

**SIXTY-THIRD DAY**

St. Paul, Minnesota, Thursday, May 17, 1973.

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

**CALL OF THE SENATE**

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

Anderson	Davies	Kirchner	Olhoff	Schaaf
Berg	Dunn	Kowalczyk	Olson, A. G.	Spear
Blatz	Fitzsimons	Larson	Olson, H. D.	Tennessen
Borden	Gearty	Laufenburger	Olson, J. L.	Thorup
Brown	Hansen, Baldy	Lewis	O'Neill	Wegener
Chenoweth	Hansen, Mel	Milton	Perpich, A. J.	Willet
Chmielewski	Hanson, R.	North	Perpich, G.	
Coleman	Humphrey	Ogdahl	Pillsbury	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

**MEMBERS EXCUSED**

Mr. McCutcheon was excused from the Session of today.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

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

The Honorable Alec G. Olson, President  
of the Senate

Sir:

I have the honor to inform you that the following enrolled Acts of

the 1973 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1973	Date Filed 1973
6		Chapter 247	May 15, 1973	May 15, 1973
	178	Chapter 248	May 15, 1973	May 15, 1973

Sincerely,

Arlen Erdahl,  
Secretary of State

### INTRODUCTION OF BILLS

Mr. North introduced—

S. F. No. 2504: A bill for an act relating to the district court; second judicial district in Ramsey county and fourth judicial district in Hennepin county; amending Minnesota Statutes 1971, Sections 140.19; 140.20; 140.21; 140.23; 140.24; 140.25; 260.305; 485.01; 508.12; 508.74; 611.26, Subdivision 1; Laws 1923, Chapter 289, Sections 1, 2, 3, 4, 6, 11, and 13, as amended; Laws 1923, Chapter 77, Section 10, as amended; Laws 1951, Chapter 653, Section 1; Laws 1965, Chapter 469, Section 8; Laws 1965, Chapter 709, Section 1; Laws 1969, Chapter 838, Sections 1, 2, and 3; Laws 1969, Chapter 839, Section 1; and repealing Minnesota Statutes 1971, Section 485.015; Laws 1923, Chapter 77, Sections 1 to 9; and Laws 1925, Chapter 52.

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

Mr. North introduced—

S. F. No. 2505: A bill for an act relating to the probate court in Hennepin and Ramsey counties; amending Minnesota Statutes 1971, Sections 525.10; and 526.18; repealing Minnesota Statutes 1971, Section 526.19.

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

Mr. Gearty introduced—

S. F. No. 2506: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 31; permitting state run organized gambling.

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

Mr. Perpich, G. introduced—

S. F. No. 2507: A bill for an act relating to the city of Chisholm; expenditure of police and firemen's relief association funds.

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

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 2115.

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

Returned May 16, 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. 1455: A bill for an act relating to health; regulating alcohol and other drug abuse; establishing a state authority; providing for treatment of persons dependent on alcohol or other drugs; amending Minnesota Statutes 1971, Sections 197.603; 197.64, Subdivision 3; 198.01; 253A.03; 253A.04, Subdivisions 2 and 3; 253A.07, Subdivision 2; repealing Minnesota Statutes 1971, Sections 126.04; 144.81; 144.82; 144.831; 144.832; 144.833; 144.834; 145.696; 145.697; 145.699; 245.692; 245.693; 245.694; and 245.695.

Senate File No. 1455 is herewith returned to the Senate.

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

Returned May 16, 1973

#### CONCURRENCE AND REPASSAGE

Mr. Milton moved that the Senate do now concur in the amendments by the House to S. F. No. 1455 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1455: A bill for an act relating to health; regulating alcohol and other drug abuse; establishing a state authority providing for treatment of persons dependent on alcohol or other drugs; amending Minnesota Statutes 1971, Sections 245.694, Subdivision 1; 197.603; 197.64, Subdivision 3; 198.01; 253A.03; 253A.04, Subdivisions 2 and 3; 253A.07, Subdivision 2; repealing Minnesota Statutes 1971, Sections 126.04; 144.81; 144.82; 144.831; 144.832; 144.833; 144.834; 145.696; 145.697; 145.699; 245.692; 245.693; 245.694; and 245.695.

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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Larson	Olson, A. G.	Spear
Bernhagen	Gearty	Laufenburger	Olson, H. D.	Stassen
Borden	Hansen, Baldy	Lewis	Olson, J. L.	Tennessee
Chenoweth	Hansen, Mel	Milton	O'Neill	Thorup
Chmielewski	Hanson, R.	Moe	Perpich, G.	Willet
Coleman	Josefson	North	Pillsbury	
Davies	Kirchner	Novak	Renneke	
Doty	Kleinbaum	Ogdahl	Schaaf	
Dunn	Kowalczyk	Olhoff	Sillers	

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 House File, herewith transmitted: H. F. No. 1945.

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

Transmitted May 16, 1973

#### FIRST READING OF HOUSE BILLS

H. F. No. 1945: A bill for an act relating to the Minnesota higher education facilities authority; amending Minnesota Statutes 1971, Sections 136A.26, 136A.27, 136A.29, 136A.32, Subdivision 3, and by adding a subdivision; 136A.34, Subdivision 4; 136A.40 and 136A.41.

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

#### REPORTS OF COMMITTEES

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

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

H. F. Nos. 1944, 266, 1697, 2484 and 1945 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

#### CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1944	1897				
266	185				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1944 be amended as follows:

Page 1, line 19, delete "fifteen" and insert in lieu thereof "ten"

Page 1, line 20, delete "Twenty" and insert in lieu thereof "Ten"

Page 1, line 27, delete "a representative to the commission" and insert in lieu thereof "their representatives on the commission"

Page 2, line 2, after "sections" insert "in state government"

Page 2, line 4, delete "state development" and insert in lieu thereof "eleven governor's economic planning"

Page 4, line 15, delete "the legislature,"

And when so amended, H. F. No. 1944 will be identical to S. F. No. 1897 and further recommends that H. F. No. 1944 be given its second reading and substituted for S. F. No. 1897 and S. F. No. 1897 be indefinitely postponed. Amendments adopted.

Pursuant to Rule 49 the Committee recommends that H. F. No. 266 be amended as follows:

Page 1, line 12, after "Minnesota" insert " , or accredited school of osteopathy the graduates of which are eligible for licensure in Minnesota,"

Page 1, line 12, delete "such" and insert in lieu thereof "the"

Page 1, line 13, after "medicine" insert "or osteopathy"

Page 1, line 14, after "doctors" insert "or osteopaths"

Page 1, line 14, delete "Minnesota state board"

Page 1, line 15, delete "of medical examiners" and insert in lieu thereof "higher education coordinating commission"

Page 1, line 17, delete "eight" and insert in lieu thereof "six"

Page 1, line 19, delete "for two" and insert in lieu thereof "or osteopathy for five"

Page 1, line 20, after "doctors" insert "or osteopaths"

Page 1, line 21, delete "state board of medical examiners" and insert in lieu thereof "higher education coordinating commission"

Page 1, line 24, delete "Minnesota state board of medical" and insert in lieu thereof "higher education coordinating commission"

Page 1, line 25, delete "examiners"

Page 1, line 26, delete "board" and insert in lieu thereof "commission"

Page 1, line 28, delete "on the basis of good standing in the"

Page 1, line 29, delete "program by the student" and insert in lieu thereof "on the good standing of the student in the program"

Page 1, line 30, delete "board" and insert in lieu thereof "commission"

Page 2, line 3, after "medical" insert "or osteopathic"

Page 2, line 8, delete "40" and insert in lieu thereof "20"

Page 2, line 8, delete "the"

Page 2, delete line 9

Page 2, line 10, delete "recipients the second year of the biennium"

Page 3, delete all of lines 1 through 8 and insert in lieu thereof the following:

"Sec. 4. The sum of \$100,000 is hereby appropriated from the general fund of the state treasury for the biennium beginning July 1, 1973. The appropriation shall be used for a reserve fund for repayment of cancelled or uncollectible loans made in accordance with the provisions of this act.

Sec. 5. The state board of medical examiners shall make recommendations to the commission with respect to areas of need and applicants for assistance."

Further, amend the title in line 3, after "medical" by inserting "and osteopathy" and in line 4, by deleting "providing" and inserting in lieu thereof "authorizing". In line 5, delete "for"

And when so amended, H. F. No. 266 will be identical to S. F. No. 185 and further recommends that H. F. No. 266 be given its second reading and substituted for S. F. No. 185 and S. F. No. 185 be indefinitely postponed. Amendments adopted.

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

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1697	1676				
2484	2443				

And that the above Senate Files be indefinitely postponed.

The following House File was found to have no companion Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 1945 to the Committee on Finance.

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 HOUSE BILLS

H. F. Nos. 1944, 266, 1697 and 2484 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Milton moved that S. F. No. 1497 be stricken from General Orders and returned to its author. Which motion prevailed.

Mr. Milton moved that S. F. No. 1509 be stricken from General Orders and returned to its author. Which motion prevailed.

**SUSPENSION OF RULES**

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

**SPECIAL ORDER**

S. F. No. 552: A bill for an act relating to agriculture; amending Minnesota Statutes 1971, Sections 32A.06, Subdivision 2; and 32A.09, Subdivisions 1, 2, and 6.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1372, No. 130 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 1372: A bill for an act relating to parole and probation; creating a single authority; transferring the powers and duties of the adult corrections commission and the youth conservation commission to the Minnesota corrections authority established hereby; abolishing the adult corrections commission and the youth conservation commission as now constituted; amending Minnesota Statutes 1971, Sections 242.03; 242.09; 242.-

10; 242.18; 242.19; 242.20; 242.21; 242.25; 242.27; 242.29; 242.-32; 243.09; repealing Minnesota Statutes 1971, Sections 241.03; 241.04; 242.04; 242.05; 242.06; 242.07; 242.08; 242.11; 242.265; 242.54; 243.02; 243.03; and 243.04.

Mr. Kleinbaum moved to amend H. F. No. 1372, as amended under Rule 49 and adopted by the Senate May 15, 1973, as follows:

Page 1, line 23, of the amendment, after the period before "No" insert:

*"To assist in the selection of suitable persons to be members of the Minnesota corrections authority there is created an advisory committee consisting of the following persons or their designees: the attorney general, the corrections ombudsman, the commissioners of corrections, public welfare, and human rights, and the following persons to be appointed by the governor: one representative each from a private social agency and a Minnesota institution of higher learning, and two citizens from the community at large. The committee, whose recommendations are advisory only, shall prepare and submit to the governor one or more recommendations for each appointment to the authority."*

Which motion prevailed. So the amendment was adopted.

Mr. North moved to amend H. F. No. 1372, the printed bill, as follows:

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

"Section 1. Minnesota Statutes 1971, Section 243.02 is amended to read:

**243.02 [ADULT CORRECTIONS COMMISSION; CHAIRMAN.]**  
A commission having power to parole and discharge prisoners confined in the state prison, the state reformatory for men, and the Minnesota correctional institution for women or any other adult correctional facility as may be established is hereby created, to be known and designated as the adult corrections commission. This commission shall be composed of a chairman, who is the deputy commissioner of corrections controlling and supervising the division of adult corrections in the department of corrections, and ~~four~~ six other members, *at least one of whom shall be a member of an ethnic or racial minority and at least one of whom shall be a woman*, who shall be appointed by the governor, with the advice and consent of the senate, and who, except as hereinafter provided, shall hold office for a term of six years from the first Monday in January next after such appointments are made and until their successors be appointed and have qualified. Except as provided in section 243.05, the commission may sit in units of three, as designated by the chairman, and ~~three~~ four members shall constitute a quorum. No more than ~~two~~ three members appointed by the governor to the commission shall belong to the same political party. In the case of a vacancy it shall be filled for the unexpired term in which the vacancy occurs as herein provided for original appointments. The commissions shall keep a record of all its proceedings."



Further amend the title by striking it in its entirety and substituting the following:

"A bill for an act relating to the adult corrections commission; amending Minnesota Statutes 1971, Section 243.02."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 12 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Kowalczyk	North	Patton
Berg	Hansen, Mel	Nelson	Olson, J. L.	Renneke
Bernhagen	Knutson			

Those who voted in the negative were:

Arnold	Humphrey	Lewis	Perpich, A. J.	Tennessen
Chenoweth	Josefson	Lord	Perpich, G.	Thorup
Conzemius	Keefe, S.	Milton	Schrom	Wegener
Davies	Kirchner	Moe	Solon	Willet
Dunn	Kleinbaum	Novak	Spear	
Hansen, Baldy	Larson	Olhoft	Stassen	
Hanson, R.	Laufenburger	Olson, A. G.	Stokowski	

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

Mr. Kleinbaum moved to amend H. F. No. 1372, as amended under Rule 49 and adopted by the Senate May 15, 1973, as follows:

Page 1, line 34, of the amendment, after "*specific*" and before "*or*" insert "*academic*"

Page 1, line 34, after "*shall*" and before "*be*" insert "*have knowledge or experience in corrections or related fields and*"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1372 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 44 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olhoft	Solon
Arnold	Fitzsimons	Larson	Olson, A. G.	Spear
Ashbach	Gearty	Laufenburger	Olson, H. D.	Stassen
Borden	Hanson, R.	Lewis	Patton	Stokowski
Chenoweth	Hughes	Lord	Perpich, A. J.	Tennessen
Coleman	Humphrey	Milton	Perpich, G.	Thorup
Conzemius	Josefson	Moe	Pillsbury	Wegener
Davies	Keefe, S.	Novak	Schaaf	Willet
Doty	Kirchner	Ogdahl	Schrom	

Those who voted in the negative were:

Bang	Brown	Jensen	Krieger	O'Neill
Berg	Frederick	Keefe, J.	Nelson	Renneke
Bernhagen	Hansen, Baldy	Knutson	North	Ueland
Blatz	Hansen, Mel	Kowalczyk	Olson, J. L.	

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

**MOTIONS AND RESOLUTIONS—CONTINUED**

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

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

**SPECIAL ORDER**

H. F. No. 377: A bill for an act relating to the department of human rights; unfair discriminatory practices; amending Minnesota Statutes 1971, Sections 363.01 by adding subdivisions; 363.02, Subdivisions 2 and 3 and by adding subdivisions; 363.03; 363.04, Subdivision 8; 363.05, Subdivision 1; 363.06, Subdivisions 2, 4 and 7; 363.071, Subdivision 2; 363.072, Subdivision 1; 363.091; 363.11; 363.115; 363.12, Subdivisions 1 and 2; 363.13; and Chapter 363, by adding sections.

Mr. Brown moved to amend H. F. No. 377, the unofficial engrossment, as follows:

Page 1, line 21, strike "*homosexual orientation*"

Page 3, line 6, strike the comma and insert in lieu thereof "*or*"; strike "*or homosexual*"

Page 3, line 7, strike "*orientation*"

Page 5, line 1, strike "*, homosexual*"

Page 5, line 2, strike "*orientation*"

Page 5, line 15, strike "*, homosexual orientation*"

Page 5, line 26, strike "*, homosexual orientation*"

Page 5, line 27, strike "*orientation*"

Page 6, line 14, strike "*, homosexual*"

Page 6, line 25, strike "*orientation*"

Page 6, line 24, strike the second comma

Page 6, line 25, strike "*homosexual orientation*"

Page 7, line 5, strike "*, homosexual orientation*"

Page 7, line 16, strike the second comma

Page 7, line 17, strike "*homosexual orientation*"

Page 7, line 21, strike the second comma

Page 7, line 22, strike "*homosexual orientation*"

Page 8, line 7, strike "*, homosexual orientation*"

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

Page 8, line 19, strike "*orientation*"

Page 8, line 26, strike “, *homosexual orientation*”

Page 9, line 1, strike the second comma

Page 9, line 2, strike “*homosexual orientation*”

Page 9, line 14, strike “, *homosexual*”

Page 9, line 15, strike “*orientation*”

Page 9, line 26, strike “, *homosexual orientation*”

Page 10, line 11, strike “, *homosexual orientation*”

Page 10, line 20, strike “, *homosexual*”

Page 10, line 21, strike “*orientation*”

Page 11, line 17, strike the second comma and insert in lieu thereof “or”; after “*assistance*” strike “or”

Page 11, line 18, strike “*homosexual orientation*”

Page 11, line 26, strike “, *homosexual orientation*”

Page 12, line 4, strike “, *homosexual orientation*”

Page 12, line 9, strike “, *homosexual orientation*”

Page 13, line 19, strike the fourth comma and insert in lieu thereof “or”; after “*origin*” strike “or”

Page 13, line 20, strike “*sexual orientation*”

Page 17, line 20, strike “, *homosexual orientation*”

Page 25, line 13, strike “, *homosexual orientation*”

Page 25, line 23, strike the second comma

Page 25, line 24, strike “*homosexual orientation*”

Page 26, line 28, strike the fifth comma and insert in lieu thereof “and”

Page 27, line 1, strike “and *homosexual*”

Page 27, line 2, strike “*orientation*”

Page 27, line 5, strike the second comma and insert in lieu thereof “and”

Page 27, line 6, strike “and *homosexual orientation*”

Page 27, line 10, strike the fifth comma and insert in lieu thereof “and”

Page 27, line 11, strike “and *homosexual*”

Page 27, line 12, strike “*orientation*”

Page 27, line 14, strike the fifth comma and insert in lieu thereof “and”

Page 27, line 15, strike “and *homosexual*”

Page 27, line 16, strike “*orientation*”

## CALL OF THE SENATE

Mr. Brown imposed a call of the Senate on H. F. No. 377. The following Senators answered to their names:

Arnold	Fitzsimons	Kirchner	North	Schaaf
Bang	Frederick	Kleinbaum	Novak	Schrom
Berg	Hansen, Baldy	Knutson	Olhoff	Spear
Bernhagen	Hansen, Mel	Kowalczyk	Olson, A. G.	Stassen
Blatz	Hanson, R.	Larson	Olson, J. L.	Stokowski
Brown	Hughes	Laufenburger	Patton	Thorup
Chmielewski	Humphrey	Lord	Perpich, A. J.	Willet
Coleman	Jensen	Milton	Perpich, G.	
Davies	Josefson	Moe	Pillsbury	
Dunn	Keefe, S.	Nelson	Renneke	

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

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 38 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Josefson	Ogdahl	Schrom
Ashbach	Fitzsimons	Kirchner	Olhoff	Solon
Bang	Frederick	Knutson	Olson, H. D.	Stokowski
Berg	Gearty	Kowalczyk	Olson, J. L.	Thorup
Bernhagen	Hansen, Baldy	Krieger	O'Neill	Ueland
Blatz	Hansen, Mel	Larson	Patton	Willet
Brown	Hanson, R.	McCutcheon	Pillsbury	
Chmielewski	Jensen	Nelson	Renneke	

Those who voted in the negative were:

Arnold	Davies	Keefe, S.	Milton	Schaaf
Borden	Doty	Kleinbaum	Moe	Sillers
Chenoweth	Hughes	Laufenburger	North	Spear
Coleman	Humphrey	Lewis	Perpich, A. J.	Tennessee
Conzemius	Keefe, J.	Lord	Perpich, G.	

Which motion prevailed. So the amendment was adopted.

H. F. No. 377 was then progressed as amended.

## MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Doty moved that S. F. No. 488 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

## CONFERENCE COMMITTEE REPORT ON S. F. NO. 488

A bill for an act relating to wild animals; authorizing the confiscation of wild rice, other aquatic vegetation, and wild rice harvesting equipment, in the event of violation of certain laws; amending Minnesota Statutes 1971, Section 97.50, Subdivision 5.

May 11, 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. 488, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments.

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

Senate Conferees: (Signed) Ralph R. Doty, George R. Conzemius, William G. Kirchner.

House Conferees: (Signed) Jack H. LaVoy, Richard A. Andersen, Douglas J. Johnson.

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

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 59 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Hansen, Baldy; and Novak voted in the negative.

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

Mr. Arnold moved that S. F. No. 2166 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 2166

A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

May 14, 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. 2166, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. The sums hereinafter set forth and designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures "1973", "1974", "1975" wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1973, June 30, 1974, and June 30, 1975, respectively.

#### APPROPRIATIONS

Available for the Year  
Ending June 30,

	1973	1974	1975
	\$	\$	\$
Sec. 2. LEGAL DIVISION			
Subdivision 1. Salaries . . . . .		465,498	466,926
Subd. 2. Supplies and Expense		23,525	25,025

	1973	1974	1975
	\$	\$	\$
<b>Sec. 3. ADMINISTRATIVE OPERATIONS</b>			
Subdivision 1. Salaries . . . . .		2,187,853	2,187,853
Subd. 2. Supplies and Expense		1,469,207	1,548,337
<b>Sec. 4. MAINTENANCE, SALARIES, SUPPLIES AND EXPENSE . . . . .</b>		44,646,270	44,737,570
<b>Sec. 5. CONSTRUCTION OPERATIONS, SALARIES, SUPPLIES AND EXPENSE</b>			
(a) Construction Design . . . . .		7,266,046	7,143,812
(b) Right of Way Operations.		2,862,282	2,686,315
(c) Central Office . . . . .		4,742,884	4,646,789
(d) District Offices . . . . .		19,594,941	19,388,533
<b>Sec. 6. RESEARCH AND STANDARDS, SALARIES, SUPPLIES AND EXPENSE . . . . .</b>		1,186,449	1,198,006
<b>Sec. 7. STATE AID ADMINISTRATION, SALARIES, SUPPLIES AND EXPENSE . . . . .</b>		218,657	218,957
<b>Sec. 8. PLANNING AND PROGRAMMING, SALARIES, SUPPLIES AND EXPENSE . . . . .</b>		2,552,442	2,567,114
<b>Sec. 9. EQUIPMENT . . . . .</b>		3,875,000	3,298,000
<b>Sec. 10. BUILDINGS AND IMPROVEMENTS . . . . .</b>		1,100,250	

As recommended on page 129 of the report of the legislative building commission to the 1973 legislature, the location of the equipment storage buildings at Hopkins and Proctor authorized by laws 1967, Chapter 887, are hereby changed to Eden Prairie and Nopemng respectively. The location of the equipment storage building at Big Lake authorized by laws 1971, Chapter 965, is hereby changed to Monticello.

In addition, moneys are provided for the purchase of land for a driver training facility near Duluth, the construction of field maintenance stations at Caledonia and Littlefork, and

	1973	1974	1975
	\$	\$	\$
4% planning for headquarters buildings at Morris, Willmar and Marshall.			
No building shall be constructed to be paid for out of moneys appropriated by this act or by any other act unless the commissioner of highways has first consulted with and obtained advice from the finance and appropriation committees.			
Sec. 11. WEIGH STATION FACILITIES NEAR SCANLON ON INTERSTATE HIGHWAY.		319,000	
Not more than 25% of the cost of these facilities shall be from trunk highway funds.			
Sec. 12. INTERSTATE SAFETY REST AREA FACILITIES.		626,400	
Includes safety rest area facilities and tourist information centers as enumerated on page 129 of the report of the legislative building commission to the 1973 legislature.			
Sec. 13. TRUNK HIGHWAY REST AREA FACILITIES. . . .		300,000	
Improvement of existing and development of new safety rest areas provided that federal funds are available for that purpose. Not more than 30 percent of the cost of these facilities shall be from trunk highway funds.			
The appropriations provided in sections 10, 11, 12, and 13 shall be available until expended or the projects or purposes are completed or abandoned.			
Sec. 14. FEDERAL/STATE SAFETY ACCOUNT. The Commissioner of Highways may establish a Federal/State Safety Account within the trunk highway fund, and he may transfer unobligated appropriation balances from the appropriations in Sections 3 through 8 to said account if needed to advance state funds for approved federal highway safety projects; and may receive			



funds from state or local governmental agencies to be used for projects under the Federal Highway Safety Program. All federal reimbursements shall be deposited in the state treasury and are hereby appropriated to the Federal/State Safety Account and will be available until June 30, 1975.

Sec. 15. TRANSFER OF FUNDS. Authority is hereby granted to the commissioner of highways to transfer unobligated appropriation balances between the various accounts and appropriations in sections 3 through 8.

Sec. 16. Notwithstanding any provisions of Minnesota Statutes, Section 161.50, to the contrary, the standing appropriation authority for maintenance of trunk highways, for construction operations, research, standards, state aid and planning and programming are hereby suspended and made inoperative. This section has no application to moneys for the actual construction or reconstruction of highways and for the actual payment to landowners for lands acquired for highway right of way and other costs necessary to construction and acquisition such as payments to leasees, interest subsidies and relocation expenses.

Sec. 17. APPROPRIATION CANCELLATIONS. The commissioner of highways may at any time cancel back to the trunk highway fund any unobligated balance of the appropriations made in sections 3 through 9 for the purpose of providing funds for highway land purchase and road and bridge construction.

Sec. 18. CONTINGENCY ACCOUNT. If any of the appropriations made in sections 3 through 8 are insufficient, the commissioner of highways with the approval of the Governor may expend any of the moneys in the trunk highway fund standing appropriation for purposes enumerated in these sections after consultation with the legislative advisory committee in the manner provided in Minnesota Statutes in Section 3.30.

Sec. 19. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO TRUNK HIGHWAY FUND. Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby on June 30 of any fiscal year shall cancel into the trunk highway fund.

Sec. 20. 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, Section 355.50 and 352.04, Subdivision 5.

Sec. 21. The trunk highway fund shall be reimbursed for moneys expended by the highway department in performing services for the public service commission. The reimbursement shall not exceed \$25,500 each year from the general fund, and \$21,100 each year from the Minnesota highway safety account, M.S. 219.401."

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) Tony Eckstein, Robert Culhane, Delbert Anderson, Walter Klaus and Phyllis Kahn.

Mr. Arnold moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2166 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. 2166: A bill for an act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that S. F. No. 765 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 765

A bill for an act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of motorboats on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, by adding a section.

May 15, 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. 765, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 765 be amended as follows:

Page 1, line 18, after "REGULATIONS" and before "." insert "ABOVE THE MOUTH OF THE SNAKE RIVER"

Page 1, line 20, after "90-542" and before "of" insert "and Public Law 92-560"

Page 1, line 23, after "90-542" and before "," insert "and Public Law 92-560"

Page 1, line 29, after "West." and before "Rules" insert:

*"Subd. 3. [REGULATIONS BELOW THE MOUTH OF THE SNAKE RIVER.] After October 1, 1974, if the commissioner of natural resources has not established regulations relating to the use of watercraft on that part of the St. Croix river south of the mouth of the Snake river but north of the nine foot navigational channel at mile 24.5, measured from the mouth of the St. Croix river, pursuant to the request of a local governmental unit in the manner provided by Minnesota Statutes, Section 361.26, he may establish such regulations pursuant to section 361.26 notwithstanding the absence of a request from a local governmental unit and notwithstanding the absence of approval of the regulations by a majority of the counties affected.*

*Subd. 4. [CONCURRENT REGULATIONS REQUIRED.]"*

Page 1, line 30, after "commissioner" and before "are" insert "pursuant to this act"

Page 2, line 8, strike "3" and insert in lieu thereof "5"

Further amend the title in line 4 by striking "motorboats" and inserting in lieu thereof "watercraft"

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

Senate Conferees: (Signed) Jerald C. Anderson and Florian Chmielewski.

House Conferees: (Signed) Phyllis Kahn, Rodney Searle and Fred Norton.

Mr. Anderson moved that the foregoing recommendations and Conference Committee Report on S. F. No. 765 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. 765: A bill for an act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of motorboats on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, 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 36 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Laufenburger	Perpich, A. J.	Tennessen
Arnold	Gearty	Lewis	Perpich, G.	Thorup
Borden	Hanson, R.	Lord	Renneke	Wegener
Chenoweth	Hughes	Moe	Schaaf	Willet
Chmielewski	Humphrey	North	Sillers	
Conzemius	Keefe, J.	Novak	Solon	
Davies	Keefe, S.	Olhoft	Spear	
Doty	Larson	Olson, A. G.	Stokowski	

Those who voted in the negative were:

Bang	Brown	Hansen, Mel	Olson, J. L.	Stassen
Berg	Fitzsimons	Jensen	Patton	
Bernhagen	Frederick	Knutson	Pillsbury	
Blatz	Hansen, Baldy	Nelson	Schrom	

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson, A. G. moved that S. F. No. 690 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 690

A bill for an act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

May 11, 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. 690, report that we

have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 690 be amended as follows:

Page 1, line 18, after "choosing" insert "to"

Page 1, line 27, after "nurse" strike the comma and insert "*of his own choosing*"

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

Senate Conferees: (Signed) Alec G. Olson, Roger Hanson and B. Robert Lewis.

House Conferees: (Signed) John C. Lindstrom, John J. Salchert and Charles R. Weaver.

Mr. Olson, A. G. moved that the foregoing recommendations and Conference Committee Report on S. F. No. 690 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. 690: A bill for an act relating to highway traffic regulations; chemical tests for intoxication; manner of taking tests; amending Minnesota Statutes 1971, Section 169.123, Subdivision 3.

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 52 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Blatz; Hansen, Baldy; Jensen and Schrom voted in the negative.

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

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Dunn moved that S. F. No. 211 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON S. F. NO. 211**

A bill for an act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

May 8, 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. 211, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and the bill be further amended as follows:

Page 4, at the end of line 14 following the word "create" strike the comma and insert a semicolon. Strike lines 15 and 16.

Page 7, at the end of line 17 following the word "create" strike the comma and insert a semicolon. Strike lines 18 and 19.

Page 10, line 12, after "abolished" strike ", the office of civil"

Page 10, strike all of line 13.

Page 10, line 14, strike "this option pursuant to section 9 of this act,"

Page 10, line 15, strike "county sheriff,"

Page 16, at the end of line 3 insert:

"This subdivision shall not apply to any person who on January 1, 1973, held the office of county administrator pursuant to Minnesota Statutes, Sections 375.48 to 375.50 and did not on that date concurrently hold an elective county office."

Page 18, strike all of lines 21 and 22 and insert in lieu thereof "any other law to the contrary and in addition to the other options provided by this act,"

Page 19, line 1, strike "Unless a county has" and insert in lieu thereof "In addition to the other options provided by this act,"

Page 19, strike all of line 2.

Page 19, line 3, strike "plan"

Page 19, line 10, after "offices" insert "if they have not been abolished by the adoption of other options"

Page 20, line 19, after "office" insert "; provided that if a county adopts either the elected executive or the county manager plan, the county civil counsel shall be appointed and removed by the elected executive or county manager, subject to the approval of the county board"

Page 21, line 2, after "counsel" insert "and the county attorney"

Page 21, line 4, after "general" strike "in the same manner as the county attorney" and insert in lieu thereof "on matters of public importance"

Page 23, line 26, strike "through" and insert in lieu thereof "to"

Page 26, lines 5 and 6, strike all the language on line 5 and before "upon" on line 6.

Page 26, line 18, after "15." insert:

"A non-commissioner from each commissioner district shall be appointed to a study commission. In addition three members shall be county commissioners and two shall be elected county officials."

Page 28, line 5, strike "11" and insert in lieu thereof "12"

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

Senate Conferees: (Signed) Robert Dunn, Florian Chmielewski, Arnulf Ueland, Jr., Jack Kleinbaum, Jim Lord.

House Conferees: (Signed) Arlan Stangeland, Harry Peterson, David Cummiskey, Willis Eken, Neil Haugerud.

Mr. Dunn moved that the foregoing recommendations and Conference Committee Report on S. F. No. 211 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. 211: A bill for an act relating to county government; providing for optional forms of county government and the optional combination of certain county offices.

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 52 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schaaf
Arnold	Dunn	Kirchner	Novak	Sillers
Bang	Frederick	Kleinbaum	Ogdahl	Solon
Berg	Gearty	Knutson	Olhoft	Spear
Bernhagen	Hansen, Mel	Krieger	Olson, A. G.	Stassen
Blatz	Hanson, R.	Larson	Olson, J. L.	Stokowski
Borden	Hughes	Laufenburger	Patton	Wegener
Brown	Humphrey	Lewis	Perpich, A. J.	Willet
Chenoweth	Jensen	Lord	Perpich, G.	
Chmielewski	Josefson	Moe	Pillsbury	
Davies	Keefe, J.	Nelson	Renneke	

Messrs. Fitzsimons; Hansen, Baldy and Schrom voted in the negative.

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

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Keefe, J. moved that H. F. No. 1772 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

### CONFERENCE COMMITTEE REPORT ON H. F. NO. 1772

A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

May 14, 1973

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

Honorable Alec G. Olson, President  
of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1772, report that we have agreed upon the items in dispute and recommend as follows:

That H. F. No. 1772 be amended as follows:

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

"Section 1. [APPROPRIATION.] The sum of \$1,000 or so much thereof as may be required is appropriated from the general fund to the Minnesota historical society for the purpose of commissioning a painting, for display in the rotunda of the state capitol building, depicting a scene from the peaceful and constructive life and culture of Indians native to the state of Minnesota. Cooperation and consultation with the capitol area architectural and planning commission is recommended."

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

House Conferees: (Signed) Joseph Connors, Linda Berglin, Frank H. DeGroat.



Senate Conferees: (Signed) John B. Keefe, Roger Hanson, Norbert Arnold.

Mr. Keefe, J. moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1772 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.

H. F. No. 1772: A bill for an act relating to the Minnesota historical society; commissioning a painting concerning Indian life; appropriating money.

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 52 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Hansen, Baldy voted in the negative.

So the bill, as amended by the Conference Committee, was repassed 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.

### MESSAGES 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. 985: A bill for an act relating to health; authorizing

the establishment of health maintenance organizations and prescribing powers and duties; providing for financial assistance to certain health maintenance organizations; providing for open enrollment in certain health plans; appropriating money; and providing penalties.

Senate File No. 985 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.  
Returned May 17, 1973

### CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 985 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 985 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 52 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kleinbaum	Ogdahl	Solon
Arnold	Frederick	Knutson	Olthoff	Spear
Bernhagen	Gearty	Krieger	Olson, A. G.	Stassen
Blatz	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	O'Neill	Tennessen
Chenoweth	Hughes	Lewis	Perpich, A. J.	Thorup
Chmielewski	Humphrey	Lord	Perpich, G.	Wegener
Conzemius	Jensen	Moe	Renneke	Willet
Davies	Keefe, J.	Nelson	Schaaf	
Doty	Keefe, S.	North	Schrom	
Dunn	Kirchner	Novak	Sillers	

Those who voted in the negative were:

Bang	Brown	Hansen, Baldy	Patton	Pillsbury
Berg				

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. 1120: A bill for an act relating to manpower services; authorizing the summer employment of young persons for state service; appropriating money.

Senate File No. 1120 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.  
Returned May 17, 1973

**CONCURRENCE AND REPASSAGE**

Mr. Solon moved that the Senate do now concur in the amendments by the House to S. F. No. 1120 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1120: A bill for an act relating to manpower services; authorizing the summer employment of young persons for state and local service; appropriating money.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

**MOTIONS AND RESOLUTIONS—CONTINUED**

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 2121:

Messrs. Coleman; Conzemius; Perpich, A. J.; Olson, A. G. and McCutcheon. Which motion prevailed.

Pursuant to Rule 21, Mr. Milton moved that the following members be excused for a Conference Committee on H. F. No. 9:

Messrs. Milton; Olson, H. D. and Kowalczyk. Which motion prevailed.

Mr. Ogdahl moved that S. F. No. 557 be taken from the table. Which motion prevailed.

**CONCURRENCE AND REPASSAGE**

Mr. Ogdahl moved that the Senate do now concur in the amendments by the House to S. F. No. 557 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 557: A bill for an act relating to taxation; wheelage taxes in the seven county metropolitan area; exempting certain vehicles from the wheelage tax; providing that the levy of property

taxes shall be reduced by a stated amount; amending Minnesota Statutes 1971, Section 163.051, Subdivisions 1 and 5.

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 45 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Moe	Pillsbury
Bang	Fitzsimons	Josefson	Nelson	Renneke
Berg	Frederick	Kleinbaum	North	Schaaf
Bernhagen	Gearty	Knutson	Ogdahl	Schmorn
Blatz	Hansen, Baldy	Krieger	Olhoft	Sillers
Borden	Hansen, Mel	Larson	Olson, J. L.	Solon
Brown	Hanson, R.	Lewis	O'Neill	Spear
Chmielewski	Hughes	Lord	Patton	Wegener
Davies	Humphrey	Milton	Perpich, G.	Willet

Those who voted in the negative were:

Anderson	Keefe, J.	Kirchner	Novak	Stokowski
Arnold	Keefe, S.	Laufenburger	Stassen	Tennessee
Doty				

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

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Milton moved that S. F. No. 82 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

### CONFERENCE COMMITTEE REPORT ON S. F. NO. 82

S. F. No. 82: A bill for an act relating to the joint or cooperative exercise of powers by cities, villages, boroughs, counties, towns, school districts, other political subdivisions, agencies of the state and the United States; authorizing boards of county commissioners to perform services for other governmental units; amending Minnesota Statutes 1971, Section 471.59, by adding a subdivision.

May 15, 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. 82, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 82 be amended as follows:

Page 1, line 23, after the period add a sentence to read: "*The provisions of this subdivision do not apply to any county wherein the chair-*

*man of the board of county commissioners is a mayor of any municipality within that county."*

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

Senate Conferees: (Signed) John Milton, Robert G. Dunn and Joseph T. O'Neill.

House Conferees: (Signed) Arlan I. Stangeland, Thomas W. Newcome and John E. Boland.

Mr. Milton moved that the foregoing recommendations and Conference Committee Report on S. F. No. 82 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. 82: A bill for an act relating to the joint or cooperative exercise of powers by cities, villages, boroughs, counties, towns, school districts, other political subdivisions, agencies of the state and the United States; authorizing boards of county commissioners to perform services for other governmental units; amending Minnesota Statutes 1971, Section 471.59, by adding a subdivision.

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 55 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Novak, O'Neill and Schrom voted in the negative.

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennessen moved that S. F. No. 910 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each member's desk. Which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 910

A bill for an act relating to snowmobiles; prohibiting the operation

thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

May 16, 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. 910, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

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

Senate Conferees: (Signed) Robert J. Tennessen, John B. Keefe and Hubert H. Humphrey III

House Conferees: (Signed) Walter R. Hanson, Donald B. Samuelson and M. J. McCauley.

### RECESS

Mr. Hansen, Baldy moved that the Senate do now recess until 2:45 o'clock p.m. Which motion prevailed.

The hour of 2:45 o'clock p.m. having arrived, the President called the Senate to order.

### MEMBERS EXCUSED

Mr. Purfeerst was excused from the morning's Session. Mr. Pillsbury was excused from the Session of today beginning at 4:00 o'clock p.m. Mr. Josefson was excused from the Session of today, beginning at 4:30 o'clock p.m. Mr. Bang was excused from the Session of this evening beginning at 5:00 o'clock p.m. Mr. Krieger was excused from this evening's Session beginning at 6:30 o'clock p.m. Mr. Frederick was excused from this evening's Session, beginning at 10:00 o'clock p.m.

### CALL OF THE SENATE

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

Arnold	Doty	Josefson	Moe	Schrom
Ashbach	Dunn	Keefe, S.	Nelson	Sillers
Berg	Fitzsimons	Kirchner	Olhoft	Spear
Bernhagen	Gearty	Knutson	Olson, J. L.	Ueland
Borden	Hansen, Baldy	Kowalczyk	Patton	Wegener
Chenoweth	Hansen, Mel	Larson	Perpich, G.	
Chmielewski	Hanson, R.	Laufenburger	Pillsbury	
Davies	Humphrey	Lord	Schaaf	

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

**SUSPENSION OF RULES**

Mr. Borden 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**

Mr. President:

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

S. F. Nos. 325, 471, 1404, 1582 and 1699.

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

Transmitted May 17, 1973

Mr. President:

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

S. F. No. 1302: A bill for an act relating to health; organization of public health nursing services; amending Minnesota Statutes 1971, Sections 145.12, Subdivision 1; and 393.07, Subdivisions 2 and 3.

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

Quirin, St. Onge and Erickson

Senate File No. 1302 is herewith returned to the Senate.

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

Returned May 17, 1973

Mr. President:

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

S. F. No. 1964: A bill for an act relating to watershed districts; prescribing additional powers and duties of managers thereof; authorizing the managers to institute works by resolution; providing procedures for consolidation of districts; amending Minnesota Statutes 1971, Sections 112.35, Subdivision 19; 112.38; 112.42, Subdivision 3; 112.44; 112.47; 112.48, Subdivisions 1 and 3 and by adding a subdivision; 112.52; 112.53, Subdivision 1; 112.54; 112.55; 112.64, Subdivision 4; 112.69, Subdivision 1; and Chap-

ter 112, by adding a section; repealing Minnesota Statutes 1971, Section 112.75; and Laws 1965, Chapter 873, Section 2.

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

Kelly, Lombardi and Sherwood

Senate File No. 1964 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 334:

H. F. No. 334: A bill for an act relating to port authorities; removing the requirement for unanimous approval in the sale of real property; amending Minnesota Statutes 1971, Section 458.17.

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

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

House File No. 334 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 17, 1973

Mr. Chenoweth moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 334 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.

### CALL OF THE SENATE

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

Anderson	Davies	Humphrey	Laufenburger	Perpich, G.
Arnold	Doty	Keefe, S.	Lewis	Pillsbury
Berg	Dunn	Kirchner	Lord	Schaaf
Bernhagen	Fitzsimons	Kleinbaum	Moe	Sillers
Blatz	Hansen, Baldy	Knutson	Nelson	Spear
Borden	Hansen, Mel	Kowalczyk	Olhoft	Stokowski
Chenoweth	Hanson, R.	Krieger	Olson, J. L.	Ueland
Chmielewski	Hughes	Larson	Patton	Willet

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



**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. 1436:

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

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

Parish, McArthur and Casserly have been appointed as such committee on the part of the House.

House File No. 1436 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 16, 1973

Mr. Kowalczyk moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1436 and that a Conference Committee of 3 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

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

S. F. No. 56: A bill for an act relating to welfare; establishing and empowering a Gillette hospital authority for the purpose of operating a children's hospital in conjunction with Ramsey county hospital; appropriating funds; amending Minnesota Statutes 1971, Sections 246.01; 256.01, Subdivision 2; repealing Minnesota Statutes 1971, Section 246.02, Subdivision 3; and Chapter 250.

Senate File No. 56 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.  
Returned May 17, 1973

**CONCURRENCE AND REPASSAGE**

Mr. Kirchner moved that the Senate do now concur in the amend-

ments by the House to S. F. No. 56 and that the bill be placed on its repassage as amended.

S. F. No. 56 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 46 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, J.	Milton	Schrom
Arnold	Fitzsimons	Keefe, S.	Moe	Spear
Berg	Gearty	Kirchner	Nelson	Stokowski
Bernhagen	Hansen, Baldy	Kleinbaum	Novak	Tennessen
Blatz	Hansen, Mel	Knutson	Olhoff	Ueland
Borden	Hanson, R.	Kowalczyk	Olson, J. L.	Willet
Chenoweth	Hughes	Krieger	Patton	
Chmielewski	Humphrey	Larson	Pillsbury	
Davies	Jensen	Laufenburger	Renneke	
Doty	Josefson	Lord	Schaaf	

Mr. Perpich, G. voted in the negative.

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 256: A bill for an act relating to taxation; providing for the payment of taxes and assessments on property acquired by the state or a political subdivision thereof; amending Minnesota Statutes 1971, Section 272.68, Subdivision 1.

Senate File No. 256 is herewith returned to the Senate.

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

Returned May 17, 1973

Mr. Chmielewski moved that S. F. No. 256 be laid on the table. Which motion prevailed.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 2121:

Messrs. Coleman; Olson, A. G.; Perpich, A. J.; McCutcheon and Conzemius. Which motion prevailed.

#### MESSAGE FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the fol-

lowing Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2113: A bill for an act relating to taxation; providing for a reduction in assessed value of apartment housing of type I or II construction; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

Senate File No. 2113 is herewith returned to the Senate.

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

Returned May 17, 1973

### CONCURRENCE AND REPASSAGE

Mr. Ogdahl moved that the Senate do now concur in the amendments by the House to S. F. No. 2113 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 2113 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 37 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Humphrey	Moe	Stassen
Arnold	Dunn	Kirchner	North	Stokowski
Ashbach	Fitzsimons	Kleinbaum	Ogdahl	Tennessen
Bang	Frederick	Krieger	Olhoft	Ueland
Berg	Gearty	Larson	O'Neill	Willet
Bernhagen	Hansen, Baldy	Laufenburger	Pillsbury	
Blatz	Hansen, Mel	Lord	Sillers	
Borden	Hanson, R.	Milton	Solon	

Those who voted in the negative were:

Chenoweth	Jensen	Knutson	Oleon, J. L.	Schaaf
Davies	Josefson	Kowalczyk	Patton	Schrom
Doty	Keefe, J.	Nelson	Perpich, G.	Spear
Hughes	Keefe, S.	Novak	Renneke	

So the bill, as amended, was repassed 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 Reports of Committees, remaining on the Order of Business of Motions and Resolutions. Which motion prevailed.

### REPORTS OF COMMITTEES APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2531, pursuant to the request of the House.

Messrs. Arnold; Novak; Olson, J. L.; Fitzsimons; Davies.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1547, pursuant to the request of the House.

Messrs. Ogdahl, Kirchner, Stokowski.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1203, pursuant to the request of the House.

Messrs. Willet, Lord, Bernhagen.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 805, pursuant to the request of the House.

Messrs. Conzemius; Olson, A. G.; Jensen.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 879, pursuant to the request of the Senate.

Messrs. Chenoweth, North, O'Neill.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1824, pursuant to the request of the Senate.

Messrs. Chmielewski, Laufenburger, Jensen.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are ap-

pointed as a Conference Committee on S. F. No. 2047, pursuant to the request of the Senate.

Messrs. Gearty, Schaaf, Ogdahl.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 23, pursuant to the request of the House.

Messrs. Keefe, S.; Tennesen; Kowalczyk.

Mr. Davies moved that the foregoing appointments be approved. Which motion prevailed.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Krieger moved that his name be stricken as co-author to S. F. No. 1776. Which motion prevailed.

Mr. Novak moved that H. F. No. 1945 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 2179. Which motion prevailed.

Mr. Hanson, R. moved that the name of Mr. Olhoft be added as co-author to S. F. No. 2339. Which motion prevailed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1536, No. 181 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

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.

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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, J.	Moe	Solon
Arnold	Fitzsimons	Keefe, S.	Nelson	Spear
Ashbach	Frederick	Kirchner	Novak	Stasoen
Bang	Gearty	Kleinbaum	Olhoft	Stokowski
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Tennesen
Borden	Hansen, Mel	Kowalczyk	O'Neill	Wegener
Brown	Hanson, R.	Krieger	Patton	Willet
Chenoweth	Hughes	Larson	Pillsbury	
Chmielewski	Humphrey	Lewis	Renneke	
Davies	Jensen	Lord	Schaaf	
Doty	Josefson	Milton	Sillers	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1840, No. 116 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1840: A bill for an act relating to bicycles; providing for a statewide bicycle registration system; providing penalties for violation thereof; fixing and limiting the amount of fees to be collected in certain cases; appropriating money annually.

Mr. Hughes moved to amend S. F. No. 1840 as follows:

Page 2, line 7, after "Sec. 3." insert "Subdivision 1."

Page 2, line 19, strike "section" and insert "subdivision"

Page 2, after line 20, insert a new subdivision to read:

"Subd. 2. Any person, other than a person required to register his bicycle pursuant to subdivision 1, also may register the ownership of his bicycle with the department pursuant to regulations established by the department by giving the same information and paying the same fees as required for the registration of a bicycle purchased from a bicycle dealer after July 1, 1974. The department shall designate a number to be stamped or otherwise permanently affixed on the frames of bicycles on which no serial number can be found, or on which the number is illegible or insufficient for identification purposes. The ownership of a bicycle registered under this subdivision may be transferred only in the manner provided for the transfer of ownership of bicycles registered pursuant to subdivision 1."

Page 5, line 3, after "agent" and before "shall" insert ", except for protection of the bicycle,"

Page 6, line 5, after "this act." insert "Before January 15, 1975, the department of public safety shall study and report to the legislature its recommendations for the registration of all bicycles not required to be registered under this act. The study shall include but not be limited to a study of the desirability of phasing in these additional mandatory registrations on a schedule which would require these additional mandatory registrations to be accomplished as follows: Phase one, cities of the first class; phase two, counties in the twin city metropolitan area which contain or are adjacent to cities of the first class; and phase three, all other cities and counties. The study shall also include a study of the feasibility of making these additional registrations optional."

Page 6, line 9, strike "1974" and insert "1975"

Page 6, line 13, after "localities." and before "This" insert "The proposal for a system of state aid to localities shall provide, as an element of the state-aid formula, that the amount of aid appropriated to a locality will depend, in part, upon the numbers of bicycles registered in the locality. The plan shall be drawn with the cooperation of the Governor's Trail Advisory Committee and

after consultation with local units of government and bicyclists organizations."

Which motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend S. F. No. 1840, as follows:

Page 2, line 8, strike "shall" and insert "may"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 19 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Josefson	Larson	Patton
Berg	Hansen, Baldy	Keefe, J.	Lord	Renneke
Bernhagen	Hanson, R.	Kowalczyk	Nelson	Stassen
Dunn	Jensen	Krieger	Olson, J. L.	

Those who voted in the negative were:

Anderson	Doty	Kirchner	Ogdahl	Spear
Bang	Fitzsimons	Kleinbaum	Olhoft	Stokowski
Borden	Gearty	Laufenburger	O'Neill	Tennessen
Brown	Hansen, Mel	Lewis	Perpich, G.	Thorup
Chenoweth	Hughes	Moe	Schaaf	Wegener
Chmielewski	Humphrey	North	Sillers	Willet
Davies	Keefe, S.	Novak	Solon	

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

S. F. No. 1840 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,

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

And the roll being called, there were yeas 35 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Milton	Schaaf
Arnold	Fitzsimons	Kleinbaum	North	Spear
Borden	Gearty	Krieger	Novak	Stassen
Brown	Hansen, Mel	Laufenburger	Olhoft	Stokowski
Chenoweth	Hughes	Lewis	Olson, A. G.	Tennessen
Coleman	Humphrey	Lord	Perpich, A. J.	Thorup
Conzemius	Keefe, S.	McCutcheon	Perpich, G.	Wegener

Those who voted in the negative were:

Ashbach	Doty	Josefson	Nelson	Renneke
Bang	Dunn	Keefe, J.	Ogdahl	Schrom
Berg	Frederick	Knutson	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Solon
Blatz	Hanson, R.	Larson	O'Neill	Willet
Chmielewski	Jensen	Moe	Patton	

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

Mr. Krieger moved that the vote whereby S. F. No. 1840 was passed on May 17, 1973 be now reconsidered.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 25 and nays 33, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Novak	Spear
Arnold	Doty	Laufenburger	Olhoft	Stokowski
Borden	Fitzsimons	Lewis	Olson, A. G.	Tennessen
Chenoweth	Hughes	Lord	Perpich, A. J.	Wegener
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Willet
Coleman	Keefe, S.	Moe	Schaaf	
Conzemius	Kirchner	North	Solon	

Which motion did not prevail. So the vote was not reconsidered.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1418, No. 124 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

S. F. No. 1418: A bill for an act relating to education; transportation aids; appropriating money to cover certain deficiencies for fiscal year 1972-73.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	Novak	Sillers
Arnold	Frederick	Kleinbaum	Ogdahl	Solon
Ashbach	Gearty	Kowalczyk	Olhoft	Stassen
Bang	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Tennessen
Borden	Hanson, R.	Lewis	Patton	Thorup
Chmielewski	Hughes	Lord	Perpich, G.	Wegener
Davies	Humphrey	Moe	Renneke	Willet
Doty	Jensen	Nelson	Schaaf	
Dunn	Keefe, J.	North	Schrom	

So the bill passed and its title was agreed to.

### SUSPENSION OF RULES

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

### SPECIAL ORDER

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



### CALL OF THE SENATE

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

Anderson	Frederick	Knutson	Olhoft	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stokowski
Blatz	Hansen, Mel	Laufenburger	O'Neill	Tennessen
Borden	Hanson, R.	Lord	Patton	Thorup
Brown	Hughes	Milton	Renneke	Ueland
Chmielewski	Humphrey	Nelson	Schaaf	Wegener
Davies	Keefe, J.	North	Sillers	Willet
Doty	Keefe, S.	Ogdahl	Solon	

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

Mr. Davies moved to amend H. F. No. 624, the Senate unofficial engrossment, as follows:

Page 2, line 4, after the period insert "The privilege provided in this section is not available to any defendant in an action for defamation as to evidence relevant to an issue upon which the burden of proof rests with the plaintiff."

Which motion prevailed. So the amendment was adopted.

H. F. No. 624 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,

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

And the roll being called, there were yeas 44 and nays 14, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olhoft	Solon
Berg	Frederick	Laufenburger	Olson, A. G.	Spear
Brown	Gearty	Lewis	Olson, H. D.	Stassen
Chenoweth	Hansen, Mel	Lord	O'Neill	Stokowski
Chmielewski	Hanson, R.	Milton	Perpich, A. J.	Tennessen
Coleman	Hughes	Nelson	Perpich, G.	Ueland
Conzemius	Humphrey	North	Schaaf	Willet
Davies	Keefe, S.	Novak	Schrom	

Those who voted in the negative were:

Bernhagen	Jensen	Kowalczyk	Olson, J. L.	Thorup
Blatz	Keefe, J.	Larson	Patton	Wegener
Hansen, Baldy	Knutson	McCutcheon	Renneke	

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

### MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Dunn moved that the following members be excused for a Conference Committee on H. F. No. 1659:

Messrs. Borden, Moe and Dunn. Which motion prevailed.

**RECESS**

Mr. Coleman moved that the Senate do now recess until 7:45 o'clock p.m. Which motion prevailed.

The hour of 7:45 o'clock p.m. having arrived, the President called the Senate to order.

**MEMBERS EXCUSED**

Mr. Olson, J. L. was excused from the Session of this evening, beginning at 11:00 o'clock p.m.

**CALL OF THE SENATE**

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

Anderson	Coleman	Hanson, R.	Lord	Purfeerst
Arnold	Davies	Hughes	Moe	Renneke
Ashbach	Doty	Humphrey	Novak	Schaaf
Berg	Dunn	Josefson	Olhoft	Stokowski
Bernhagen	Fitzsimons	Kirchner	Olson, A. G.	Tennessen
Borden	Gearty	Kleinbaum	Olson, J. L.	Thorup
Brown	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Wegener
Chmielewski	Hansen, Mel	Laufenburger	Perpich, G.	Willet

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

**SUSPENSION OF RULES**

Mr. Borden moved that the rules of the Senate be so far suspended as to revert to Messages From The House and proceed through the Agenda, 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 House Files, herewith transmitted:

H. F. Nos. 258, 991 and 2530.

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

Transmitted May 17, 1973

**FIRST READING OF HOUSE BILLS**

H. F. No. 258: A bill for an act relating to education; education of gifted children; appropriating money.

H. F. No. 991: A bill for an act relating to taxation; assessment of real property; location of training courses for assessors; examinations; amending Minnesota Statutes 1971, Sections 270.46; 270.47; and Chapter 270, by adding a section.

H. F. No. 2530: A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

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

H. F. No. 565: A bill for an act relating to a tax study commission; amending Extra Session Laws 1971, Chapter 31, Article 13, Section 1.

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

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

H. F. No. 2303: A bill for an act relating to certain industries regulated by the department of public service; fees for certain motor carriers and livestock buyers and agents; amending Minnesota Statutes 1971, Sections 221.131; 221.296, Subdivision 5; 221.64; and 239.18, Subdivision 3.

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. 2179: A bill for an act relating to the Minnesota higher education facilities authority; amending Minnesota Statutes 1971, Sections 136A.26, 136A.27, 136A.29, 136A.32, Subdivision 3, and by adding a subdivision; 136A.34, Subdivision 4; 136A.40 and 136A.41.

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

Page 6, line 8, strike "in an" and after the stricken "an" and before "aggregate" insert "whose"

Page 6, line 9, after "amount" and before "not" insert "at any time shall"

Page 6, line 9, strike "to"

Page 6, line 9, strike "\$45,000,000" and insert in lieu thereof "\$62,000,000"

Page 6, line 9, delete "*per biennium commencing*"

Page 6, delete line 10

Page 6, line 11, delete "*succeeding odd numbered year*"

Page 6, line 17, after the period, insert the following: "*During the biennium commencing July 1, 1973, not more than \$20,000,000 shall be used for financing new construction, and not more than fifty percent of the amount used for new construction shall be used for construction projects which expand the capacity of institutions.*"

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

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

H. F. No. 1404: A bill for an act relating to the attorney general; requiring the appointment of a deputy attorney general for the department of public welfare and the appointment of an assistant attorney general for the department of corrections; amending Minnesota Statutes 1971, Section 8.024.

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

H. F. No. 2449: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1971, Section 116.18, Subdivisions 1 and 4.

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

Page 1, after line 17, insert:

*"Notwithstanding any other provision, the agency may, in its discretion, and after consideration of the amount of state funds required to match federal funds, make a grant of state funds not exceeding 25 percentum to a municipality that would qualify for a grant of federal funds but desires to initiate construction of a project without a federal grant where such project is necessary to abate an immediate health hazard. The agency may limit the scope and eligible cost of such project."*

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

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

S. F. No. 2358: A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for

the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith.

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

Strike everything after the enacting clause and insert the following:

"Section 1. [PURPOSE.] It is determined that there is a critical need to preserve and improve transportation facilities throughout the state which cannot be met by local effort without state financial assistance. The rate of completion of the interstate portion and upgrading of the remainder of the state's highway system has fallen behind the rate of traffic growth, resulting in serious traffic hazards and delays that affect the personal safety, quality of life, and economic welfare of citizens. The highway traffic problem is accentuated by the deficiency in the quality and quantity of public transportation available in urban areas, large and small. This deficiency is itself largely caused by the inability of public transportation to compete economically with private automobiles, without financial support comparable to that given highway construction. Its most serious effect is to limit severely the life and liberty of many persons who because of age, physical or mental characteristics, or economic circumstances are unable to use automobiles. For many more it compels the use of automobiles, often more than one per family, for daily attendance at work and school and for transportation in emergencies, notwithstanding cost that may reduce remaining living resources below poverty levels, and notwithstanding unacceptable safety hazards often resulting from physical handicaps or inexperience. And for many high cost makes it impossible to acquire and maintain vehicles that can operate at acceptable safety and pollution control levels, thus aggravating the traffic and pollution hazards created by sheer numbers of vehicles. Capital cost of the principal arterial highways of this state cannot be adequately met from existing sources of funds. Similar costs of adequate public transportation in urban areas cannot be met by user fees without subsidy, or even with subsidy to the extent this is possible from property taxes or other resources available to local units of government. It is determined that state financial assistance in meeting the capital cost of public transportation in urban areas and constructing and reconstructing the state's principal arterial highways is a proper function of state government and is necessary to protect the safety and the personal and economic welfare of the citizens of the state at large.

Sec. 2. [PRINCIPAL ARTERIAL HIGHWAY BOND AUTHORIZATION AND APPROPRIATIONS.] Subdivision 1. The state auditor is authorized and directed, upon request of the commissioner of highways, to issue and sell Minnesota state principal arterial bonds in accordance with the provisions of section 3 of

this act, and Article IX, Section 6, of the Constitution in an aggregate principal amount not to exceed \$120,000,000, which sum, or so much thereof as shall be required, is appropriated from the proceeds of such bonds to the commissioner of highways for grants to counties and municipalities for the acquisition and betterment of public land and other improvements of a capital nature needed to provide adequate principal arterial highways of this state. This appropriation shall not lapse or cancel until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the department of highways.

Subd. 2. The department of highways shall promulgate regulations, standards, and priorities for the administration of grants authorized in accordance with subdivision 1.

Subd. 3. Applications by counties and municipalities for grants for the funds provided for by subdivision 1 shall be made through regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Section 462.381 to 462.396 and Chapter 473B referred to in this section as regional planning agencies to the department of highways on forms requiring information prescribed by the regulations of the department of highways. The regional planning agency shall certify to the department of highways those applications which appear to meet the standards and criteria set forth by the department of highways and the regulations promulgated hereunder, and the department of highways shall direct grants to be disbursed on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the regional planning agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the counties and municipalities sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the department ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the projects have complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 3. [PRINCIPAL ARTERIAL BONDS.] Subdivision 1. For the purpose of providing money appropriated to the counties and municipalities of the state from the principal arterial highway funds authorized by section 2 for the acquisition and betterment of public land and other improvement of a capital nature needed to provide adequate principal arterial highways, in accordance with section 2, when authorized by law and requested by the commissioner of highways, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying

the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state principal arterial bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside the state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery or definitive bonds, and in accordance with such further regulations as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state principal arterial funds, and the amounts necessary therefor are appropriated from those funds; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state principal arterial bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state principal arterial bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state principal arterial bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand

therein, to pay all Minnesota state principal arterial bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state principal arterial bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state principal arterial bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 4. [TRANSPORTATION BOND AUTHORIZATION AND APPROPRIATION.] The state auditor is authorized and directed, upon request of the director of the state planning agency, to issue and sell Minnesota state transportation bonds in accordance with the provisions of section 6 of this act, and Article IX. Section 6 of the Constitution, in an aggregate principal amount not to exceed \$80,000,000 which sum, or so much thereof as shall be required, is appropriated from the proceeds of the bonds to the Minnesota state transportation fund created in section 5. and shall be used, with any other money in that fund, solely for the purpose of providing money which is hereby appropriated from that fund to the director of the state planning agency for grants to subdivisions of the state, according to the definition of "subdivision" in section 5, subdivision 1, for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the provisions of section 5. This appropriation shall not lapse until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement from the Minnesota state transportation fund shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the state planning agency.



Sec. 5. [MINNESOTA STATE TRANSPORTATION FUND.] Subdivision 1. A Minnesota state transportation fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of state bonds and any other money appropriated to the fund and grants disbursed from the fund to subdivisions of the state for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the long range state policies and purposes defined in subdivision 2, and in accordance with standards established in regulations to be adopted by the state planning agency pursuant to law, and to be prepared in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B, referred to in this section as "regional planning agencies", and in consultation with the "subdivisions" defined and referred to in this section. "Subdivisions" referred to in this section include the metropolitan transit commission created by Minnesota Statutes, Chapter 473A, and any other public body now or hereafter given power by law or a city charter to operate public transportation facilities in any defined area, and any city, village, or borough outside the area of operation of such a public body.

Subd. 2. It is the policy of the state to assist its subdivisions in providing, so far as possible, public transportation facilities in all urban areas within the state by providing state funding for public transportation capital improvements. The state planning agency and regional planning agencies are directed to prepare and revise annually a program of capital grants to subdivisions for specific projects which will implement this policy. Capital costs eligible to be paid from such grants shall include all expenses of the kinds enumerated in Minnesota Statutes, Section 475.65.

Subd. 3. The state planning agency shall promulgate regulations for the administration of grants authorized to be made from the fund.

Subd. 4. The regulations of the state planning agency shall provide that a high priority shall be given to applications from subdivisions which, because of limited tax base, excessive bonded indebtedness, or critical conditions of public transportation service, would face extreme financial hardship without assistance from the state transportation fund, and to applications for systems to serve more than one municipality.

Subd. 5. Applications by subdivisions for grants from the fund shall be made through regional planning agencies to the state planning agency, on forms requiring information prescribed by the regulations of the state planning agency. The regional agency shall certify to the state planning agency those applications which appear to meet the program of capital grants and the standards and criteria set forth by the state planning agency and the regulations promulgated hereunder, and the state planning agency shall direct grants to be disbursed from the fund on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement

shall be made until and unless the regional planning agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the subdivision sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the state planning agency ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the subdivision has complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

**Sec. 6. [MINNESOTA STATE TRANSPORTATION BONDS.]**

Subdivision 1. For the purpose of providing money appropriated to subdivisions of the state from the Minnesota state transportation fund for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed to provide adequate public transportation in urban areas in accordance with the provisions of section 5, when authorized by law and requested by the director of the state planning agency, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions of limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the state auditor shall sell and issue Minnesota state transportation bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside this state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations, as the auditor shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the state auditor and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The state auditor shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution,

and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state transportation fund, and the amounts necessary therefor are appropriated from that fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The state auditor shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state transportation bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state transportation bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state transportation bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state transportation bonds and interest thereon due and to become due to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state transportation bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state transportation bonds, such principal and interest shall

be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 7. [SEVERABILITY.] The invalidity of any provision of this act shall not affect the validity of the remainder of the act.

Sec. 8. [EFFECTIVE DATE.] This act is effective on the day following final enactment."

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

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

S. F. Nos. 1263, 2373, 1541.

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

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

H. F. No. 1837 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

#### CALENDAR OF

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1837	1789				

Pursuant to Rule 49 the Committee recommends that H. F. No. 1837 be amended as follows:

Page 4, line 2, strike "serve without compensation, but" and insert "*receive \$35 per diem and*"

Page 7, line 17, after "*day*" insert "*next*"

And when so amended, H. F. No. 1837 will be identical to S. F. No. 1789 and further recommends that H. F. No. 1837 be given its second reading and substituted for S. F. No. 1789 and S. F. No. 1789 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. 2179, 2358, 1263, 2373 and 1541 were read the second time.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 565, 2303, 1404, 2449 and 1837 were read the second time.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Chmielewski moved that S. F. No. 256 be taken from the table. Which motion prevailed.

**CONCURRENCE AND REPASSAGE**

Mr. Chmielewski moved that the Senate do now concur in the amendments by the House to S. F. No. 256 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 256: A bill for an act relating to taxation; providing for the payment of taxes and assessments on property acquired by the state or a political subdivision thereof; amending Minnesota Statutes 1971, Sections 117.135; and 272.68, Subdivision 1.

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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Josefson	Moe	Purfeerst
Arnold	Davies	Keefe, J.	Nelson	Renneke
Ashbach	Doty	Keefe, S.	North	Schaaf
Bang	Dunn	Kirchner	Novak	Solon
Berg	Fitzsimons	Kleinbaum	Olhoft	Stokowski
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Thorup
Borden	Hansen, Baldy	Laufenburger	Olson, H. D.	Wegener
Brown	Hansen, Mel	Lewis	Olson, J. L.	Willet
Chmielewski	Hughes	Lord	Perpich, A. J.	
Coleman	Humphrey	Milton	Perpich, G.	

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

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 2491, No. 165 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2491: 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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Davies	Gearty	Hughes
Arnold	Chmielewski	Doty	Hansen, Baldy	Humphrey
Bang	Coleman	Dunn	Hansen, Mel	Josefson
Bernhagen	Conzemius	Fitzsimons	Hanson, R.	Keefe, S.

Kirchner	Milton	Olhoff	Perpich, G.	Spear
Kleinbaum	Moe	Olson, A. G.	Purfeerst	Stokowski
Laufenburger	Nelson	Olson, H. D.	Renneke	Thorup
Lewis	North	Olson, J. L.	Schaaf	Wegener
Lord	Novak	Perpich, A. J.	Solon	Willet

Mr. Berg voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 2482, No. 166 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2482: A bill for an act relating to taxation; providing for the correction of mill rates stated in Minnesota Statutes.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Humphrey	Moe	Purfeerst
Arnold	Davies	Josefson	Nelson	Renneke
Ashbach	Doty	Keefe, J.	North	Schaaf
Bang	Dunn	Keefe, S.	Novak	Solon
Berg	Fitzsimons	Kleinbaum	Olhoff	Spear
Bernhagen	Gearty	Kowalczyk	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	Laufenburger	Olson, H. D.	Thorup
Brown	Hansen, Mel	Lewis	Olson, J. L.	Wegener
Chmielewski	Hanson, R.	Lord	Perpich, A. J.	Willet
Coleman	Hughes	Milton	Perpich, G.	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J. moved that H. F. No. 2485, No. 169 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 2485: 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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	North	Schaaf
Arnold	Doty	Keefe, J.	Novak	Schrom
Ashbach	Dunn	Keefe, S.	Olhoft	Solon
Bang	Fitzsimons	Kirchner	Olson, A. G.	Spear
Berg	Gearty	Kleinbaum	Olson, H. D.	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Thorup
Borden	Hansen, Mel	Laufenburger	Patton	Wegener
Brown	Hanson, R.	Lewis	Perpich, A. J.	Willet
Chmielewski	Hughes	Lord	Perpich, G.	
Coleman	Humphrey	Moe	Purfeerst	
Conzemius	Jensen	Nelson	Renneke	

So the bill passed and its title was agreed to.

### SUSPENSION OF RULES

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

### SPECIAL ORDER

H. F. No. 1940: A bill for an act relating to insurance; automobile insurance plan governing committee; revising the membership of said committee; amending Minnesota Statutes 1971, Section 65B.03.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	North	Schaaf
Ashbach	Fitzsimons	Kirchner	Novak	Schrom
Bang	Gearty	Kleinbaum	Olhoft	Solon
Berg	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Bernhagen	Hansen, Mel	Laufenburger	Olson, J. L.	Stokowski
Borden	Hughes	Lewis	O'Neill	Thorup
Brown	Humphrey	Lord	Patton	Ueland
Chmielewski	Jensen	Milton	Perpich, G.	Wegener
Davies	Josefson	Moe	Purfeerst	Willet
Doty	Keefe, J.	Nelson	Renneke	

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Novak moved that H. F. No. 2530 be withdrawn from the Committee on Rules and Administration. Which motion prevailed.

Mr. Novak 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. 2530 and that the rules of the Senate be

so far suspended as to give H. F. No. 2530 its second and third reading and placed on its final passage. Which motion prevailed.

H. F. No. 2530 was read the second time.

H. F. No. 2530: A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

Mr. Novak moved to amend H. F. No. 2530, the printed bill, as follows:

Strike everything after the enacting clause and insert:

"Section 1. Public buildings; appropriation. Except as otherwise provided in this act, the sums hereinafter set forth, or so much thereof as may be necessary, are hereby appropriated out of the general fund in the state treasury or such other funds as designated, for the purposes specified in the following sections of this act.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Department of Public Welfare:

(1) Demolition of Welfare Institution Buildings	\$ 300,000
Notwithstanding any laws to the contrary, the commissioner of public welfare is hereby directed to demolish any old or obsolete buildings immediately from any funds available to the department of public welfare.	

Subd. 3. At Minnesota State Prison:

(1) Tuckpointing	36,000
(2) One incinerator (inside prison walls)	40,000
(3) Roof repairs, cordage warehouse	30,000
(4) Replace windows and frames and doors in industry buildings	20,000
(5) Storm sewers	20,000
(6) Fire prevention measures	50,000
(7) New guard tower catwalk and lighting	90,000

Subd. 4. At State Reformatory for Men:

(1) New oven—Food Service	17,000
(2) Miscellaneous reroofing	20,000
(3) Plaster ceiling area in Food Service and laundry	5,250
(4) Tuckpointing—supplies and equipment	10,000
(5) Resurface institution roads	10,000



## Subd. 5. At Minnesota Correctional Institution for Women:

- |  |        |
|--|--------|
| (1) Install exit lights, sprinkler system for Anthony cottage, administration and security section, and provide second means of egress in basement and second floor of Administration Building | 50,000 |
| (2) Install new steps and stoop of Sanford cottage   | 3,500  |

## Subd. 6. At State Training School for Boys:

- |  |        |
|--|--------|
| (1) Repair, replace and maintain physical plant  | 45,000 |
| (2) Separation of storm and sanitary sewers, complete repair of roads and parking lots | 25,000 |
| (3) Repair and remodel interior of volunteer center                                    | 7,500  |
| (4) Install seven drinking fountains and demolish old kitchen                          | 15,000 |

## Subd. 7. At Minnesota Home School:

- |  |          |
|--|----------|
| (1) Remodel and equip counseling building  | 15,000   |
| (2) Provide climate control in Senator Popp Building   | 5,000    |
| (3) Remodel zoned heating in Alcott, Stowe & Evers cottages and replace radiators in Alcott, Stowe, Evers, Richard and Lind cottages | 40,000   |
| (4) Replace carpeting in Richard and Lind cottages   | \$ 3,200 |
| (5) Add combination storms and screens to Alcott, Evers, Stowe, Richard, Lind cottages and Morse Hall                                | 15,000   |
| (6) Demolish Sullivan cottage upon completion of new security facility   | —0—      |

## Subd. 8. At Minnesota Reception and Diagnostic Center:

- |   |        |
|---|--------|
| (1) Modification of Administration Building | 2,000  |
| (2) Enclose walkway to cafeteria            | 8,000  |
| (3) Area lighting                           | 15,000 |
| (4) Install automatic fire detectors        | 8,000  |

## Subd. 9. At Saint Croix Forestry Camp:

- |  |       |
|--|-------|
| (1) Repair trusses on dining hall                        | 2,000 |
| (2) Correct wall settling problem on laundry building    | 1,000 |
| (3) Correct foundation water problem at gymnasium corner | 3,000 |

## Subd. 10. At Thistledew Forestry Camp:

- |  |     |
|--|-----|
| (1) Construct Chapel addition and Challenge building from private donation of \$10,600 | —0— |
|--|-----|

## Subd. 11. At Willow River Forestry Camp:

- |                  |        |
|------------------|--------|
| (1) Sewer system | 15,000 |
|------------------|--------|

## Subd. 12. At State Capitol Building:

(1) Building maintenance, repairs and replacements	510,000
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Sec. 3. Subdivision 1. To the commissioner of public welfare to be expended for the purpose of repairs and replacements:

Subd. 2. At Anoka State Hospital.	88,672
Subd. 3. At Fergus Falls Hospital	156,060
Subd. 4. At Hastings State Hospital	71,000
Subd. 5. At Moose Lake State Hospital	79,400
Subd. 6. At Rochester State Hospital	145,650
Subd. 7. At St. Peter State Hospital	134,900
Subd. 8. At Willmar State Hospital	91,000
Subd. 9. At Faribault State Hospital	164,575
Subd. 10. At Cambridge State Hospital	129,800
Subd. 11. At Brainerd State Hospital	96,200
Subd. 12. At Braille and Sight Saving State Hospital	22,875
Subd. 13. At School for the Deaf	48,060
Subd. 14. At Gillette Children's Hospital	35,790
Subd. 15. At Ah-Gwah-Ching Nursing Home	45,000
Subd. 16. At Glen Lake State Sanatorium and Oak Terrace Nursing Home	72,500

Sec. 4. Subdivision 1. To the commissioner of corrections for the purpose of repairs and replacements:

Subd. 2. At Minnesota State Prison	214,000
Subd. 3. At Reformatory for Men	119,795
Subd. 4. At Minnesota Correctional Institution for Women	10,100
Subd. 5. At Training School for Boys	55,250
Subd. 6. At Minnesota Home School	33,250
Subd. 7. At Minnesota Reception and Diagnostic Center	33,990
Subd. 8. At Correctional Camps	10,000

Sec. 5. Subdivision 1. To the state college board for repairs and betterments at the state colleges including preventative maintenance	1,100,000
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Sec. 6. Subdivision 1. To the state junior college board for repairs and betterments at the state junior colleges which includes \$93,000 for remodeling	503,023
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Sec. 7. Subdivision 1. To the Minnesota Veterans Home Board for the purpose of repairs and replacements at Minnesota Veterans Home	15,000
--	--------

Sec. 8. To the Minnesota Historical Society:

(1) Improvements to historic sites	150,000
(2) Archaeological construction	50,000
(3) Contingent fund	30,000

Sec. 9. Notwithstanding any provision of Minnesota Statutes, Section 16.17, all the money appropriated by section 2 shall be deemed for construction, repairs, or other building improvements and shall be available until the purposes for which the appropriation was made shall have been accomplished or abandoned. The moneys appropriated by sections 3, 4, 5, 6 and 7 not expended or encumbered shall cancel on June 30, 1975.

Sec. 10. If moneys are appropriated during the same or different sessions of the legislature for the same or related projects which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the state auditor shall, upon the certification of the commissioner of administration as to the accounts involved, made such transfers of appropriations as will place in one account all of the moneys appropriated for the same or related projects.

Sec. 11. In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, repair, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the appropriations were made shall have been accomplished or abandoned, the commissioner of administration may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 12. The balance of each appropriation made by this and any prior act to the commissioner of administration from the general fund for construction, repairs, and other permanent improvements, remaining when the specific purpose of such appropriation is accomplished, as certified by the commissioner to the legislative building commission or its successor and to the state auditor, may be transferred to any other account for which such an appropriation is made to the commissioner by this or any prior act; provided that the amount so transferred to the account for any project shall not exceed ten percent of the amount otherwise appropriated for that project, and that before any such transfer is made the commissioner shall consult and obtain the recommendations of the legislative building commission or its successor which shall be advisory only. Failure or refusal to make a recommendation shall be deemed a negative recommendation.

Sec. 13. Subdivision 1. The City of Fairmont donated by conveyance to the state of Minnesota certain lands, hereinafter described, in Martin county for a junior college proposed to be located in Fairmont. Such lands are not needed for such college purposes and the lands are therefore surplus property.

Subd. 2. The governor upon the recommendation of the commissioner of administration shall transfer and convey by quit claim deed in the form the attorney general approves in the name of the

state of Minnesota to the City of Fairmont, for no consideration, the following described land lying and being in Martin County:

Government Lot Two (2) and Government Lot Three (3) of Section Seven (7), Township One Hundred Two (102) North, of Range Thirty (30) West, excepting the South Thirty-three (33) feet of the West 578.24 feet of said Government Lot Three (3), and excepting the West Thirty-three (33) feet of said Government Lot Two (2) and said Government Lot Three (3), to be used for future street purposes.

Subd. 3. The Village of Cambridge donated by conveyance to the state of Minnesota certain lands in Isanti county for a junior college proposed to be located in Cambridge. Such lands are not needed for such college purposes and the lands are therefore surplus property.

Subd. 4. The governor upon the recommendation of the commissioner of administration shall transfer and convey by quit claim deed in the form that attorney general approves in the name of the state of Minnesota to the Village of Cambridge, for no consideration, the following described land lying and being in Isanti county:

The West 1,400 feet of the Northwest Quarter (NW  $\frac{1}{4}$ ) of Section Thirty-two (32), Township Thirty-six (36), Range Twenty-three (23), excepting therefrom the West 675 feet of the South 762 feet thereof, and also the East 700 feet of the East Half of the Northeast Quarter (E  $\frac{1}{2}$  of NE  $\frac{1}{4}$ ), Section Thirty-one (31), Township Thirty-six (36), Range Twenty-three (23), excepting therefrom the South 762 feet thereof, and also excepting from the tracts herein conveyed all public roads and easements of record.

Section 14. Of the sum of \$4,680,000 appropriated from the Minnesota state building fund by Laws 1971, chapter 963, section 3, to construct and equip Cambridge State Junior College and Fairmont State Junior College, the sum of \$3,000,000 is reappropriated to the commissioner of administration to reimburse the general fund for the appropriation with the amount of \$3,000,000 made from the general fund in Laws 1973, Chapter 99, Section 1 to the University of Minnesota to equip unit A, Health Sciences."

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

"A bill for an act relating to the organization and operation of state government; providing for public buildings of the state of Minnesota; authorizing the alteration, repair, rehabilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor."

Which motion prevailed. So the amendment was adopted.

H. F. No. 2530 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 43 and nays 5, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Kirchner	North	Spear
Berg	Hansen, Mel	Kleinbaum	Novak	Stassen
Borden	Hanson, R.	Knutson	Olhoff	Stokowski
Brown	Hughes	Larson	Olson, H. D.	Tennessee
Davies	Humphrey	Laufenburger	Olson, J. L.	Ueland
Doty	Jensen	Lord	Patton	Wegener
Fitzsimons	Josefson	Milton	Purfeerst	Willett
Frederick	Keefe, J.	Moe	Renneke	
Gearty	Keefe, S.	Nelson	Solon	

Messrs. Anderson, Bernhagen, Chmielewski, Dunn and Schrom voted in the negative.

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

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Novak moved that S. F. No. 2473 be indefinitely postponed. Which motion prevailed.

### SPECIAL ORDER

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.

Mr. Thorup moved to amend H. F. No. 1065, the printed bill, as follows:

Page 1, line 6, strike "\$60,000" and insert in lieu thereof "\$30,000"

Which motion prevailed. So the amendment was adopted.

H. F. No. 1065 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Keefe, S.	Nelson	Schrom
Ashbach	Fitzsimons	Kirchner	North	Sillers
Bang	Frederick	Kleinbaum	Novak	Solon
Berg	Gearty	Knutson	Olhoff	Spear
Bernhagen	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Larson	O'Neill	Stokowski
Borden	Hanson, R.	Laufenburger	Patton	Tennessee
Brown	Hughes	Lewis	Perpich, G.	Thorup
Chmielewski	Humphrey	Lord	Purfeerst	Ueland
Davies	Josefson	Milton	Renneke	Willett

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

### MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 2121:

Messrs. Perpich, A. J.; Olson, A. G.; Coleman, Conzemius and McCutcheon. Which motion prevailed.

### SPECIAL ORDER

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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.

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 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Anderson and Schrom voted in the negative.

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on S. F. No. 1964:

Messrs. Borden; Olson, J. L. and Moe. Which motion prevailed.

#### SPECIAL ORDER

H. F. No. 534: A bill for an act relating to workmen's compensation; compensation for permanent partial disability; amending Minnesota Statutes 1971, Section 176.101, 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Humphrey	Lewis	Schrom
Arnold	Doty	Josefson	Lord	Sillers
Ashbach	Dunn	Keefe, J.	Nelson	Solon
Bang	Fitzsimons	Keefe, S.	North	Spear
Berg	Frederick	Kirchner	Novak	Stassen
Bernhagen	Gearty	Kleinbaum	Olhoft	Stokowski
Blatz	Hansen, Baldy	Knutson	O'Neill	Tennessen
Borden	Hansen, Mel	Kowalczyk	Patton	Willet
Brown	Hanson, R.	Larson	Purfeerst	
Chmielewski	Hughes	Laufenburger	Renneke	

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

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

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

#### SPECIAL ORDER

H. F. No. 1765: A bill for an act relating to motor vehicles; eliminating the requirement of special markings on motor vehicles owned by the state and operated by a commissioner or head of a state department or agency; amending Minnesota Statutes 1971, Section 168.012, by adding a subdivision.

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

The question being taken on the passage of the bill,

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

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

And the roll being called, there were yeas 28 and nays 21, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Keefe, S.	Olson, H. D.	Stassen
Bang	Gearty	Kleinbaum	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Perpich, G.	Thorup
Brown	Hansen, Mel	Larson	Renneke	Ueland
Davies	Hanson, R.	Laufenburger	Schrom	
Fitzsimons	Humphrey	Lord	Solon	

Those who voted in the negative were:

Anderson	Josefson	Nelson	Schaaf	Willet
Berg	Keefe, J.	North	Sillers	
Chmielewski	Kirchner	Olhoft	Spear	
Doty	Lewis	Patton	Tennessen	
Hughes	Milton	Purfeerst	Wegener	

So the bill failed to pass.

### SPECIAL ORDER

H. F. No. 2174: A bill for an act relating to laws and the statutory compilation thereof; prescribing times of and other conditions of publication; appropriating money; amending Minnesota Statutes 1971, Sections 482.07, by adding subdivisions; 648.31, Subdivision 2, and by adding subdivisions; 648.41, Subdivision 2; 648.42; and 648.45.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Olhoft	Spear
Bang	Frederick	Kirchner	Olson, H. D.	Stassen
Berg	Gearty	Knutson	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Patton	Tennessen
Blatz	Hansen, Mel	Larson	Perpich, G.	Thorup
Brown	Hanson, R.	Laufenburger	Purfeerst	Ueland
Chmielewski	Hughes	Lewis	Schaaf	Wegener
Davies	Humphrey	Lord	Schrom	Willet
Doty	Jensen	Nelson	Sillers	
Dunn	Keefe, J.	North	Solon	

Mr. Milton voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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

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

The question being taken on the passage of the bill,



And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Olhoft	Spear
Bang	Hansen, Baldy	Knutson	Olson, H. D.	Stassen
Berg	Hansen, Mel	Kowalczyk	O'Neill	Stokowski
Bernhagen	Hanson, R.	Larson	Patton	Tennesen
Brown	Hughes	Laufenburger	Perpich, G.	Thorup
Chmielewski	Humphrey	Lewis	Purfeerst	Ueland
Davies	Jensen	Lord	Schaaf	Willet
Doty	Keefe, J.	Milton	Schrom	
Fitzsimons	Keefe, S.	Nelson	Sillers	
Frederick	Kirchner	North	Solon	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

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

Mr. Thorup moved to amend S. F. No. 2243, as follows:

Page 1, line 29, after the period insert:

*"In addition, such surplus may be deposited in time deposits of any state or national banks subject to the limitations and requirements of Minnesota Statutes, Chapter 118."*

Which motion prevailed. So the amendment was adopted.

S. F. No. 2243 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	O'Neill	Stassen
Bang	Hansen, Baldy	Knutson	Patton	Stokowski
Berg	Hansen, Mel	Kowalczyk	Perpich, G.	Tennesen
Bernhagen	Hanson, R.	Larson	Purfeerst	Thorup
Brown	Hughes	Laufenburger	Renneke	Ueland
Chmielewski	Humphrey	Lewis	Schaaf	Wegener
Davies	Jensen	Lord	Schrom	Willet
Doty	Keefe, J.	North	Sillers	
Dunn	Keefe, S.	Olhoft	Solon	
Fitzsimons	Kirchner	Olson, H. D.	Spear	

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

### SPECIAL ORDER

H. F. No. 735: A bill for an act relating to commerce; administration of the unfair cigarette sales act; providing penalties; amend-

ing Minnesota Statutes 1971, Sections 325.66, Subdivision 4; 325.67; 325.74, Subdivision 1; and 325.75, Subdivisions 1, 2, and 3.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Jensen	Lord	Sillers
Ashbach	Dunn	Keefe, S.	North	Solon
Bang	Fitzsimons	Kirchner	Olhoff	Spear
Berg	Frederick	Kleinbaum	Olson, H. D.	Stassen
Bernhagen	Gearty	Knutson	O'Neill	Stokowski
Brown	Hansen, Baldy	Kowalczyk	Patton	Thorup
Chenoweth	Hansen, Mel	Larson	Perpich, G.	Ueland
Chmielewski	Hughes	Laufenburger	Purfeerst	Wegener
Davies	Humphrey	Lewis	Schaaf	Willet

Messrs. Keefe, J. and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

H. F. No. 924: A bill for an act relating to credit unions; amending Minnesota Statutes 1971, Sections 52.04; 52.05; 52.06, Subdivisions 1 and 2, 52.17; and 52.18.

Mr. Laufenburger moved to amend H. F. No. 924, the printed bill, as follows:

Page 2, line 16, after "*deposit*;" insert "*however, this clause (11) does not permit a credit union to establish demand deposits (checking accounts) for its members*;"

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy moved to amend H. F. No. 924, the printed bill as follows:

Page 4, line 26, strike "*five*" and reinsert the stricken "*ten*"

Page 4, line 27, strike "*deposits*" and insert "*accounts*"

### CALL OF THE SENATE

Mr. Laufenburger imposed a call of the Senate on H. F. No. 924.

The following Senators answered to their names:

Bang	Davies	Hansen, Baldy	Kleinbaum	Moe
Berg	Doty	Hansen, R.	Knutson	Novak
Bernhagen	Dunn	Hughes	Kowalczyk	Olhoff
Blatz	Fitzsimons	Humphrey	Larson	Olson, H. D.
Borden	Frederick	Keefe, J.	Laufenburger	Olson, J. L.
Chmielewski	Gearty	Keefe, S.	Lord	O'Neill

Patton	Schaaf	Stassen	Thorup	Willet
Perpich, G.	Sillers	Stokowski	Ueland	
Purfeerst	Solon	Tennessee	Wegener	

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

The question being taken on the adoption of the amendment,

Mr. Olson, J. L. moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, J.	Olson, H. D.	Thorup
Ashbach	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Bang	Frederick	Knutson	O'Neill	Wegener
Berg	Hansen, Baldy	Kowalczyk	Patton	Willet
Bernhagen	Hansen, Mel	Laufenburger	Renneke	
Blatz	Hansen, R.	McCutcheon	Schrom	
Brown	Jensen	Milton	Sillers	
Coleman	Josefson	Nelson	Stassen	

Those who voted in the negative were:

Arnold	Gearty	Lewis	Olhoff	Solon
Borden	Hughes	Lord	Olson, A. G.	Spear
Chmielewski	Humphrey	Moe	Perpich, A. J.	Stokowski
Conzenius	Keefe, S.	North	Perpich, G.	Tennessee
Davies	Kleinbaum	Novak	Purfeerst	
Doty	Larson	Ogdahl	Schaaf	

Which motion prevailed. So the amendment was adopted.

H. F. No. 924 was then progressed as amended.

### SPECIAL ORDER

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

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 40 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kleinbaum	Nelson	Schrom
Bang	Gearty	Knutson	North	Solon
Blatz	Hansen, Baldy	Kowalczyk	Novak	Spear
Borden	Hansen, Mel	Larson	Olhoff	Stassen
Coleman	Hughes	Laufenburger	Olson, H. D.	Stokowski
Conzenius	Humphrey	Lewis	O'Neill	Thorup
Davies	Keefe, J.	Lord	Purfeerst	Wegener
Doty	Keefe, S.	Milton	Schaaf	Willet

Those who voted in the negative were:

Berg	Fitzsimons	Jensen	Olson, J. L.	Pillsbury
Bernhagen	Hansen, R.	Josefson	Patton	Renneke

So the bill passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Doty moved that the vote whereby H. F. No. 1765 failed to pass on May 17, 1973 be now reconsidered. Which motion prevailed.

Mr. Gearty moved that H. F. No. 1765 be returned to the Committee on Governmental Operations. Which motion prevailed.

**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 the passage by the House of the following Senate File, herewith returned:

S. F. No. 2021.

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

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 765, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 765: A bill for an act relating to waters; authorizing the commissioner of natural resources to limit or prohibit the use of motorboats on certain reaches of the St. Croix river; providing penalties; amending Minnesota Statutes 1971, Chapter 85, by adding a section.

Senate File No. 765 is herewith returned to the Senate.

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

Returned May 17, 1973

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 437, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 437: A bill for an act relating to highway traffic regulations; unsafe equipment; prohibiting design modifications of certain vehicles without approval of the commissioner of public safety; prescribing penalties; amending Minnesota Statutes 1971, Section 169.47.

House File No. 437 is herewith transmitted to the Senate.

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

Transmitted May 17, 1973

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schrom moved that H. F. No. 437 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each Member's desk. Which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON H. F. NO. 437

A bill for an act relating to highway traffic regulations; unsafe equipment; prohibiting design modifications of certain vehicles without approval of the commissioner of public safety; prescribing penalties; amending Minnesota Statutes 1971, Section 169.47.

May 16, 1973

Honorable Martin O Sabo,  
Speaker of the House of Representatives

Honorable Alec G. Olson,  
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 437, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 437 be amended as follows:

Page 2, line 7, delete "*under 4,000 pounds*" and insert in lieu thereof "*, passenger automobile, motor scooter or station wagon as defined in Minnesota Statutes, Section 168.011, or motorcycle as defined in Minnesota Statutes, Section 169.01, Subdivision 4*"

Page 2, lines 9, 10 and 11, delete "*unless such alterations or modifications are approved by the commissioner of public safety or are in accordance with*" and insert in lieu thereof "*which has been prohibited by*"

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

House Conferees: (Signed) Thaddeus Jude and Norman Prah.

Senate Conferees: (Signed) Roger A. Laufenburger and Ed Schrom.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 160 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each Member's desk. Which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON S. F. NO. 160**

A bill for an act relating to public health; dating of perishable food; providing a penalty.

May 17, 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. 160, report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. [DECLARATION OF POLICY.] The legislature recognizes the entire food industry in the nation as leaders in the world in providing wholesome, nutritious, fresh and clean food to its citizens and to others. The Minnesota department of agriculture is hereby authorized and directed to promulgate rules and regulations which provide for a quality assurance date on perishable foods, to assure this industry's continuation and the degree of improvement reasonable and feasible, so as to provide people with wholesome, nutritious, fresh and clean food.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in this act, the following terms shall have the meanings ascribed to them.

Subd. 2. "Commissioner" means the commissioner of agriculture or designee.

Subd. 3. "Perishable food" means any food intended for human consumption (other than meat and poultry, frozen food, or fresh fruit or vegetables), which has a quality assurance date.

Subd. 4. "Quality assurance date" means any date after which the manufacturer or processor reasonably determines that the product may, by spoilage, wiltage, drying or any other foreseeable and normal natural phenomenon, lose its palatability or its desired or nutritive properties. The date shall include the day, month, and, if appropriate, the year.

Sec. 3. [REGULATIONS, SCOPE.] Subdivision 1. The commissioner shall administer and enforce the provisions of this act by regulations adopted prior to October 1, 1973 pursuant to the administrative procedures act.

Subd. 2. Perishable foods which bear a quality assurance date of 90 days or less from the date of packaging shall be dated in accordance with the regulations adopted pursuant to this act.

Subd. 3. Perishable foods which bear a quality assurance date of more than 90 days from the date of packaging may require dating in accordance with regulations adopted pursuant to this act.

Subd. 4. Whenever the commissioner has reason to believe that any regulation adopted pursuant to this act is inappropriate or unsuitable to any particular perishable food product or products, the commissioner may, in accordance with the administrative procedures act, waive the application of such regulations as to such product or products.

Sec. 4. [EXPIRATION OF QUALITY ASSURANCE DATE.] Nothing contained in this act or any regulation adopted pursuant hereto shall require the removal from sale of a perishable food product after the expiration of the quality assurance date on the product nor imply that after the expiration of the quality assurance date on the product, the product is not wholesome or safe for human consumption.

Sec. 5. [REGULATIONS OF OTHER STATES AND THE FEDERAL GOVERNMENT.] If any other state, or the federal government, adopts an open dating statute or regulation which provides for information and enforcement equal to or greater than that of this act, the commissioner may, by regulation, exempt any product from the provisions of this act if it is in compliance with such other statute or regulation.

Sec. 6. [LOCAL ORDINANCES PRE-EMPTED.] No subordinate unit of government may adopt or enforce any rule or ordinance regarding open dating of perishable foods other than this act.

Sec. 7. [ENFORCEMENT.] In enforcing the provisions of this act, the commissioner may receive complaints and investigate possible violations. The commissioner and his employees shall have reasonable access to all places wherein any item of perishable food regulated pursuant to this act is sold or held or offered for sale, and may take samples of perishable food for analysis. The attorney general, acting for the commissioner, or any municipal or county official responsible for the enforcement of rules or ordinances, may bring an action to restrain violations of this act.

Sec. 8. [PENALTIES.] Any person injured by a violation of this act may bring a civil action and recover damages, together with costs and disbursements.

Sec. 9. [EXEMPTION.] Nothing in this act shall apply to any sale exempt from a license by the Minnesota Constitution, Article I, Section 18.

Sec. 10. [EFFECTIVE DATE.] This act shall be effective as to all perishable food manufactured or processed on or after January 1, 1974."

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

"A bill for an act relating to food; requiring open dating of perishable food; directing the commissioner of agriculture to promulgate rules and regulations governing the dating, handling and labeling of perishable foods; providing penalties."

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

Senate Conferees: (Signed) Robert D. North, Stephen Keefe, Howard A. Knutson.

House Conferees: (Signed) L. Joseph Connors, Bruce F. Vento, Robert J. Ferderer.

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

Mr. North moved that S. F. No. 452 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each Member's desk. Which motion prevailed.

#### **CONFERENCE COMMITTEE REPORT ON S. F. NO. 452**

A bill for an act relating to city of St. Paul; providing for a change in the election of members of the council.

May 17, 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. 452, report that we have agreed upon the items in dispute and recommend as follows: That S. F. No. 452 be amended as follows:

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

“Section 1. [ST. PAUL, CITY OF; COUNCIL ELECTION; DISTRICTS.] Subdivision 1. The council of the city of St. Paul shall divide the city into four districts equal so far as possible in population at least 60 days prior to the first day for filing for the city elections. In the city general election next following the effective date of this section and thereafter four councilmen who shall be residents of the district shall be elected, one from each district, and three councilmen shall be elected at-large. Each person desiring to have his name placed on the primary ballot shall state in his affidavit of candidacy which office he is a candidate for specifying the district or specifying one of the three at-large positions. Incumbency shall not be indicated on election ballots. After the 1980 federal census and each federal census every ten years thereafter, the city council shall reapportion as necessary the four council districts provided herein. Except as provided herein the laws relating to the election of the council of the city of St. Paul shall continue to apply.

Subd. 2. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect



if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 2. [ST. PAUL, CITY OF; ALLEY SYSTEM OF ELECTING COUNCIL.] Subdivision 1. Sixty days after this section becomes effective the city council of the city of St. Paul shall designate each council seat, whether occupied or not, by a separate letter of the alphabet. Each so designated council seat shall be deemed a separate office for the city election of 1974 and thereafter. Any incumbent member of the city council running for election or re-election to the city council shall be a candidate for that office only of which he was an incumbent. Each person desiring to have his name placed on the primary ballot shall state in his affidavit of candidacy which designated council seat he is a candidate for. The names of the candidates for each council seat shall be rotated on the ballots to avoid any appearance of preference for incumbents. Incumbency shall not be indicated on the ballots. Except as herein provided the laws relating to the election of the council of the city of St. Paul shall continue to apply.

Subd. 2. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 3. [ST. PAUL, CITY OF; ELECTION DATE; TERM OF OFFICE.] Subdivision 1. Notwithstanding any provision of the charter of the city of St. Paul to the contrary, commencing November 4, 1975, the election of St. Paul city officers and such other officers as are required to be elected at a city election in the city of St. Paul shall be held on the first Tuesday after the first Monday in November of odd-numbered years. A primary election shall be held on a date set by the council which shall be no less than 14 days before the city election day.

Subd. 2. Notwithstanding any provision of the charter of the city of St. Paul to the contrary, commencing with the election of city officers on November 4, 1975, the mayor and each councilman of the city of St. Paul shall hold office for a term of two years commencing on the first business day in January next succeeding their election and until a successor is elected and qualified. Further, notwithstanding any provision of the charter of the city of St. Paul to the contrary, the term of office of the mayor and each councilman elected in 1974 shall begin on the first Tuesday of June of 1974 and end as of the first business day of January, 1976.

Subd. 3. This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance

with Minnesota Statutes, Section 645.021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters.

Sec. 4. [ST. PAUL, CITY OF; OFFICERS' COMPENSATION.] Subdivision 1. Notwithstanding any provision of law or the St. Paul city charter to the contrary, the city of St. Paul shall have the power, from and after the effective date of this section, to fix in term and refix from time to time the compensation of all duly elected officers under its charter. Such compensation shall be fixed by ordinance passed upon in the manner provided for by the charter of the city of St. Paul, provided that no ordinance increasing compensation of elected officials may be passed during the last three months of any term of office. Except for the initial fixing of compensation authorized herein, no subsequent fixing of compensation shall be prescribed to take effect during the term of office for which the elected officials shall have been elected.

Subd. 2. [REFERENDUM.] Nothing contained in this section shall prohibit a referendum by petition of the registered voters of the city of St. Paul upon any ordinance adopted hereunder.

Subd. 3. [FEES.] No elected official shall receive any other compensation than that provided for pursuant to this section for the performance of his official duties and such compensation shall include compensation for all services rendered in any office or employment for said city. All fees, moneys or remuneration of whatever kind that accrue to any official in his elected capacity shall be reported to the city council and paid monthly into the treasury of the city.

Subd. 4. [REPEALER.] Laws 1971, Chapter 473, is hereby repealed.

Subd. 5. [EFFECTIVE DATE.] This section takes effect when approved by a majority of the governing body of the city of St. Paul and upon compliance with Minnesota Statutes, Section 645.-021; provided that notwithstanding the provisions of Minnesota Statutes, Section 645.021, Subdivision 1, relating to expiration of special laws, this section shall also take effect if approved at a special election by the voters of the city of St. Paul which election shall be held on the uniform municipal election day specified in Minnesota Statutes, Section 205.20, Subdivision 2, next following the presentation of a petition to the city clerk of the city of St. Paul signed by 2,000 or more qualified voters. "

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

"A bill for an act relating to the city of St. Paul; providing

for the division of the city into districts for election of the city council; providing for an alley system of electing the city council; changing the election day for election of city officers and changing the term of office of the mayor and councilmen; providing a method for fixing compensation of elected officials; repealing Laws 1971, Chapter 473."

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

Senate Conferees: (Signed) Robert D. North, John C. Chenoweth, William McCutcheon.

House Conferees: (Signed) Bruce F. Vento, Ray W. Faricy, Robert L. Pavlak.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Keefe, S. moved that S. F. No. 1247 and the Conference Committee Report be laid on the table, the Report be printed in the Journal, and a copy placed on each Member's desk. Which motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON S. F. NO. 1247

A bill for an act relating to elections; providing for applications for and acknowledgement of absentee ballots; amending Minnesota Statutes 1971, Sections 207.03 and 207.08.

Honorable Alec G. Olson,  
President of the Senate

May 17, 1973

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. 1247, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 1247 be amended as follows:

Page 6, line 16, after "voter" insert "*or address of residence from which the witness voted if he resides where there was no permanent registration*"

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

Senate Conferees: (Signed) Stephen Keefe, Mel Hansen, David D. Schaaf.

House Conferees: (Signed) John D. Tomlinson, John J. Sarna, David Cleary.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Friday, May 18, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.