidated with another municipality or part thereof, the secretary of state shall certify that fact to the ~~state auditor~~ *commissioner of taxation*, who shall ~~issue his warrant~~ *determine the amounts payable* to the consolidated municipality according to the combined population resulting, for the purpose of determining aid payable under the provisions of section 298.282. The determination of amounts payable under the provisions of section 298.282 shall however be based on the status of the municipality on January 1 of each year.

Sec. 11. Minnesota Statutes 1971, Section 299.012, Subdivision 3, is amended to read:

Subd. 3. In case any tax is not paid at the time provided in section 299.07, the commissioner, not earlier than ten days after notice to the royalty recipient, shall direct the royalty payor to withhold from any royalties due, or to become due to said recipient, the amount of tax determined to be delinquent, and shall *direct such royalty payor to remit the same to the state treasurer* ~~commissioner of taxation~~ in the same manner and under the same conditions as prescribed by said section 299.08 for the withholding and remitting of the royalty tax.

Sec. 12. Minnesota Statutes 1971, Section 299.05, is amended to read:

299.05 [ASSESSMENT BY COMMISSIONER.] Upon the receipt by the commissioner of taxation of the report provided for in section 299.03, he shall determine, from such information as he may possess, or obtain, whether the same is correct, or otherwise; and, if found correct, he shall determine therefrom the amount of tax due from such person, enter the amount thereof in his records, make this certificate of taxes due thereon from such person, and the amount that has been paid thereon; and, on or before ~~June 30~~ *July 15*, of each year, ~~file the same with the state auditor and file a duplicate thereof with the state treasurer demand payment from such person.~~ The commissioner of taxation shall have power, in case he shall deem the report incorrect, or in case the report is not made and filed with the commissioner as provided in section 299.03, to make his findings as to the amount of such taxes due after hearing upon notice to the person interested, and his findings shall have the same effect as the determination of the amount of such taxes upon a report made as hereinbefore provided.

A person subletting land for the use of which he received royalty shall be required to pay taxes only on the difference between the amount of royalty paid by him and the amount received.

Sec. 13. Minnesota Statutes 1971, Section 299.06, is amended to read:

299.06 [FAILURE TO MAKE REPORTS; PENALTY; PROCEDURE.] If any person subject to the tax provided by this chapter shall fail to make the report provided for in section 299.03, at the time and in the manner therein provided, there shall accrue upon the tax herein imposed a penalty in an amount equal to ten percent of the tax so imposed, the said penalty to be imposed ratably in proportion to the number of days de-

linquent but not exceeding 60 days after which the full penalty of ten percent shall be applied. After the said penalty or any proportion thereof has been assessed the commissioner of taxation shall serve notice by registered mail to the royalty recipient at his last known address of the amount of penalty due and of his intention to demand payment thereof from the royalty payor by withholding the same in the same manner as provided for withholding the royalty tax under section 299.08. Thereupon the commissioner not earlier than ten days after notice to the royalty recipient shall direct the royalty payor to withhold from any royalties due, or thereafter to become due said recipient, the amount of the penalty so assessed and remit the same to the ~~state treasurer~~ *commissioner of taxation* in the same manner and under the same conditions as prescribed by said section 299.08 for the withholding and remitting of the royalty tax.

Sec. 14. Minnesota Statutes 1971, Section 299.07, is amended to read:

299.07 [TIME FOR PAYMENT.] Any portion of such tax that has not been withheld and paid by the royalty payor, as herein required, shall be due and payable on or before July 15 31, of each year.

Sec. 15. Minnesota Statutes 1971, Section 299.08, is amended to read:

299.08 [LIEN; PAYMENT OF TAX.] The situs of royalty, for all purposes of this chapter, shall be in this state; and the tax herein provided for shall be a specific lien from the time the royalty accrues upon all and singular the right, title, and interest of the person to whom such royalty is payable, in and to the land, for permission to explore, mine, take out, and remove ore on which the royalty is paid, and shall be a specific lien upon such royalties as they accrue. Every person paying royalty to another which is subject to tax hereunder, upon which the royalty tax has not been paid, shall withhold the amount of the tax upon such royalty and remit the same to the ~~state treasurer~~ *commissioner of taxation* at the time the royalty is paid. Such payment ~~to the state treasurer~~ shall operate to discharge to that extent the liability of the person paying such royalty to the royalty recipient. In addition thereto, he shall withhold any additional amounts certified pursuant to section 299.012, subdivision 3. At the time of such payment he shall file ~~with the state treasurer~~ and with the commissioner of taxation a report thereof on forms to be prescribed by the commissioner of taxation. If any person paying royalty to another shall fail to withhold the tax thereon or the penalty imposed by section 299.06, after notice thereof as therein provided, and pay the same to the ~~state treasurer~~ *commissioner of taxation*, he shall be liable for the amount of such tax and penalty, with interest at the rate of 12 percent per annum from the time the same should have been paid, to be recovered in an action by the attorney general for and on behalf of the state. The commissioner of taxation, may, upon petition of any royalty payor or recipient, upon such conditions as he may impose, permit the paying of the tax in one annual payment instead of

as such royalty accrues, in which case such annual payment shall be made at such times as the commissioner of taxation directs, not later than June 30 of the year following the accrual of the royalty. No such extension off time shall be granted unless, as one of the conditions thereof, the royalty payor shall guarantee the payment of the tax.

In the event the royalty is paid in ore instead of in cash the tax provided for herein shall be a specific lien upon the ore apportioned to the royalty recipient; or, if such ore be not apportioned, upon the royalty recipient's interest in the ore mined, and such ore shall not be shipped from this state unless:

(1) The royalty tax be paid; or

(2) A bond be given to secure such payment, upon a form and with sureties approved by the commissioner of taxation, in an amount 25 percent in excess of his estimate of the tax; or

(3) The estimated amount of the tax, such estimate to be made by the commissioner of taxation, be deposited with the state treasurer as security for such payment; or

(4) The payment of the tax be guaranteed or secured in some other manner satisfactory to the commissioner of taxation.

Sec. 16. Minnesota Statutes 1971, Section 299.09, is amended to read:

299.09 [DRAFT FOR TAX; COLLECTION.] ~~On or before June 25, in each year, the state auditor shall make his draft, upon the person against whom a tax has been certified, for the amount of tax and penalty, if any, due and place the same in the hands of the state treasurer for collection. The draft of the state auditor certificate of the commissioner of taxation for the tax and penalties imposed by the foregoing provisions of this chapter shall be prima facie evidence, in any court where proceedings may be brought for its enforcement, that the amount therein stated is due the state from the person against whom the same is drawn certified.~~

Sec. 17. Minnesota Statutes 1971, Section 299.10, is amended to read:

299.10 [PENALTY FOR NON-PAYMENT; COLLECTION OF DELINQUENT DRAFTS.] If the tax herein provided for is not paid before ~~July 15~~ *August 1* of the year when due and payable a penalty of ten percent thereof shall immediately accrue and thereafter one percent per month shall be added to such tax while it remains unpaid. On ~~July 16~~ *August 10*, of each year, the ~~state treasurer~~ *commissioner of taxation* shall deliver ~~all unpaid drafts~~ *a certification of all unpaid liability* to the attorney general, whose duty it shall be to bring an action ~~therein~~ in the district court of Ramsey county for the amount of such ~~draft~~ *tax*, together with penalties, interest, and costs of the proceedings; and the judgment of the court, when so obtained and properly docketed, shall be a lien upon all right, title, and interest

of the taxpayer to the land upon which such tax is a lien from the time the same is docketed; and the lien shall continue without limitation, with interest at the rate of one percent per month, and the property may be sold in satisfaction of the judgment in the same manner as provided by law for the sale of property upon execution.

Sec. 18. *This act is effective the day following its final enactment.*"

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to taxation; occupation and royalty taxes on ores; providing for change of dates for assessment, payment and collection; transferring certain administrative duties to commissioner of taxation; amending Minnesota Statutes 1971, Sections 298.01, Subdivisions 1 and 2; 298.10; 298.12; 298.13; 298.28, Subdivision 1; 298.282, Subdivisions 2, 3, and 4; 298.283; 299.012, Subdivision 3; 299.05; 299.06; 299.07; 299.08; 299.09; and 299.10."

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

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

S. F. Nos. 2087, 2444, 1213, 1999, 2445 and 2010 were read the second time.

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

H. F. Nos. 458, 1080, 1612, 242, 1829, 854, 1506, 2111, 1764, 952, 1036, 371 and 358 were read the second time.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m. Monday, May 14, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.