

SIXTY-FOURTH DAY

St. Paul, Minnesota, Friday, May 18, 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	Doty	Kirchner	Olhoft	Schrom
Arnold	Dunn	Kleinbaum	Olson, A. G.	Solon
Ashbach	Fitzsimons	Larson	Olson, H. D.	Spear
Berg	Frederick	Lewis	Olson, J. L.	Stokowski
Bernhagen	Hansen, Baldy	Lord	O'Neill	Tennessee
Blatz	Hansen, Mel	McCutcheon	Patton	Thorup
Borden	Hanson, R.	Milton	Perpich, A. J.	Ueland
Chmielewski	Hughes	Moe	Perpich, G.	Willet
Coleman	Jensen	North	Pillsbury	
Conzemius	Josefson	Novak	Purfeerst	
Davies	Keefe, S.	Ogdahl	Renneke	

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

Quorum present.

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

MEMBERS EXCUSED

Mr. Larson was excused from the Session of today, beginning at 5:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 16, 1973

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 103, An act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

S. F. No. 147, An act relating to public health; abolishing certain advisory committees; amending Minnesota Statutes 1971, Section 145.10; repealing Minnesota Statutes 1971, Sections 144.75 and 144.93.

S. F. No. 170, An act relating to real estate; qualifications of advisory commission members; amending Minnesota Statutes 1971, Section 82.125, Subdivision 1.

S. F. No. 181, An act relating to insurance; group hospital and medical coverage; requiring inclusion of chiropractic services under group accident and health policies and subscriber contracts.

S. F. No. 641, An act relating to the land exchange review board; extending the duration of the board; amending Laws 1967, Chapter 909, Section 2, as amended.

S. F. No. 662, An act relating to the department of manpower services; changing the name thereof to the department of employment services; amending Minnesota Statutes 1971, Sections 268.12, Subdivision 1a; and 268.24.

S. F. No. 935, An act relating to education; authorizing employment of retired teachers as substitutes in cities of the first class; amending Minnesota Statutes 1971, Section 354.19.

S. F. No. 1027, An act relating to St. Louis county; providing for certain changes in the county civil service; amending Laws 1941, Chapter 423, Section 21, as amended.

S. F. No. 1042, An act relating to courts; setting times for general terms in ninth judicial district, western area; amending Minnesota Statutes 1971, Section 484.17, Subdivisions 11, 12, 13, 14, 15, 16, 17, and 18.

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

S. F. No. 1319, An act relating to the state civil service; extending the appointment of unskilled labor service from five months to seven months; amending Minnesota Statutes 1971, Section 43.09, Subdivision 3.

S. F. No. 1343, An act relating to licensing of motor vehicles; authorizing use of farm trucks in certain situations without affecting license status.

S. F. No. 1361, An act relating to Hennepin county; removing \$10,000 limitation on revolving fund; amending Laws 1951, Chapter 556, Section 4.

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

S. F. No. 1678, An act relating to education; authorizing school districts to become members of certain nonprofit corporations; amending Minnesota Statutes 1971, Section 123.33, by adding subdivisions.

S. F. No. 1791, An act relating to motor vehicles; prohibiting tampering with odometers and the altering of mileage measurements thereof; prescribing penalties.

S. F. No. 1881, An act relating to the city of Hutchinson; authorizing the city to acquire and develop an off-street parking area to serve the central business district, and to issue bonds therefor.

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

S. F. No. 1955, An act directing conveyance of certain property by the state to the village of Crosby, Crow Wing county.

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

S. F. No. 2189, An act authorizing the conveyance of certain state lands in Cass county to the village of Walker, Minnesota.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Messrs. Thorup, Nelson and Anderson introduced—

S. F. No. 2508: A bill for an act relating to crimes and criminals; place of trial in criminal cases; amending Minnesota Statutes 1971, Section 627.01.

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

Mr. Milton introduced—

S. F. No. 2509: A bill for an act relating to garnishment pro-

ceedings in certain municipal courts in Ramsey county; repealing Laws 1961, Chapter 649.

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

Mr. Milton introduced—

S. F. No. 2510: A bill for an act relating to Ramsey county; providing for county approval of plats and surveys; abolishing the plat commission of Ramsey county; amending Minnesota Statutes 1971, Section 462.364; repealing Special Laws 1887, Chapter 108.

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

Mr. Milton introduced—

S. F. No. 2511: A bill for an act relating to relief for the poor; transferring the responsibility for support of poor persons from the locality of legal settlement to the locality where these persons are found; amending Minnesota Statutes 1971, Sections 253A.11; 256.16; 256.19, Subdivisions 1 and 2; 261.02; 261.03; 261.21; 261.22, Subdivision 1; 261.23; 261.231; 261.27; repealing Minnesota Statutes 1971, Sections 246.23; 253A.07, Subdivision 5; 253A.20, Subdivisions 2 and 3; 260.251, Subdivision 3; 261.07; 261.08; 261.10; 261.11; 261.22, Subdivision 2; 261.25; and 261.251.

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

Mr. North introduced—

S. F. No. 2512: A bill for an act relating to trade regulations; regulating the labeling of bedding; amending Minnesota Statutes 1971, Section 325.32; repealing Minnesota Statutes 1971, Sections 325.28 and 325.29.

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

Mr. Stokowski introduced—

S. F. No. 2513: A bill for an act relating to municipal courts; criminal jurisdiction within the village of St. Anthony; providing for the payment of costs to Hennepin county; amending Minnesota Statutes 1971, Sections 2.722; 488A.01, Subdivision 6; 488A.-18, Subdivision 7; and 627.01.

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

Messrs. Jensen, Berg and Josefson introduced—

S. F. No. 2514: A bill for an act relating to motor vehicles, truck-

tractor semitrailer combinations; amending Laws 1973, Chapter 546, Section 5, Subdivision 1.

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

Messrs. Olson, H. D.; Kowalczyk and Lord introduced—

S. F. No. 2515: A bill for an act relating to chattel mortgages; satisfactions; destruction of records.

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

Messrs. Olson, H. D.; Kowalczyk and Spear introduced—

S. F. No. 2516: A bill for an act relating to official records; alternate methods of creation, maintenance and storage of information contained therein.

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 Files, herewith returned:

S. F. Nos. 537, 938, 1592, 1797, 2250, 681, 943, 1374, 2014, 257, 1726, 1895 and 1950.

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. 879: A bill for an act relating to Ramsey county; providing for the commissioner districts, membership, and the removal of the mayor of the city of Saint Paul as a member and chairman of the board of commissioners; amending Special Laws 1891, Chapter 438, Section 1, as amended; and Special Laws 1871, Chapter 73, Section 4.

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

Vento, Boland and Pavlak, R. L.

Senate File No. 879 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. 2047: A bill for an act relating to state government; establishing salaries for certain unclassified employees in the executive and judicial branch of government; amending Minnesota Statutes 1971, Sections 15A.081; 15A.083; 15A.084; 15A.085; and 15A.101.

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

Quirin, Haugerud and Bell.

Senate File No. 2047 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 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. 405: A bill for an act relating to banks; installment loans; interest; amending Minnesota Statutes 1971, Section 48.153.

Senate File No. 405 is herewith returned to the Senate.

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

CONCURRENCE AND REPASSAGE

Mr. Hansen, Baldy moved that the Senate do now concur in the amendments by the House to S. F. No. 405 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 405 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 49 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Fitzsimons	Jensen	Larson
Arnold	Brown	Hansen, Baldy	Keefe, J.	Lewis
Ashbach	Chmielewski	Hansen, Mel	Keefe, S.	Lord
Berg	Coleman	Hanson, R.	Kirchner	McCutcheon
Bernhagen	Doty	Hughes	Kleinbaum	Milton
Blatz	Dunn	Humphrey	Kowalczyk	North

Novak	Olson, J. L.	Pillsbury	Solon	Thorup
Olhoff	O'Neill	Purfeerst	Spear	Ueland
Olson, A. G.	Patton	Renneke	Stassen	Willet
Olson, H. D.	Pernich, A. J.	Schrom	Stokowski	

Messrs. Laufenburger and Tennesen 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. 1004: A bill for an act relating to crimes and criminals; prohibiting experimentation and research on a living human conceptus or the sale of such living human conceptus; providing penalties.

Senate File No. 1004 is herewith returned to the Senate.

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

Returned May 17, 1973

Mr. Brown moved that S. F. No. 1004 be laid on the table. Which motion prevailed.

Mr. President:

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

S. F. No. 973: A bill for an act relating to peace officer training; regulating certain peace officer training; amending Minnesota Statutes 1971, Sections 626.846; 626.847; 626.852; and 626.853.

Senate File No. 973 is herewith returned to the Senate.

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

Returned May 17, 1973

Mr. Borden moved that S. F. No. 973 be laid on the table. Which motion prevailed.

Mr. President:

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

S. F. No. 1029: A bill for an act relating to local water and related land resources management; granting counties authority to undertake water and related land resource management programs; granting counties authority to establish subordinate service areas to finance water and related land resource management programs; granting authority to county boards to construct sewage systems in unincorporated areas; requiring municipalities and counties to recover the local share of the cost of constructing, operating and maintaining sewage disposal systems through an equitable system of user charges; amending Minnesota Statutes 1971, Sections 116A.01, by adding a subdivision; 361.25; 361.26, Subdivision 1, and by adding a subdivision; Chapter 378, by adding sections; 429.011, Subdivision 2a; 444.075; and Chapter 459, by adding a section; repealing Minnesota Statutes 1971, Sections 110.121 to 110.126; 115.15 to 115.17; 115.61 to 115.67; 440.33 to 440.36; 443.02; 444.09 to 444.14; 456.24 to 456.28; 457.03 to 457.08; 457.085; and Chapter 445.

Senate File No. 1029 is herewith returned to the Senate.

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

Returned May 17, 1973

Mr. Dunn moved that S. F. No. 1029 be laid on the table. Which motion prevailed.

Mr. President:

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

S. F. No. 1540: A bill for an act relating to St. Louis county, providing for a charter commission to recommend a form of county government and providing for its adoption.

Senate File No. 1540 is herewith returned to the Senate.

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

Returned May 17, 1973

CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate do now concur in the amendments by the House to S. F. No. 1540 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1540 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	Olson, J. L.	Stassen
Arnold	Dunn	Kowalczyk	O'Neill	Stokowski
Ashbach	Hansen, Baldy	Larson	Patton	Tennessee
Berg	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Bernhagen	Hanson, R.	Lord	Pillsbury	Ueland
Blatz	Humphrey	McCutcheon	Purfeerst	Willet
Borden	Jensen	North	Remmeke	
Brown	Keefe, J.	Novak	Schrom	
Chmielewski	Keefe, S.	Olhoft	Solon	
Coleman	Kirchner	Olson, A. G.	Spear	

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 that the House has adopted the recommendation and report of the Conference Committee on House File No. 1053, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1053: A bill for an act relating to workmen's compensation; raising minimum weekly benefits; coordinating the payment of workmen's compensation death benefits with governmental death benefits; extending coverage to occupational diseases; amending Minnesota Statutes 1971, Sections 176.101, Subdivisions 1, 2, and 3; 176.111, Subdivisions 19, 20, and by adding a subdivision; 176.131, Subdivision 7; 176.132, Subdivision 2; 176.151; 176.66, Subdivision 1; and repealing Minnesota Statutes 1971, Sections 176.66, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 176.661 to 176.668.

House File No. 1053 is herewith transmitted to the Senate.

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

Transmitted May 17, 1973

Mr. Thorup moved that H. F. No. 1053 and the Conference Committee Report be laid on the table, and a copy placed on each Member's desk. Which motion prevailed.

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. 835, and repassed said bill in accordance with the report of the Committee, so adopted.

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

House File No. 835 is herewith transmitted to the Senate.

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

Transmitted May 17, 1973

Mr. Spear moved that H. F. No. 835 and the Conference Committee Report be laid on the table, and a copy placed on each Member's desk. Which motion prevailed.

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. 1642, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1642: A bill for an act relating to Otter Tail county; authorizing a levy for county extension work.

House File No. 1642 is herewith transmitted to the Senate.

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

Transmitted May 17, 1973

Mr. Olhoft moved that H. F. No. 1642, and the Conference Committee Report be laid on the table, and a copy placed on each Member's desk. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2011.

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

Transmitted May 17, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 2011: A bill for an act relating to St. Louis county; levy of taxes for major capital improvements.

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

H. F. Nos. 258, 2011, 2381, 1906 and 1945 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 258 to the Committee on Finance.

H. F. No. 2011 to the Committee on Local Government.

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.
2381	2373				
1906	1263				
1945	2179				

And that the above Senate Files be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H. F. Nos. 2381, 1906 and 1945 were read the second time.

MOTIONS AND RESOLUTIONS

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on S. F. No. 2047:

Messrs. Ogdahl, Gearty and Schaaf. Which motion prevailed.

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

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

Pursuant to Rule 21, Mr. Novak moved that the following members be excused for a Conference Committee on H. F. No. 2531 and H. F. No. 2530:

Messrs. Arnold; Novak; Davies; Olson, J. L. and Fitzsimons. Which motion prevailed.

Mr. Purfeerst moved that S. F. No. 733 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 733

A bill for an act relating to drivers' licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes

1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.13, Subdivision 5; and 171.18; repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

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. 733, 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. 733 be amended as follows:

Page 2, line 11, delete "C-5 B-10 A-15" and insert in lieu thereof "C-3 B-5"

Page 2, line 14, strike "(b)"

Page 2, lines 15, 16 and 17, delete all of the new language

Page 4, after line 8, insert:

"Sec. 4. Minnesota Statutes 1971, Section 171.07, Subdivision 1, is amended to read:

171.07 [DEPARTMENT TO ISSUE LICENSE AND NON-QUALIFICATION CERTIFICATES.] Subdivision 1. The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of 21 18 shall be of a distinguishing color and plainly marked "provisional." The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photo on such licenses without ready detection."

Page 6, after line 14, insert:

"Sec. 7. Minnesota Statutes 1971, Section 171.27, is amended to read:

171.27 [EXPIRATION OF LICENSES.] The expiration date

for each driver's license, other than provisional licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on his application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

The expiration date for each provisional license shall be the ~~21st~~ 18th birthday of the licensee. Upon the provisional licensee attaining the age of ~~21~~ 18 and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued if the commissioner deems the record of the provisional licensee to be satisfactory.

Any valid driver's license issued to a person then or subsequently on active duty with the Armed Forces of the United States shall continue in full force and effect without requirement for renewal until 90 days after the date of his discharge from such service.

All provisional licenses issued prior to the effective date of this act will remain in effect until the licensee's 21st birthday."

Renumber the sections in sequence

Further amend the title:

In line 6, after the semicolon insert "171.07, Subdivision 1;"

In line 7, delete "and 171.18" and insert in lieu thereof "171.18; and 171.27"

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

Senate Conferees: (Signed) Clarence M. Purfeerst, William McCutcheon, Stanley N. Thorup.

House Conferees: (Signed) Victor H. Schulz, Richard R. Lemke, Joe T. Niehaus.

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on S. F. No. 733 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. 733: A bill for an act relating to drivers' licenses; application and fees therefor; suspension thereof; amending Minnesota Statutes 1971, Sections 171.06, Subdivisions 1, 2, and 4; 171.13, Subdivision 5; and 171.18; repealing Minnesota Statutes 1971, Section 171.16, Subdivision 4.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kowalczyk	Olson, J. L.	Stassen
Berg	Hansen, Baldy	Krieger	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Larson	Patton	Tennessen
Blatz	Hanson, R.	Lewis	Perpich, A. J.	Thorup
Brown	Humphrey	Lord	Perpich, G.	Ueland
Chenoweth	Jensen	Milton	Pillsbury	Willet
Chmielewski	Keefe, J.	North	Purfeerst	
Coleman	Kirchner	Novak	Renneke	
Conzemius	Kleinbaum	Olson, A. G.	Sillers	
Davies	Knutson	Olson, H. D.	Spear	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Larson moved that S. F. No. 1182 together with the Conference Committee Report thereon be taken from the table. Which motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1182

A bill for an act relating to county government, providing for county license bureaus.

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. 1182, 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. 1182 be amended as follows:

Page 4, after line 11, add a section to read:

"Sec. 7. All such offices shall maintain hours to best serve the public need, and shall be open to the public for a minimum period of three hours one evening after 5:00 p.m. or on Saturday of each week."

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

Senate Conferees: (Signed) Lew W. Larson, Florian W. Chmielewski, Wayne Olhoft.

House Conferees: (Signed) Leonard C. Myrah, E. W. Quirin, Neil S. Haugerud.

Mr. Larson moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1182 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. 1182: A bill for an act relating to county government, providing for county license bureaus.

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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Berg	Hansen, Baldy	Larson	Olson, J. L.	Solon
Bernhagen	Hansen, Mel	Laufenburger	O'Neill	Spear
Blatz	Hanson, R.	Lewis	Patton	Stassen
Chenoweth	Humphrey	Milton	Perpich, A. J.	Stokowski
Chmielewski	Jensen	North	Perpich, G.	Tennessen
Coleman	Keefe, J.	Novak	Pillsbury	Thorup
Davies	Kleinbaum	Olhoft	Purfeerst	Ueland
Doty	Knutson	Olson, A. G.	Renneke	Willet
Dunn	Krieger	Olson, H. D.	Sillers	

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 together with the Conference Committee Report thereon be taken from the table.

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. Tennesen, John B. Keefe, Hubert H. Humphrey III.

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

Mr. Tennesen moved that the foregoing recommendations and Conference Committee Report on S. F. No. 910 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. 910: A bill for an act relating to snowmobiles; prohibiting the operation thereof on public airports; prescribing penalties; amending Minnesota Statutes 1971, Sections 84.87, by adding a subdivision; and 84.88, Subdivision 1.

Was read the third time, 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 42 and nays 1, as follows:

Those who voted in the affirmative were:

Berg	Hansen, Mel	Larson	Olson, J. L.	Spear
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Stassen
Blatz	Humphrey	Lewis	Patton	Stokowski
Chenoweth	Jensen	Milton	Perpich, A. J.	Tennesen
Chmielewski	Keefe, J.	North	Pillsbury	Ueland
Conzernius	Kleinbaum	Novak	Purfeerst	Willet
Davies	Knutson	Olhoff	Renneke	
Dunn	Kowalczyk	Olson, A. G.	Sillers	
Hansen, Baldy	Krieger	Olson, H. D.	Solon	

Mr. Perpich, G. 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. Laufenburger moved that H. F. No. 437 together with the Conference Committee Report thereon be taken from the table. 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, Norman Pahl.

Senate Conferees: (Signed) Roger A. Laufenburger, Robert J. Brown, Ed Schrom.

Mr. Laufenburger moved that the foregoing recommendations and Conference Committee Report on H. F. No. 437 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. 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.

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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Chmielewski	Hanson, R.	Knutson	Milton
Ashbach	Conzemius	Humphrey	Kowalczyk	North
Berg	Doty	Jensen	Krieger	Novak
Bernhagen	Dunn	Keefe, J.	Larson	Olhoft
Blatz	Hansen, Baliv	Kirchner	Laufenburger	Olson, A. G.
Chenoweth	Hansen, Mel	Kleinbaum	Lewis	Olson, H. D.

Olson, J. L.	Perpich, A. J.	Purfeerst	Solon	Stokowski
O'Neill	Perpich, G.	Renneke	Spear	Ueland
Patton	Pillsbury	Sillers	Stassen	Willet

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 2449, No. 155 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

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.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Arnold	Dunn	Kowalczyk	Olson, A. G.	Solon
Ashbach	Hansen, Baldy	Krieger	Olson, H. D.	Spear
Berg	Hansen, Mel	Larson	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Laufenburger	O'Neill	Stokowski
Blatz	Humphrey	Lewis	Patton	Ueland
Borden	Jensen	Lord	Perpich, A. J.	Willet
Chenoweth	Keefe, J.	Milton	Perpich, G.	
Chmielewski	Kirchner	North	Pillsbury	
Conzemius	Kleinbaum	Novak	Purfeerst	
Doty	Knutson	Olhoft	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1404, No. 161 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

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.

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 36 and nays 8, as follows:

Those who voted in the affirmative were:

Arnold	Blatz	Doty	Hanson, R.	Keefe, S.
Ashbach	Borden	Dunn	Humphrey	Kirchner
Bang	Chenoweth	Hansen, Baldy	Jensen	Knutson
Berg	Conzemius	Hansen, Mel	Keefe, J.	Krieger

Laufenburger	Novak	Olson, H. D.	Renneke	Stassen
Lord	Olhoff	O'Neill	Sillers	Stokowski
Milton	Olson, A. G.	Perpich, A. J.	Spear	Ueland
North				

Those who voted in the negative were:

Bernhagen	Larson	Perpich, G.	Purfeerst	Willet
Chmielewski	Olson, J. L.	Pillsbury		

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 1000, No. 154 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 1000: A bill for an act creating a commission on Minnesota's future; describing its duties and functions; and appropriating funds for its operation; repealing Minnesota Statutes 1971, Section 4.14.

Mr. Chenoweth moved to amend H. F. No. 1000, the printed bill as amended by the Committee on Finance and adopted by the Senate May 16, 1973, as follows:

The Finance Committee amendment to Page 1, line 6, strike "one representative" and insert "two representatives"

Which motion prevailed. So the amendment was adopted.

Mr. Chenoweth moved to amend H. F. No. 1000, the printed bill as amended by the Committee on Finance and adopted by the Senate May 16, 1973, as follows:

Strike the Finance Committee amendment to page 3, line 3, and strike the title amendment

Which motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

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

Anderson	Conzemius	Humphrey	Lord	Pillsbury
Ashbach	Davies	Jensen	Milton	Renneke
Bang	Doty	Josefson	Nelson	Solon
Berg	Dunn	Keefe, S.	North	Spear
Blatz	Fitzsimons	Kleinbaum	Novak	Stassen
Borden	Frederick	Knutson	Olhoff	Stokowski
Brown	Hansen, Baldy	Kowalczyk	Olson, A. G.	Thorup
Chenoweth	Hansen, Mel	Krieger	Olson, J. L.	Ueland
Chmielewski	Hanson, R.	Larson	Patton	Wegener
Coleman	Hughes	Laufenburger	Perpich, A. J.	Willet

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

H. F. No. 1000 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. Chenoweth moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 45 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Laufenburger	Olhott	Solon
Arnold	Fitzsimons	Lewis	Olson, A. G.	Spear
Bang	Gearty	Lord	Olson, H. D.	Stassen
Borden	Hansen, Mel	McCutcheon	Perpich, A. J.	Stokowski
Chenoweth	Hughes	Milton	Perpich, G.	Tennessen
Coleman	Humphrey	Moe	Pillsbury	Thorup
Conzemius	Keefe, S.	North	Purfeerst	Ueland
Davies	Kleinbaum	Novak	Renneke	Wegener
Doty	Larson	Ogdahl	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Chmielewski	Josefson	Kowalczyk	O'Neill
Berg	Frederick	Keefe, J.	Krieger	Patton
Bernhagen	Hansen, Baldy	Kirchner	Nelson	Schrom
Blatz	Hansen, R.	Knutson	Olson, J. L.	Sillers
Brown				

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 565, No. 158 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 2303, No. 159 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

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.

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 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Berg, Bernhagen and Schrom voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that S. F. No. 1558, No. 111 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

S. F. No. 1558: A bill for an act appropriating money to the state department of education for deficiencies in special education for the handicapped reimbursement aids.

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

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. 1697, No. 150 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H. F. No. 1697: A bill for an act relating to the city of Wheaton; authorizing special tax treatment for real properties used for recreational swimming.

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	Doty	Keefe, S	North	Sillers
Ashbach	Dunn	Kleinbaum	Olhoft	Solon
Bang	Frederick	Knutson	O'Neill	Spear
Berg	Hansen, Baldy	Kowalczyk	Patton	Stassen
Bernhagen	Hansen, Mel	Larson	Perpich, A. J.	Stokow, ki
Blatz	Hanson, R.	Laufenburger	Pillsbury	Thorup
Brown	Hughes	Lewis	Purfeerst	Wegener
Chenoweth	Humphrey	Lord	Renneke	Willet
Chmielewski	Jensen	McCutcheon	Schaaf	
Conzemius	Keefe, J	Nelson	Schrom	

Mr. Josefson 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. 2100, No. 147 on the General Orders Calendar be designated as a Special Order to be heard immediately. Which motion prevailed.

H.F. No. 2100: A bill for an act relating to taxation; occupation and royalty taxes on ores; providing for change of dates for assessment, payment and collection; transferring certain administrative duties to commissioner of taxation; amending Minnesota Statutes 1971, Sections 298.01, Subdivisions 1 and 2; 298.10; 298.12, 298.13; 298.28, Subdivision 1; 298.282, Subdivisions 2, 3, and 4; 298.283; 299.012, Subdivision 3; 299.05; 299.06; 299.07; 299.08; 299.09; and 299.10.

Mr. Perpich, A. J. moved that the amendment made to H.F. No. 2100 by the Committee on Rules and Administration in the report adopted May 16, 1973 pursuant to Rule 49 be stricken. Which motion prevailed. So the amendment was stricken.

H. F. No. 2100 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	Kleinbaum	Olson, A. G.	Spear
Ashbach	Frederick	Knutson	Olson, H. D.	Stassen
Bang	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Berg	Hansen, Mel	Krieger	Patton	Thorup
Bernhagen	Hanson, R.	Larson	Perpich, A. J.	Ueland
Blatz	Hughes	Laufenburger	Pillsbury	Wegener
Brown	Humphrey	Lewis	Purfeerst	Willet
Chenoweth	Jensen	Lord	Renneke	
Chmielewski	Josefson	Nelson	Schrom	
Conzemius	Keefe, J.	North	Sillers	
Doty	Keefe, S.	Olhoft	Solon	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Perpich, A. J. moved that S.F. No. 1961 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate do now concur in the amendments by the House to S.F. No. 1961 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1961: A bill for an act relating to taxes on and measured by net income; definition of gross income; amending Minnesota Statutes 1971, Sections 290.01, Subdivision 20; and 290.09, Subdivision 24.

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

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 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. 2438: A bill for an act relating to the fees of the abstract clerk in Ramsey county; amending Laws 1945, Chapter 561, Section 4 as amended by Laws 1957, Chapter 855, Section 1; Laws 1965, Chapter 628, Section 2 and Laws 1969, Chapter 667, Section 1.

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	Kleinbaum	Oison, A. G.	Spear
Ashbach	Frederick	Knutson	Olson, H. D.	Stassen
Bang	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Bernhagen	Hansen, Mel	Larson	Patton	Thorup
Blatz	Hanson, R.	Laufenburger	Perpich, A. J.	Ueland
Borden	Hughes	Lewis	Pillsbury	Wegener
Brown	Humphrey	Lord	Purfeerst	Willet
Chenoweth	Jensen	McCutcheon	Renneke	
Chmielewski	Josefson	Milton	Schrom	
Conzemius	Keefe, J.	Nelson	Sillers	
Doty	Keefe, S.	Olhoff	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2087: A bill for an act relating to the city of Duluth; authorizing the city of Duluth to create development districts within the city boundaries; to acquire, construct, reconstruct, improve, alter, extend, operate, maintain, and promote development programs to be carried out in each of the districts created; to authorize the city to issue bonds to carry out such development programs; to authorize the city and county auditor to use the tax increment created in the development districts to pay off the principal and interest on such bonds; to authorize the city to operate pedestrian systems and special lighting and similar systems; to authorize the city to assess the cost of operations against the development districts; to authorize the city to lease space in structures and to lease or sell air rights over structures and to lease or sell property for private development.

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	Borden	Dunn	Humphrey	Knutson
Ashbach	Brown	Frederick	Jensen	Kowalczyk
Bang	Chenoweth	Hansen, Baldy	Josefson	Larson
Berg	Chmielewski	Hansen, Mel	Keefe, J.	Laufenburger
Bernhagen	Conzemius	Hanson, R.	Keefe, S.	Lewis
Blatz	Doty	Hughes	Kleinbaum	Lord

McCutcheon	Olson, A. G.	Purfeerst	Stassen	Willet
Milton	O'Neill	Renneke	Stokowski	
Nelson	Patton	Schrom	Thorup	
North	Perpich, A. J.	Sillers	Ueland	
Olhoft	Pillsbury	Solon	Wegener	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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 3, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Milton	Sillers
Ashbach	Doty	Keefe, S.	Nelson	Solon
Bang	Dunn	Kleinbaum	North	Spear
Berg	Frederick	Knutson	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Kowalczyk	O'Neill	Stokowski
Blatz	Hansen, Mel	Larson	Patton	Thorup
Borden	Hanson, R.	Laufenburger	Perpich, A. J.	Ueland
Brown	Hughes	Lewis	Pillsbury	Wegener
Chenoweth	Humphrey	Lord	Purfeerst	Willet
Chmielewski	Jensen	McCutcheon	Schrom	

Messrs. Josefson, Olhoft and Renneke voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Pillsbury moved that H. F. No. 1641 be stricken from the Special Orders Calendar and re-referred to the Committee on Metropolitan and Urban Affairs. Which motion prevailed.

Mr. Chenoweth moved that S.F. No. 2227 be stricken from General Orders and returned to the Committee on Metropolitan and Urban Affairs. 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

H.F. No. 1712: A bill for an act relating to Independent School District No. 659 and Area Vocational-Technical School District No. 917; authorizing Independent School District No. 659 to join Area Vocational-Technical School District No. 917.

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	Conzemius	Keefe, J.	Nelson	Schrom
Ashbach	Doty	Keefe, S.	North	Sillers
Bang	Dunn	Kleinbaum	Olhoft	Spear
Bernhagen	Hansen, Baldy	Knutson	Olson, H. D.	Stassen
Blatz	Hansen, Mel	Kowalczyk	O'Neill	Stokowski
Borden	Hanson, R.	Larson	Patton	Thorup
Brown	Hughes	Laufenburger	Perpich, A. J.	Ueland
Chenoweth	Humphrey	Lewis	Pillsbury	Willet
Chmielewski	Jensen	Lord	Purfeerst	
Coleman	Josefson	McCutcheon	Renneke	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. O'Neill 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. 2381 and that the rules of the Senate be so far suspended as to give H.F. No. 2381 now on General Orders its third reading and placed on final passage. Which motion prevailed.

H.F. No. 2381: A bill for an act relating to retirement; bureau of health personnel in cities of the first class; amending Minnesota Statutes 1971, Section 425.02; and Chapter 425, by adding a section; repealing Laws 1971, Chapter 578, Section 2.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

Mr. Coleman moved to amend H.F. No. 1036, the printed bill as follows:

Page 3, after line 20 add the following section:

"Sec. 3. This act is in effect the day following its enactment."

Which motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H.F. No. 1036, the printed bill, as follows:

Strike the amendments to pages 1 and 2 made by the Governmental Operations Committee and adopted by the Senate May 12, 1973

Page 3, line 8, strike *"Summit Avenue; thence northeasterly along the centerline of Summit"* and insert in lieu thereof:

"John Ireland Boulevard; thence southwesterly along the centerline of John Ireland Boulevard to the point at which it joins the centerline of Summit Avenue; thence southerly along the centerline of Summit Avenue to the point at which it intersects the northerly right of way line of Selby Avenue extended; thence easterly along the northerly right of way line of Selby Avenue extended to a point parallel with and 300 feet southeasterly of the centerline of Summit Avenue; thence southwesterly along a line parallel with and 300 feet southeasterly of the centerline of Summit Avenue to the point at which it intersects the centerline of Ramsey Street; thence southwesterly on a line to a point at the intersection of Grand Avenue and Summit Court; thence southwesterly on a line to a point on the centerline of Crocus Place at its most easterly extremity; thence southwesterly along the centerline of Crocus Place to its most southerly extremity; thence southwesterly on a line to a point at the intersection of the centerline of St. Clair Avenue and Pleasant Avenue;"

Page 3, strike line 9.

Page 3, line 10, strike *"along the centerline of Kellogg Boulevard to the point at which it intersects Pleasant Avenue;"*

Which motion prevailed. So the amendment was adopted.

H.F. No. 1036 was read the third time, as amended, and placed on its final passage.

The question being taken on the passage of the bill, as amended,
And the roll being called, there were yeas 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Nelson	Sillers
Ashbach	Dunn	Kleinbaum	North	Solon
Bang	Hansen, Baldy	Knutson	Olhoft	Spear
Berg	Hansen, Mel	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hanson, R.	Krieger	Olson, H. D.	Stokowski
Blatz	Hughes	Larson	Patton	Thorup
Borden	Humphrey	Laufenburger	Perpich, A. J.	Ueland
Brown	Jensen	Lewis	Pillsbury	Wegener
Coleman	Josefson	Lord	Renneke	Willet
Conzemius	Keefe, J.	Milton	Schrom	

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

RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. Which motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Arnold moved that the following members be excused for a Conference Committee on H.F. No. 2531 and H. F. No. 2530:

Messrs. Arnold; Novak; Davies; Olson, J. L. and Fitzsimons. Which motion prevailed.

CALL OF THE SENATE

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

Berg	Conzemius	Humphrey	Olhoft	Sillers
Bernhagen	Doty	Josefson	Olson, A. G.	Solon
Borden	Dunn	Kleinbaum	Olson, H. D.	Spear
Brown	Gearty	Lewis	Perpich, A. J.	Stokowski
Chenoweth	Hansen, Baldy	Lord	Purfeerst	Wegener
Chmielewski	Hansen, Mel	Milton	Schaaf	Willet
Coleman	Hanson, R.	North	Schrom	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Gearty moved that H. F. No. 2473 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration.

SUSPENSION OF RULES

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House 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. 1824: A bill for an act relating to motor carriers; permit carriers; providing that permits may be assigned or transferred under certain conditions; amending Minnesota Statutes 1971, Section 221.151, Subdivision 1; and repealing Minnesota Statutes 1971, Section 221.151, Subdivision 2.

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

Eckstein, Anderson, D. and Anderson, G.

Senate File No. 1824 is herewith returned to the Senate.

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

Returned May 18, 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. 2166, and repassed said bill in accordance with the report of the Committee, so 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.

Senate File No. 2166 is herewith returned to the Senate.

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

Returned May 18, 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. 690, and repassed said bill in accordance with the report of the Committee, so 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.

Senate File No. 690 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 18, 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. 488, and repassed said bill in accordance with the report of the Committee, so 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.

Senate File No. 488 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 18, 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. 211, and repassed said bill in accordance with the report of the Committee, so 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.

Senate File No. 211 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives.
Returned May 18, 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. 82, and repassed said bill in accordance with the report of the Committee, so 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.

Senate File No. 82 is herewith returned to the Senate.

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

Returned May 18, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1821:

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

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

Munger, Hanson and Savelkoul have been appointed as such committee on the part of the House.

House File No. 1821 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 18, 1973

Mr. Lord moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1821 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 that the House has adopted the recommendation and report of the Conference Committee on House File No. 1355, and repassed said bill in accordance with the report of the Committee, so adopted.

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

House File No. 1355 is herewith transmitted to the Senate.

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

Transmitted May 18, 1973

Mr. Chenoweth moved that H. F. No. 1355 and the Conference Committee Report be laid on the table, and a copy placed on each Member's desk. Which motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 624:

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.

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

Stanton, Adams, S. and Faricy have been appointed as such committee on the part of the House.

House File No. 624 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 18, 1973

Mr. Humphrey moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 624 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. Coleman imposed a call of the Senate for this afternoon's proceedings. The following Senators answered to their names:

Berg	Fitzsimons	Kleinbaum	Olson, A. G.	Solon
Bernhagen	Gearty	Knutson	Olson, H. D.	Spear
Borden	Hansen, Baldy	Kowalczyk	O'Neill	Stassen
Brown	Hansen, Mel	Krieger	Perpich, A. J.	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Purfeerst	Wegener
Coleman	Hughes	Milton	Renneke	
Conzemius	Humphrey	Nelson	Schaaf	
Doty	Jensen	North	Schrom	
Dunn	Josefson	Olhoff	Sillers	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Brown moved that S. F. No. 1004 be taken from the table. Which motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Brown moved that the Senate do now concur in the amendments by the House to S. F. No. 1004 and that the bill be placed on its repassage as amended. Which motion prevailed.

S. F. No. 1004: A bill for an act relating to crimes and criminals; prohibiting experimentation and research on a living human conceptus or the sale of such living human conceptus; providing penalties.

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 39 and nays 11, as follows:

Those who voted in the affirmative were:

Berg	Dunn	Jensen	Nelson	Sillers
Blatz	Fitzsimons	Josefson	North	Spear
Borden	Frederick	Keefe, S.	Novak	Stassen
Brown	Gearty	Kleinbaum	Olhoff	Stokowski
Chenoweth	Hansen, Mel	Laufenburger	Olson, A. G.	Tennessee
Coleman	Hanson, R.	Lewis	Olson, J. L.	Ueland
Conzemius	Hughes	Lord	Pillsbury	Wegener
Doty	Humphrey	Milton	Schaaf	

Those who voted in the negative were:

Bernhagen	Knutson	McCutcheon	Purfeerst	Schrom
Chmielewski	Kowalczyk	Patton	Renneke	Willet
Hansen, Baldy				

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 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. 1271: A bill for an act relating to labor; employment of

minors; providing that prohibitions do not apply to employment of farm children on the family farm; amending Minnesota Statutes 1971, Sections 181.40 and 182.09.

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 50 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1410: A bill for an act relating to workmen's compensation for farm laborers; amending Minnesota Statutes 1971, Sections 176.011, by adding a subdivision; 176.041, Subdivision 1; and 176.051.

Mr. Coleman moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 6, after the period insert the following:

"Notwithstanding any law to the contrary, a farm laborer shall not be considered as an independent contractor for the purposes of this chapter."

Page 2, after line 11, add a section to read:

"Sec. 4. This act shall be effective January 1, 1974."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 37 and nays 13, as follows:

Those who voted in the affirmative were:

Blatz	Hansen, Mel	Lewis	O'Neill	Stokowski
Borden	Hanson, R.	Lord	Perpich, A. J.	Tennessen
Chenoweth	Hughes	McCutcheon	Perpich, G.	Thorup
Coleman	Humphrey	Nelson	Purfeerst	Wegener
Conzemius	Keefe, S.	North	Schaaf	Willet
Davies	Kleinbaum	Novak	Solon	
Doty	Larson	Olhoft	Spear	
Gearty	Laufenburger	Olson, A. G.	Stassen	

Those who voted in the negative were:

Berg	Dunn	Josefson	Olson, H. D.	Renneke
Bernhagen	Frederick	Knutson	Olson, J. L.	
Brown	Jensen	Kowalczyk	Patton	

Which motion prevailed. So the amendment was adopted.

H. F. No. 1410 was then progressed, as amended.

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. Coleman moved to amend H. F. No. 377, the Senate unofficial engrossment, as amended by Mr. Brown's amendment of May 17, 1973, as follows:

Page 2, after line 23, insert:

"It is not an unfair employment practice for any employer whose principal business is the instruction, supervision or counseling of children under the age of majority to discriminate on the basis of homosexual orientation. It is a defense to a complaint or action brought by a person alleging discrimination on the basis of homosexual orientation that the respondent did not know that the complainant is a homosexual."

Page 5, line 1, after "assistance" reinsert "*, homosexual orientation*"

Page 5, line 15, after "assistance" reinsert "*, homosexual orientation*"

Page 5, line 26, after "assistance" reinsert "*, homosexual orientation*"

Page 6, line 14, after "assistance" reinsert "*, homosexual orientation*"

Page 6, line 24, after "assistance" reinsert "*, homosexual orientation*"

Page 7, line 5, after "assistance" reinsert "*, homosexual orientation*"

Mr. Jensen moved to amend Mr. Coleman's amendment to H. F. No. 377, the Senate unofficial engrossment, as follows:

Strike the amendments to pages 5, 6 and 7

The Chair ruled Mr. Jensen's amendment was out of order on

the basis of Section 401 of Mason's Manual of Legislative Procedure.

The question recurred on the adoption of the amendment of Mr. Coleman.

The question being taken on adoption of the amendment,

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

And the roll being called, there were yeas 32 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhoft	Spear
Arnold	Hanson, R.	Lewis	Olson, A. G.	Stokowski
Borden	Hughes	Lord	O'Neill	Tennessen
Chenoweth	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Keefe, J.	Moe	Perpich, G.	
Conzemius	Keefe, S.	North	Schaaf	
Davies	Kleinbaum	Ogdahl	Sillers	

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Olson, H. D.	Thorup
Bang	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Berg	Frederick	Kowalczyk	Patton	Willet
Bernhagen	Gearty	Krieger	Pillsbury	
Blatz	Hansen, Baldy	Larson	Renneke	
Brown	Hansen, Mel	McCutcheon	Schrom	
Chmielewski	Jensen	Nelson	Stassen	

Which motion prevailed. So the amendment was adopted.

Mr. Hansen, Baldy moved to amend H. F. No. 377, the Senate unofficial engrossment as amended by Mr. Brown's amendment of May 17, 1973 and Mr. Coleman's amendment of May 18, 1973, as follows:

After Mr. Coleman's amendment of May 18, 1973, to page 2, line 23, insert: *"It is not an unfair employment practice for an employer of less than 25 employees to discriminate on the basis of homosexual orientation."*

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 19 and nays 24, as follows:

Those who voted in the affirmative were:

Berg	Frederick	Jensen	Nelson	Patton
Bernhagen	Gearty	Josefson	Olson, H. D.	Pillsbury
Blatz	Hansen, Baldy	Kowalczyk	Olson, J. L.	Renneke
Dunn	Hansen, Mel	Krieger	O'Neill	

Those who voted in the negative were:

Arnold	Conzemius	Humphrey	McCutcheon	Schaaf
Borden	Davies	Keefe, S.	North	Spear
Brown	Doty	Kleinbaum	Olhoft	Stokowski
Chenoweth	Fitzsimons	Lewis	Olson, A. G.	Ueland
Coleman	Hughes	Lord	Perpich, A. J.	

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

Mr. O'Neill moved to amend H. F. No. 377, the Senate unofficial engrossment, as follows:

Page 18, line 23, after "*stating*" insert "*in statutory language*"

Page 18, line 25, strike ", *Subdivisions 1, 2, 3, 4, 5, 6 and 7*"

Which motion prevailed. So the amendment was adopted.

Mr. Schaaf moved to amend H. F. No. 377, the Senate Unofficial Engrossment, as follows:

Page 13, strike lines 21 to 28

Page 14, strike lines 1 to 28

Page 15, strike lines 1 to 6

ReNUMBER the remaining sections

Page 30, after line 14, add a new section to read:

"Sec. 19. *Minnesota Statutes 1971, section 363.04, Subdivisions 7 and 8, is repealed.*"

Amend the title as follows:

Line 6, strike "363.04, Subdivision 8;"

Line 12, before the period insert "; repealing Minnesota Statutes 1971, Section 363.04, Subdivisions 7 and 8"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 12 and nays 28, as follows:

Those who voted in the affirmative were:

Brown	Hansen, Mel	North	Perpich, A. J.	Schaaf
Chenoweth	McCutcheon	Olhoft	Pillsbury	Spear
Hansen, Baldy	Milton			

Those who voted in the negative were:

Anderson	Doty	Humphrey	Lewis	Schrom
Arnold	Dunn	Knutson	Lord	Solon
Bernhagen	Fitzsimons	Kowalczyk	Nelson	Stokowski
Chmielewski	Gearty	Krieger	Olson, A. G.	Willet
Coleman	Hanson, R.	Larson	Olson, H. D.	
Conzemius	Hughes	Laufenburger	O'Neill	

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

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

Page 29, line 13, before "*appoint*" insert "*order the department to*"

Page 29, line 13, strike "*and may*" and insert ", to"

Page 29, line 14, strike "*without payment of*" and insert "*, and pay all*"

Page 29, line 15, strike "*or*" and insert "*and*"

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

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

Page 14, line 8, strike "*terminate on said date*" and insert in lieu thereof "*remain in effect until their terms expire*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 26, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Davies	Laufenburger	Olson, A. G.	Wegener
Arnold	Doty	Lewis	Perpich, A. J.	Willet
Borden	Gearty	Lord	Schaaf	
Chenoweth	Hughes	Milton	Solon	
Coleman	Humphrey	North	Spear	
Conzemius	Keefe, S.	Olhoft	Stokowski	

Which motion prevailed. So the amendment was adopted.

H. F. No. 377 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 35 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schaaf
Arnold	Gearty	Kleinbaum	Novak	Sillers
Borden	Hanson, R.	Laufenburger	Ogdahl	Spear
Chenoweth	Hughes	Lewis	Olhoft	Stokowski
Coleman	Humphrey	Lord	Olson, A. G.	Tennessen
Conzemius	Keefe, J.	Milton	Perpich, A. J.	Thorup
Davies	Keefe, S.	Moe	Perpich, G.	Wegener

Those who voted in the negative were:

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

So the bill, as amended, 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. Wegener moved to amend H. F. No. 924 as follows:

On page 3, line 21, strike the word "area" and insert "*neighborhood, community, or rural district*"

Which motion prevailed. So the amendment was adopted.

Mr. Kowalczyk moved to amend H. F. No. 924, as follows:

Page 3, line 31, before "Further" insert "*The qualitative type of audit examination to be performed by the certified public accountant shall be defined by banking division regulation and approved by the commission.*"

Which motion prevailed. So the amendment was adopted.

Mr. Laufenburger moved that the vote whereby the amendment of Mr. Hansen, Baldy to H. F. No. 924 was adopted on May 17, 1973 be now reconsidered. Which motion prevailed.

Mr. Hansen, Baldy withdrew his amendment.

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

Page 5, lines 7 and 8, strike the new language

Which motion prevailed. So the amendment was adopted.

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

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

Which motion prevailed. So the amendment was adopted.

H. F. No. 924 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

RECESS

Mr. Borden moved that the Senate do now recess until 7:10 o'clock p.m. Which motion prevailed.

The hour of 7:10 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Gearty was excused from this evening's Session, beginning at 9:15 o'clock p.m. Mr. Hansen, Baldy was excused from the evening's Session, beginning at 1:00 o'clock a.m.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of the evening's Session.

The following Senators answered to their names:

Anderson	Dunn	Knutson	Ogdahl	Renneke
Arnold	Fitzsimons	Kowalczyk	Olhoft	Schrom
Borden	Gearty	Laufenburger	Olson, H. D.	Solon
Brown	Hansen, Baldy	Lewis	Olson, J. L.	Spear
Chenoweth	Hansen, Mel	Lord	O'Neill	Stokowski
Chmielewski	Hanson, R.	McCutcheon	Patton	Tennessen
Coleman	Hughes	Milton	Perpich, A. J.	Ueland
Conzemius	Jensen	Moe	Perpich, G.	Wegener
Davies	Josefson	North	Pillsbury	Willet
Doty	Keefe, S.	Novak	Purfeerst	

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

SUSPENSION OF RULES

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 1059, 1283, 1364, 1893, 581, 615, 926 and 1653.

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

Returned May 18, 1973

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2530:

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, re-

habilitation of said buildings, the equipping and the replacement of equipment of certain of said buildings; appropriating money therefor.

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

Norton, Haugerud, Smith, Samuelson and Anderson, D. have been appointed as such committee on the part of the House.

House File No. 2530 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 18, 1973

Mr. Novak moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2530 and that a Conference Committee of 5 members be appointed by the Committee on Committees, on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. Which motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2444

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

Transmitted May 18, 1973

FIRST READING OF HOUSE BILLS

H. F. No. 2444: 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; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

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

H. F. No. 991 for comparison to companion Senate Files, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
991	2092				

And that the above Senate File be indefinitely postponed.

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

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

S. F. No. 1983: A bill for an act relating to education; advisory board on handicapped, gifted and exceptional children; amending Minnesota Statutes 1971, Section 121.34.

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

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

H. F. No. 2473: A bill for an act relating to retirement; interest assumptions for police and firemen's relief purposes; amending Minnesota Statutes 1971, Sections 69.73; 69.77, Subdivision 2; and 69.772, Subdivision 3.

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

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

H. F. No. 2065: A bill for an act relating to the promotion of tourism in the state; providing for the financing of tourist and related recreational facilities; amending Minnesota Statutes 1971, Section 474.02, by adding a subdivision.

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

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

H. F. No. 2447: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivision 5; 8, Subdivision 2; 9, Subdivision 2; 15, Subdivisions 1, 2, and 3; 16,

Subdivisions 2, 4, 7, 9, and by adding a subdivision; 18, Subdivision 3; 21, Subdivision 1; 22, by adding a subdivision; and 23, Subdivision 5.

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

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

Senate Resolution No. 26: A senate resolution requesting the United States Secretary of the Treasury to transfer the territory within the state of Minnesota from customs district No. 34, under the administration of the district office at the customs port of Pembina, North Dakota, to customs district No. 36, under the administration of the district office at the customs port of Duluth, Minnesota.

Reports the same back with the recommendation that the resolution be adopted.

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

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. 1436, pursuant to the request of the House,

Messrs. Kowalczyk, Humphrey, 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. 1821, pursuant to the request of the House,

Messrs. Lord; Borden; Keefe, J.

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. 624, pursuant to the request of the House,

Messrs. Humphrey, Brown, Tennessen.

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. 334, pursuant to the request of the House,

Messrs. Chenoweth, North, Novak.

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

MOTIONS AND RESOLUTIONS—CONTINUED

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

BE IT RESOLVED, by the Senate, that the following named person be and is hereby appointed to the position hereinafter stated and at the salary heretofore fixed.

Janet Benson, Page classification, effective May 15, 1973.

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

SECOND READING OF SENATE BILLS

S. F. No. 1983 was read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2447, 2065, 2473 and 991 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman, for the Committee on Rules and Administration, moved that the following bills be designated Special Orders. Which motion prevailed.

H. F. Nos. 2065, 2447, 2473 and Senate Resolution No. 26.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak moved that H. F. No. 266, No. 148 on the General Orders Calendar be designated as a special order to be heard immediately. Which motion prevailed.

H. F. No. 266: A bill for an act relating to education; providing for loans to medical and osteopathy students who agree to practice in rural communities; appropriating money.

Mr. Olson, H. D. moved to amend H. F. No. 266, the printed bill, as follows:

Strike the Rule 49 amendment adopted by the Senate May 18, 1973

Strike everything after the enacting clause and insert:

"Section 1. The state of Minnesota may provide loans in lieu of certain state funds for the cost of the education and living expenses during the time the recipient is enrolled in an accredited medical school in the state of Minnesota, or accredited school of osteopathy the graduates of which are eligible for licensure in Minnesota, if the recipient agrees in writing to practice medicine or osteopathy in a rural community in Minnesota designated as an area in need of medical doctors or osteopaths by the higher education coordinating commission. Each recipient shall execute a note to the state payable on demand for the amount of the loan with interest at eight percent per annum payable when the principal is paid. The principal and interest shall be forgiven after the recipient has practiced medicine or osteopathy for three years in an area in need of medical doctors or osteopaths as designated by the higher education coordinating commission. If the recipient fails to fulfill the obligation to practice, the outstanding principal and subsequent interest shall be payable according to terms approved by the higher education coordinating commission. Assistance may be granted in the amount that the commission determines sufficient for the purpose of this act, not to exceed \$6,000 per year. Loans shall be renewed on an annual basis contingent on the good standing of the student in the program. No student shall receive loans to exceed \$24,000. The commission may delay the time for beginning practice not more than four years after the recipient has qualified to practice if the recipient wishes to seek additional medical or osteopathic training.

Sec. 2. The higher education coordinating commission is authorized to issue revenue bonds in accordance with the provisions on revenue bonds for student loans in Minnesota Statutes, Chapter 136A for the purpose of securing funds necessary for loans for up to a maximum of 40 recipients the first year of the biennium and 20 additional medical recipients the second year of the biennium as authorized by this act.

Sec. 3. Subdivision 1. The commission shall maintain a reserve fund for the purpose of repaying loans which are cancelled under the provisions of this act or which are not collectible as due. The reserve funds may be held and may be invested by the commission in accordance with provisions on investment of reserves for student loans in Minnesota Statutes, Chapter 136A.

Subd. 2. If there are insufficient moneys in the reserve funds to repay loans made under this act which are cancelled or uncollectible as due, there is hereby appropriated to the commission from any moneys in the state treasury not otherwise appropriated, such moneys as are required to meet the deficiencies. The amount of the appropriation made by these provisions shall be certified by the executive director of the higher education coordinating commission to the state auditor whenever the appropriation shall be necessary.

Sec. 4. The sum of \$100,000 is hereby appropriated from the general fund of the state treasury to the higher education coordinating commission 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.

Sec. 6. This act is effective the day following final enactment."

Further amend the title as follows:

Strike lines 3 through 6 and insert:

"loans to medical and osteopathy students who agree to practice in rural communities; authorizing the issuance of revenue bonds; appropriating money."

Which motion prevailed. So the amendment was adopted.

H. F. No. 266 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H. F. No. 1410: A bill for an act relating to workmen's compensation for farm laborers; amending Minnesota Statutes 1971, Sections 176.011, by adding a subdivision; 176.041, Subdivision 1; and 176.051.

Mr. Coleman moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 3, after the word "wages" insert "*exclusive of machine hire*,".

Which motion prevailed. So the amendment was adopted.

Mr. Renneke moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 3, strike "\$6,000" and insert "\$8,000"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 21 and nays 40, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Baldy	Olson, J. L.	Ueland
Bang	Chmielewski	Jensen	Patton	
Berg	Dunn	Josefson	Pillsbury	
Bernhagen	Fitzsimons	Kirchner	Renneke	
Blatz	Frederick	Kowalczyk	Schrom	

Those who voted in the negative were:

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

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

Mr. Olson, J. L. moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 2, strike everything after "*operation*" and insert "*employing one full time worker*"

Page 1, strike line 3

Page 1, line 4, strike everything through the period

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Mel	Knutson	Pillsbury
Bang	Chmielewski	Jensen	Kowalczyk	Purfeerst
Berg	Fitzsimons	Josefson	Nelson	Renneke
Bernhagen	Frederick	Keefe, J.	Olson, J. L.	Ueland
Blatz	Hansen, Baldy	Kirchner	Patton	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, A. G.	Stokowski
Arnold	Gearty	Lord	Olson, H. D.	Thorup
Borden	Hanson, R.	McCutcheon	Perpich, G.	Wegener
Chenoweth	Hughes	North	Sillers	Willet
Coleman	Keefe, S.	Novak	Solon	
Conzemius	Laufenburger	Olhoft	Spear	

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

Mr. Sillers moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 3, strike "\$6,000" and insert "\$2,000"

Which motion prevailed. So the amendment was adopted.

Mr. Doty moved that the vote whereby the Sillers amendment to H. F. No. 1410 was adopted be now reconsidered. Which motion did not prevail. So the vote was not reconsidered.

Mr. Berg moved to amend H. F. No. 1410, the printed bill, as follows:

Page 1, line 5, after "*family*" insert "*, custom operators,*"

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

H. F. No. 1410 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

Mr. Jensen voted in the negative.

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

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1626

S. F. No. 1626: A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 3.

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. 1626, 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. Minnesota Statutes 1971, Section 120.17, Subdivision 7, is amended to read:

Subd. 7. [PLACEMENT IN STATE INSTITUTION; RESPONSIBILITY.] Responsibility for special instruction and services for a handicapped child placed in a state institution on a temporary basis shall be determined in the following manner:

(a) The legal residence of such child shall be the school district in which his parent resides, if living, or his guardian if ~~neither parent is living within the state or the district designated by the commissioner of education if neither parent or guardian is living within the state~~;

(b) When the educational needs of such child can be met through the institutional program, the costs for such instruction shall be paid by the department to which the institution is assigned;

(c) When it is determined that such child can benefit from public school enrollment, provision for such instruction shall be made in the following manner:

(1) Determination of eligibility for special instruction and services shall be made by the commissioner of education and the commissioner of the department responsible for the institution;

(2) The school district where the institution is located shall provide an appropriate educational program for the child and shall make a tuition charge to the child's district of residence for the actual cost of providing the program.

(3) The district of the child's residence shall pay the tuition and other program costs *including the unreimbursed transportation costs and may claim foundation aid for the child. Special transportation shall be provided by the district providing the education program and the state shall reimburse such district within the limits provided by law.*

Sec. 2. Minnesota Statutes 1971, Section 120.17, is amended by adding a subdivision to read:

Subd. 8a. [RESIDENCE OF CHILD UNDER SPECIAL CONDITIONS.] The legal residence of a handicapped child placed in a foster facility for care and treatment when: (1) parental rights have been terminated by court order; (2) parent or guardian is not living within the state; or (3) no other school district residence can be established, shall be the school district in which the child resides. The school board of the district of residence shall provide the same educational program for such child as it provides for all resident handicapped children in the district.

Sec. 3. Minnesota Statutes 1971, Section 124.04, is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] in addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount ~~equal to eight~~ *not to exceed \$65 per pupil unit and*

not to exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7)) the levy under this section in the previous year. The tax so levied shall be collected in the manner provided by law for the collection of other school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites and to erect, equip, re-equip, repair and improve buildings and permanent attached fixtures; and. Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The board may shall establish a fund in which the proceeds of this tax may shall be accumulated until expended by the board.

The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 4. Minnesota Statutes 1971, Section 124.17, Subdivision 1, is amended to read:

124.17 [DEFINITION OF PUPIL UNITS.] Subdivision 1. Pupil units for each resident pupil in average daily membership shall be counted as follows:

(1) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

(2) In secondary schools, pupils in junior high school or a six-year school and all other pupils in secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a middle school shall be counted as secondary pupils.

(3) In area vocational-technical schools one and one-half pupil units.

(4) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. The department of public welfare is directed to furnish to the department of education that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.

(5) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ten percent of the total actual pupil units in the district for the same year, as computed in clauses (1) and (2),

each such pupil shall be counted as an additional 35/100 of a pupil unit; for those districts where the number of such pupils is more than eight percent but not more than ten percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional two-tenths of a pupil unit and for those districts where the number of such pupils is at least five percent but not more than eight percent of the total pupil units in the district for the same year, as computed in clauses (1) and (2), each such pupil shall be counted as an additional one-tenth of a pupil unit. Such weighting shall be in addition to the weighting provided in clauses (1), (2), (3), and (4) of this section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses (4) and (5) to primary grade programs and services, particularly to programs and services that involve participation of parents.

(5) (6) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units for such district shall equal the average of actual pupil units for the prior and current years.

(7) Where the actual number of pupil units has increased from the prior year by more than four percent, a number of pupil units equal to one fourth of the difference between the units as computed in clauses (1) and (2) for the two years shall be added to the other units for the district.

(8) This adjustment shall not be made Only pupil units in clauses (1), (2) and (3) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 5. Minnesota Statutes 1971, Section 124.212, Subdivision 1, is amended to read:

124.212 [FOUNDATION AID.] Subdivision 1. The foundation aid program for school districts for ~~fiscal school years 1972 1973-~~ 1974 and ~~1973 1974-~~ 1975 shall be governed by the terms and provisions of this section.

Sec. 6. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 3a. [AID GUARANTY.] Notwithstanding any of the other provisions of this section, for the 1973-1974 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by a district maintaining a classified secondary school and the amount raised by the maximum levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (2) and for the 1974-1975 school year neither the sum nor the sum per pupil unit of the aggregate foundation aid earned by such a district and the amount raised by the maximum levy authorized for 1973 by section 18 (1) of this act, shall be less than the sum or the sum per pupil unit respectively of the aggregate foundation aid

earned for the 1972-1973 school year, any payments earned for 1972-1973 which but for the operation of Minnesota Statutes 1971, Section 124.212, Subdivision 3, would not have been earned, and the amount raised by the levy authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 2, Clause (1). Aggregate foundation aid includes foundation aid for all pupil units. For purposes of this computation pupil units used as a divisor shall include only those units identified in clauses (1), (2) and (3) of subdivision 1 of section 124.17.

Sec. 7. Minnesota Statutes 1971, Section 124.212, Subdivision 4, is amended to read:

Subd. 4. Notwithstanding any of the other provisions of this section, foundation aids computed under subdivisions 6 and 7 shall be reduced by the amount of moneys received by the district from the permanent school fund and shall be further reduced by the amount of sales tax per capita payments made to the district pursuant to sections 297A.57 and 297A.55. The amount of money received by a school district as income from the permanent school fund for any year, shall be deducted from the foundation aid earned by the district for the same year including aid earned pursuant to section 6 of this act or from aid earned from other state sources.

Sec. 8. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 6a. For the 1973-1974 school year a district shall receive in foundation aid the lesser of (1) \$788 per pupil unit less 30 mills times the 1971 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the 1970-1971 adjusted maintenance cost per pupil unit increased by \$87, and the greater of (a) one-sixth of the difference that results when the adjusted maintenance cost per pupil unit, so increased, is subtracted from \$788, or (b) \$38, bears to \$788.

Sec. 9. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 7a. For the 1974-1975 school year a district shall receive in foundation aid, the lesser of: (1) \$820 per pupil unit less 30 mills times the 1972 adjusted assessed valuation of the district, or (2) the amount that bears the same relation to the difference in (1) as the sum of the greater sum computed pursuant to section 8, clause (2) of this act, and the greater of (a) one-third of the difference that results when such greater sum is subtracted from \$820, or (b) \$32, bears to \$820.

Sec. 10. Minnesota Statutes 1971, Section 124.212, is amended by adding a subdivision to read:

Subd. 8a. Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts receiving payments under sections 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to

298.396; 298.405; 298.51 to 298.67; 294.21 to 294.28; 124.215, subdivision 2a; 124.25; 124.30; 360.133; 360.135; and 124.28; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 18 of this act to the total levy allowed by section 275.125, but not to exceed 35 percent in 1973-1974 and 40 percent in 1974-1975 of the previous year's payment.

Sec. 11. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.222] [TRANSPORTATION AID ENTITLEMENT.] *Subdivision 1. [COMPUTATION.] For the 1974-1975 school year the state shall pay to each school district for all school transportation and related services for which the district is authorized by law to receive state aid: (1) The lesser product of either*

(a) The actual net operating cost per eligible pupil transported during the 1975 fiscal year times the number of eligible pupils transported during the 1975 fiscal year; or

(b) 110 percent of the actual net operating cost per eligible pupil transported during the year ending June 30, 1973, times the number of eligible pupils transported during the 1975 fiscal year;

(2) Minus the amount raised by a levy of one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy collected in calendar year 1974;

(3) Plus, the amount of depreciation for one year on the school bus fleet computed by the department of education on a straight line basis at the rate of ten percent per year of the net cost of the fleet.

Subd. 2. Notwithstanding subdivision 1, for the 1974-1975 school year the state shall pay to school districts having boundaries coterminous with the boundaries of a city of the first class for all school transportation and related services for which a district is authorized by law to receive state aid: Eighty percent of the lesser product computed pursuant to clause (1) of subdivision 1, plus 80 percent of the amount computed pursuant to clause (3) of subdivision 1.

Subd. 3. [PAYMENT SCHEDULE.] The state shall pay to each school district 30 percent of its estimated school transportation aid entitlement for the 1975 fiscal year on or before each of the following dates: September 30, December 31, and March 31. The actual balance due the district shall be paid on or before August 31 of the following fiscal year.

Subd. 4. [SPECIAL PAYMENT.] In addition to other payments authorized by law, on or before August 31 in fiscal year 1975 only, the state shall pay to each school district ten percent of

the amount paid to the district in fiscal year 1974 for school transportation services provided in fiscal year 1973.

Sec. 12. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.223] [TRANSPORTATION AID AUTHORIZATION.]
For the 1974-1975 school year and thereafter, school transportation and related services for which state transportation aid is authorized are:

(1) *Transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a private school actually attended, but only to the extent permitted by Minnesota Statutes, Sections 123.76 to 123.79 with respect to private school pupils; provided that state transportation aid is authorized in an amount not to exceed \$700,000 annually for the transportation of any elementary pupil, if the commissioner determines that the transportation is necessary because of extraordinary traffic hazards;*

(2) *Transportation to or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to a district having a classified secondary school at the expense of the district of the pupil's residence;*

(3) *Transportation for residents to a state board approved secondary vocational center;*

(4) *Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the conveying of handicapped pupils between home and school and within the school plant;*

(5) *Transportation of resident handicapped children to licensed daytime activity centers attended by the children;*

(6) *When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;*

(7) *Services described in clauses (1) to (6) when provided in conjunction with a state board approved summer school program.*

Sec. 13. Minnesota Statutes 1971, Section 124.28, Subdivision 3, is amended to read:

Subd. 3. *For the purpose of determining the applicability of this section to any district in fiscal 1974 and subsequent years, the valuation of taxable property shall be the 1969 adjusted value of such property as determined by the equalization aid review committee and used in calculating foundation aid for the corresponding school year, exclusive of class 2 personal property and personal property exempt from taxation by Extra Session Laws 1967, Chapter 32, and the valuation of the exempt property shall be the full value of the exempt property as reported annually by the depart-*

ment of public service. For the purpose of determining refunds the valuations of the taxable property shall be taken at 30 percent of the valuations as adjusted by the equalization aid review committee and the valuation of the exempt property shall be taken at 30 percent of its full value. The eligibility of a school district under this section is determined by adding the adjusted taxable valuation of the taxable property of the district as determined by the equalization aid review committee to the full value of the exempt property as reported by the department of public service; then by dividing the amount of the exempt property by the total of such taxable property and exempt property; if the result is 20 percent or more the school district is eligible, otherwise not, unless it qualifies temporarily under subdivision 1 or the following paragraph.

Any district disqualified from receiving refunds because this subdivision as amended substitutes a more recent adjusted assessed valuation for the 1969 adjusted assessed valuation previously specified, shall nevertheless continue to receive such refunds for three additional years, but the net amounts due prior to any required proration shall be reduced by 25 percent the first year, by 50 percent the second year, and by 75 percent the third year.

Sec. 14. Minnesota Statutes 1971, Section 124.32, Subdivision 1, is amended to read:

124.32 [HANDICAPPED CHILDREN.] Subdivision 1. The state shall pay to any district and unorganized territory; (a) for the employment in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,300~~ \$5,600 for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, including but not limited to summer school; (b) for the employment of an individual jointly with another district or districts or unorganized territory in its educational program for handicapped children, 60 percent of the salary of essential personnel, but this amount shall not exceed ~~\$5,300~~ \$5,600 per annum for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time including but not limited to summer school.

Sec. 15. Minnesota Statutes 1971, Section 124.32, Subdivision 5, is amended to read:

Subd. 5. When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay to the resident district not to exceed 60 percent of instructional costs charged to the resident district, less the foundation aid per pupil unit payable to the resident district. Not more than ~~\$125,000~~ \$300,000 shall be spent annually for purposes of implementing this subdivision. If that amount does not suffice, the aid shall be prorated among all qualifying districts.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by a public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children, either within or outside of the state, or, a state residential school outside of the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children either within or outside of the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 16. Minnesota Statutes 1971, Section 124.32, is amended by adding a subdivision to read:

Subd. 6. The state shall reimburse each district or unorganized territory the actual cost incurred in providing instruction and services for a handicapped child whose district of residence has been determined by sections 1 or 2 of this act, and who is temporarily placed in a state institution or a licensed residential facility for care and treatment. This section does not apply for a child placed in a foster home or a foster group home.

Upon following such procedure as requested by the commissioner of education a district or unorganized territory providing instruction and services for such handicapped child may bill the state the actual cost incurred in providing said services including transportation costs and a proportionate amount of capital outlay and debt service, minus the amount of foundation aid, special education aid, transportation aid, and any other aid earned in behalf of such child, such action pursuant to limits set forth in Minnesota Statutes, Section 124.32, Subdivision 4.

Sec. 17. Minnesota Statutes 1971, Chapter 124, is amended by adding a section to read:

[124.781] [LIMITATION ON TAX ANTICIPATION BORROWING.] *Except as approved by the commissioner, a district may not issue certificates of indebtedness pursuant to sections 124.71 to 124.78, for a larger proportion of its total anticipated tax or aid revenues than it borrowed against such revenues which were received in calendar 1973 with respect to tax revenues and in the 1972-1973 school year with respect to aid revenues.*

Sec. 18. Minnesota Statutes 1971, Section 275.125, is amended by adding a subdivision to read:

Subd. 2a. (1) In 1973, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1972 adjusted assessed valuation of the district times the number of mills, not to exceed 30, that bears the same relation to 30, as the greater sum computed pursuant to section 9, clause (2) of this act, bears to \$820.

(2) In 1974, a school district may levy for all general and special school purposes, an amount equal to the amount raised by the 1973 adjusted assessed valuation of the district times the number of mills, not to exceed 30, that bears the same relation to 30, as the sum of the greater sum computed pursuant to section 9, clause (2) of this act, and the greater of (a) one-half of the difference that results when such greater sum is subtracted from \$860, or (b) \$40, bears to \$860.

(3) The levy authorized by clauses (1) or (2) may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held in a single school year. The question on the ballot shall be whether a specific millage which will yield a specific amount based on the most recent assessed valuation may be added to that authorized by clauses (1) or (2). If approved, the amount provided by the millage applied to each year's assessed valuation shall be authorized for certification until revoked by the voters of the district at a subsequent referendum, which may be called by the school board and which shall be called by the school board upon the written petition of qualified voters of the district unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. A petition authorized by this clause shall be effective if signed by a number of qualified voters in excess of 15 percent, or 10 percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board unless the petition for revocation is submitted in the same year in which a levy has been increased by the voters pursuant to this clause. Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.

Sec. 19. Minnesota Statutes 1971, Section 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy ~~prescribed~~ authorized by ~~subdivision 2~~ section 18 of this act, ~~each~~ a qualifying district may levy additional amounts as follows:

(1) The amounts necessary to make payments for bonds issued and for interest thereon, ~~and for repayment of debt service loans and capital loans, the amount authorized for capital outlay including the bonds and interest thereon, issued as authorized by clause~~ (7) (C) of this subdivision, and for repayment of debt service loans and capital loans, the amount authorized for capital expenditures pursuant to section 124.04 and the amount authorized for liabilities of dissolved districts pursuant to section 122.45.

(2) ~~An amount necessary to pay the estimated actual transportation costs of the district for the following school year less esti-~~

mated state transportation reimbursement for the current year. The money raised by this additional levy may be used only for costs incurred in transportation which is partially reimbursable under sections 124.22 and 124.32.

(2) For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that a district may levy under this clause for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation.

(3) For purposes of the 1971 levy, collectible in 1972, any district, in which the sum of \$87 per pupil unit in average daily membership and the difference between the reimbursement entitlement per pupil unit in average daily membership for 1970-1971 school year programs for handicapped children and the 1970-1971 adjusted maintenance cost per pupil unit in average daily membership is greater than \$750 per pupil unit, may levy an amount per pupil unit which is equal to or less than the difference between said sum and \$750 per pupil unit. A district which is located in a city of the first class may not qualify for an additional levy that exceeds 1.5 mills times the adjusted assessed valuation of the district.

(4) For purposes of the 1972 levy collectible in 1973, any district, which qualified for an additional levy under subparagraph (3) of this subdivision, and in which the sum of the additional amount per pupil unit authorized by subparagraph (3) and \$750 per pupil unit is greater than \$700 per pupil unit may levy an additional amount per pupil unit which is equal to or less than \$39 per pupil unit plus the difference between said sum and \$788 per pupil unit. A district which is located in a city of the first class may not qualify for an additional levy that exceeds 1.5 mills times the adjusted assessed valuation of the district.

(5) Each district which maintains a post secondary area vocational technical school shall report to the commissioner of education the receipts and expenditures of the district for the area vocational technical school by September of the fiscal year ending in the preceding June. The commissioner shall prescribe the form of the report.

Each district or county maintaining a post secondary area vocational technical school may levy an additional levy exclusively for this school; but such levy in a district within a city of the first class may not exceed .5 mills times the adjusted assessed valuation of the district as determined by the equalization aid review committee for the year prior to the certification of the levy.

(3) For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), shall be allowed to levy the same amount per pupil unit allowed by that clause. Provided, however, that a district having boundaries coterminous with the boundaries of a city of the first class which was affected by the limitation of an extra levy not to exceed 1.5 mills times the adjusted assessed valuation of the district shall be allowed to levy 1.9 mills. For purposes of the 1973 levy, collectible in 1974, any district which qualified for an extra levy in 1971, collectible in 1972, under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3) but did not qualify for an extra levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4) in 1972, collectible in 1973, shall be allowed to levy the amount per pupil unit it was qualified to levy under Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(4) In 1973 only, for a district which was authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3), but which was not authorized to levy pursuant to Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (4), an amount not to exceed the aggregate amount authorized by Minnesota Statutes 1971, Section 275.125, Subdivision 3, Clause (3).

(5) A district which qualified for a levy under clause (3) above shall be allowed to levy that same amount per pupil unit in 1974 reduced by two and one-half percent. The per pupil amount of the reduction shall be rounded down to the dollar. Provided, however, that a district within a city of the first class which was affected by the limitation of an extra levy not to exceed 1.9 mills times the adjusted assessed valuation of the district shall be allowed to levy the 1.9 mills.

(6) For districts in cities of the first class, maintaining post secondary vocational schools, one half mills times the adjusted assessed valuation of the taxable property of the district for the preceding year; and for other districts maintaining post secondary vocational schools, three mills times the adjusted assessed valuation of the taxable property of the district for the preceding year, provided that districts formed pursuant to Laws 1967, Chapter 822, and Laws 1969, Chapters 775 and 1060, shall be subject to the levy limitations imposed by those laws, as amended.

~~(6)~~ (7) (A) In order that the transition from existing patterns of financing public schools to the system prescribed in Extra Session Laws 1971, Chapter 31, Article 20 may be made in an orderly fashion, a district may levy an additional levy under the terms of this section.

(B) If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded

debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its costs in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

A district may not be authorized an additional levy under both (B) and (C) of this section.

(8) In 1973, and each year thereafter, for a district which has established a community school advisory council pursuant to section 121.88, whether or not the district receives reimbursement from the state pursuant to section 121.89, an amount of money raised by the greater of (A) \$1 per capita, or (B) the number of mills not to exceed the number of mills necessary in 1973 to raise \$1 per capita in 1973 for community services including summer school, nonvocational adult programs, recreation programs, and programs contemplated by sections 121.85 to 121.89.

The population of the district for purposes of this clause is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

(9) Districts which receive payments which result in deductions from foundation aid pursuant to section 10 of this act, shall reduce the permissible levies authorized by this subdivision by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

(10) The commissioner shall certify to the county auditors any errors made in 1971 and 1972 in general and special purpose levy

amounts. The county auditor is authorized to adjust the 1973 levy to correct for the errors.

Sec. 20. Minnesota Statutes 1971, Section 275.125, is amended by adding a subdivision to read:

Subd. 3a. Independent School District No. 625 is authorized to issue general obligation bonds in the amount of \$13,000,000. Such bonds shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as provided herein. Such bonds shall be used for the construction and betterment of two senior high schools and shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

Sec. 21. Minnesota Statutes 1971, Section 360.133, Subdivision 2, is amended to read:

Subd. 2. [VALUATION OF PROPERTIES.] For the purposes of determining the amount of this refund, the value of such properties shall be set at 30 percent of their full and true value except that in no case shall the assessed value of said properties for this purpose exceed such an amount as when added to the assessed value of all other property in the school district exceed \$2,500 \$6,500 per resident pupil unit.

Sec. 22. *The state board of education shall summarize and disseminate to boards of education, individual school faculty groups, individual school and school district parent organizations, the legislature and the governor, from presently available reports or from new reports it may require of school districts, the following types of information: individual elementary and secondary and area vocational technical school district costs, student enrollments, staffing and staffing ratios, district capital and operating debt or surplus, per pupil per mile costs of transportation, and other school district fiscal and demographic characteristics of importance.*

The state board of education shall submit a report on or before November 15, 1974, to the house appropriations committee and senate finance committee detailing a plan for a fiscal accounting and reporting system of program expenditures for each elementary, secondary and area vocational technical school building and school district in the state and additional information as listed above with procedures to summarize this material for regional and state description and comparison.

Sec. 23. [RETARDED; INDETERMINATE RESIDENCY; AID 1972-73.] *A district which provides educational services in 1972-1973 to trainable mentally retarded children residing in a state hospital mental retardation unit or other licensed residential facility, other than a group or foster home, and for which children parental rights have been legally terminated, or for which children no district of residency has been established, shall receive \$550 per child served in that year.*

Sec. 24. [VOCATIONAL REIMBURSEMENT CEILING.] *Notwithstanding any reimbursement formula which is inconsistent with this section, for secondary, post-secondary and adult voca-*

tional programs, with the exception of obligations for veteran farmer cooperative training programs for which a separate appropriation is made, provided in fiscal year 1974 to be reimbursed in fiscal year 1975, the state shall not be obligated to reimburse in fiscal year 1975, or any other fiscal year, any amounts in excess of the appropriations made for fiscal year 1975 in this act for those purposes.

Sec. 25. Notwithstanding any other provisions of law, any school district which has received aid pursuant to Minnesota Statutes, Section 124.802, for the preceding eight years shall be entitled to receive in any school year commencing after July 1, 1973, the greater of the aid under section 124.802 or the average of the aid received during the preceding eight years. This section shall not apply to a district in which the average of the aids received during the eight preceding years exceeds \$90,000.

Sec. 26. [EXPERIMENTAL SCHOOL.] Subdivision 1. It is the intention of the legislature of the state of Minnesota to establish an experimental educational program to be situated in Independent School District No. 309 on the land comprising former Independent School District No. 25, which was dissolved and attached to Independent School District No. 309 by an order of the county board of Becker county dated June 23, 1970, which is on file and of record in the office of the county auditor of Becker county. Such experimental school shall be established as set forth in this section.

Subd. 2. Notwithstanding any statute, rule or regulation of the state board of education to the contrary, the school board of Independent School District No. 309 shall, in accordance with subdivision 1 to 17, and within 30 days subsequent to the election specified in subdivision 3, transfer all of its jurisdiction, authority and liability for the pupils attending the experimental public school situated on the land comprising former Independent School District No. 25 to an incorporated Indian Education Committee which is eligible to receive federal aid to Indians pursuant to section 124.64. Thereafter, the care, management and control of the experimental school shall be vested in such committee.

Subd. 3. Upon approval of this section by the governing body of Independent School District No. 309, the chairman of the board shall determine a date not less than 20 nor more than 45 days from the date of approval of this section and a place located within the boundaries of former Independent School District No. 25 as set out in subdivision 1 for holding a meeting to organize the experimental school committee. He shall cause ten days posted notice of the meeting to be given in the experimental school area. The chairman of the board shall call the meeting to order and act as temporary chairman of the meeting until the officers of the experimental school committee have been elected. At the meeting, a chairman shall be elected to hold office until July 1 following the next annual election; the treasurer until one year from such date; and the clerk until two years from such date. Thereafter, the term of office for an officer of the committee shall be three years and until his successor qualifies.

Subsequent elections of committee officers shall be held in accordance with the applicable provisions of section 123.11.

Any qualified voter residing on the land comprising former Independent School District No. 25 as set out in subdivision 1 shall be entitled to vote at such election.

Subd. 4. Nothing contained in this section shall be construed to prohibit any qualified voter residing in the area comprising former Independent School District No. 25 from participating in the elections of Independent School District No. 309.

Subd. 5. The treasurer of such committee shall give a corporate surety bond to the state in an amount sufficient to protect the interest of the district as set by the board of Independent School District No. 309. Except as expressly provided in this subdivision, the provisions of section 123.34, subdivision 6 shall apply.

Subd. 6. The committee shall superintend and manage the experimental school; adopt, modify, or repeal rules for its organization, government and instruction and for the keeping of registers; and prescribed textbooks and courses of study, provided, that such courses of study shall meet the standards for similar courses of study available in the public schools of this state.

Subd. 7. (a) The board of District No. 309 shall transfer to the committee all state aids, grants, and refunds earned and received by reason of the pupils actually attending the experimental school established by this section.

(b) The board of District No. 309 shall transfer to the committee, to the extent permissible, any federal aids or grants to which such district may be eligible or entitled by reason of the population in the experimental school area, the pupils actually attending the experimental school, the program of the experimental school, the boundaries of the experimental school or for any reason related thereto.

Subd. 8. Nothing contained in this section shall be construed to authorize the committee to issue bonds, levy taxes, or borrow funds in its behalf.

Subd. 9. The committee shall cause an audit to be made annually of all accounts of the experimental school which shall be completed within one year following the year for which the audit is made. In all respects, the committee shall be subject to the provisions of Minnesota Statutes, Chapter 215.

Subd. 10. The committee shall employ necessary teachers in accordance with section 125.12 and may employ other necessary personnel. Teachers employed by the committee subsequent to the effective date of the transfer specified in subdivision 2 shall be employees of the experimental school and shall constitute an "appropriate unit" or "unit" for the purposes of sections 179.61 to 179.77, notwithstanding the provisions of section 179.63, subdivision 17.

Teachers employed by the board of District No. 309 and assigned by the board to the school designated as the experimental school by this section shall remain employees of the board.

The committee shall have the authority to employ instructors in the area of Indian culture. Notwithstanding the provisions of Minnesota Statutes, Chapter 125, or any rule or regulation of the state board relating to certification requirements, said instructors need not be certified by the state board. For all other purposes, said instructors shall be deemed to be "teachers" as defined by section 125.03, subdivision 1.

Subd. 11. The committee may procure the insurance specified in sections 123.35, subdivision 13, and 123.41. The committee shall purchase insurance to the extent required by Minnesota Statutes, Chapter 466 and shall not be liable beyond the extent provided by section 466.12, subdivision 3a. The term "average number of pupils" as set out in section 466.12, subdivision 3a shall mean, for the purposes of this section, the average number of pupils attending the experimental school.

Subd. 12. Except as otherwise provided by this section, the care, management, and operation of the experimental school by the committee shall be governed in accordance with the provisions of the education code, as defined by section 120.01, and any other statutes affecting public school districts.

Unless otherwise provided in this section, the committee shall operate pursuant to statutes governing independent school districts.

Subd. 13. Nothing contained in this section shall be construed to prohibit any pupil residing on land within the defined boundaries of the experimental school as set out in subdivision 1 from attending any other school within District No. 309. Nor shall anything contained in this section be construed to prohibit any pupil residing in District No. 309 from attending the experimental school established by this section.

Subd. 14. To the extent permitted by statute, the board of Independent School District No. 309 shall remain responsible for providing transportation for District No. 309.

Subd. 15. All legally valid and enforceable claims and contract obligations entered into by the board of District No. 309 prior to the effective date of the transfer to the committee specified in subdivision 2, shall remain the obligations of District No. 309.

Subd. 16. The subdivisions of this section shall be construed to be severable. In the event a particular provision may be determined to be invalid, such determination shall not affect any other subdivision of this section.

Subd. 17. The provisions of this section shall expire July 1, 1977. At any time the experimental school may be terminated upon unanimous vote of the officers of the committee and 30 days notice to the board of District No. 309, whereupon the board of District No. 309 shall resume the care, management and control of the entire district on July 1 following. Prior to December 1 of each year the committee shall submit to the legislature a report of the experimental school established by this section. Such report shall document the success or failure of the experimental school.

Subd. 18. This section is effective upon its approval by the governing body of Independent School District No. 309, and the Pine Point Indian Education Advisory Committee, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Sec. 27. Minnesota Statutes 1971, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of taxation, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said committee shall call upon the department of taxation to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of taxation shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of taxation is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before ~~May 15~~ *May 1*, annually, the department of taxation shall submit its report on the assessed values established by the previous year's assessment to said committee for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

Sec. 28. [APPROPRIATION.] *There is appropriated from the general fund of the state treasury to the department of education the following sums for the years and purposes indicated:*

For the year ending

June 30

1974

1975

(1) Foundation Aid	\$541,000,000	\$497,500,000
<i>The appropriations in (1) include \$750,000 for 1974, and \$700,000 for 1975 to be expended pursuant to Laws 1965, Chapter 719, as amended. If the appropriation for this purpose in either year is insufficient, the aids shall be prorated among all qualifying dis-</i>		

For the year ending

June 30

1974

1975

tricts. The appropriation in (1) also includes \$500,000 in each indicated year for shared time aid, and not to exceed \$500,000 in 1974 for emergency aid.

(2)	Transportation Aid	\$ 38,000,000	\$ 51,000,000
	The amount appropriated in (2) for 1974 may be paid for transportation reimbursement obligations incurred by the state before July 1, 1973, pursuant to Minnesota Statutes 1971.		
(3)	Special Education Aid	\$ 25,700,000	\$ 27,700,000
(4)	Secondary Vocational Aid .	\$ 10,300,000	\$ 10,400,000
(5)	Post-Secondary	\$ 30,100,000	\$ 34,100,000
(6)	Adult Vocational Aid	\$ 2,700,000	\$ 2,800,000
(7)	Vocational Construction . .	\$ 750,000	
	Any unexpended balance remaining from the appropriations in (1) through (7) for 1974, shall not cancel but shall be available for the second year of the biennium, unless otherwise provided in (1) through (7).		
(8)	For Gross Earnings Aid Pursuant to Minnesota Statutes, Section 124.28. . .	\$ 900,000	\$ 900,000
(9)	Exempt Land Special School Aid Pursuant to Minnesota Statutes, Section 124.30.	\$ 400,000	\$ 400,000
(10)	For Aid to School Districts Pursuant to Minnesota Statutes, Section 360.133. .	\$ 145,000	\$ 145,000
(11)	School Aid—Counties A/C of Non Tax Areas	\$ 48,000	\$ 48,000

The amount appropriated in (11) shall be expended in 1974 and 1975, as provided in Laws 1971, Chapter 966, Section 16 for 1971

and 1972. If the appropriations made in (8) through (11) in either year are insufficient, the aids shall be prorated among all qualifying recipients.

None of the amounts appropriated in (1) through (11) above shall be expended for a purpose other than the purpose indicated, unless otherwise provided in (1) through (11).

Sec. 29. Minnesota Statutes 1971, Section 276.11, is amended to read:

276.11 [WHEN TREASURER SHALL PAY FUNDS.] As soon as practical after each settlement in February, May, and October the county treasurer shall pay over to the state treasurer or the treasurer of any town, city, village, or school district, on the warrant of the county auditor, all moneys received by him arising from taxes levied and collected belonging to the state, or to such municipal corporation, or other body, and deliver up all orders and other evidences of indebtedness of such municipal corporation or other body, taking triplicate receipts therefor. He shall file one of the receipts with the county auditor, and shall return one by mail on the day of its reception to the clerk of the town, city, village, or school district to which such payment was made, who shall preserve the same in his office. The county treasurer is authorized and directed to make such partial payments of amounts collected periodically in advance of final settlements as may be practicable. Accompanying each payment to the state treasurer or treasurer of any town, city, village, or school district shall be a statement prepared by the county treasurer designating the years for which taxes included in the payment were collected and, for each year, the amount of such taxes and any penalties thereon. ~~If~~ The county treasurer ~~fails to~~ shall pay over such moneys to the state or to a municipal corporation or other body within ~~90~~ 45 days after settlement, ~~interest shall thereafter accrue at the rate of 3½ percent per year provided, however, that after 30 days interest shall accrue to the credit of and shall be paid to the state, municipal corporation or other body.~~ Interest shall be payable upon appropriation from the general revenue fund of the county and, if not paid, may be recovered by the state, municipal corporation, or other body, in a civil action.

Sec. 30. Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.212, Subdivisions 3, 6, 7, and 8; 124.22; 124.31; 124.32, Subdivision 3; 275.125, Subdivision 2; and 360.133, Subdivision 3, are repealed."

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

"A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax revenues; authorizing an experimental school in independent school district No. 309 and the issuance of bonds by independent school

district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 1, 4, and 10, and by adding subdivisions; 124.28, Subdivision 3; 124.32, Subdivisions 1 and 5, and by adding a subdivision; 275.125, Subdivision 3, and by adding subdivisions; 276.11; and 360.133, Subdivision 2; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.212, Subdivisions 3, 6, 7 and 8; 124.22; 124.31; 124.32, Subdivision 3; 275.125, Subdivision 2; and 360.133, Subdivision 3."

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

Senate Conferees: (Signed) Jerald C. Anderson, Ralph R. Doty, Winston W. Borden, Douglas H. Sillers and Joseph T. O'Neill.

House Conferees: (Signed) Joseph P. Graba, Tom Berg, Douglas J. Johnson, Salisbury Adams and Gilbert D. Esau.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1626 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. 1626: A bill for an act relating to education; school aids and levies; authorizing the issuance of bonds by independent school district No. 625; appropriating money; amending Minnesota Statutes 1971, Chapter 124, by adding sections; Sections 120.17, Subdivision 7, and by adding a subdivision; 124.17, by adding a subdivision; 124.212, Subdivision 8, and by adding subdivisions; 124.32, Subdivisions 1 and 5, and by adding a subdivision; and 275.125, by adding subdivisions; repealing Minnesota Statutes 1971, Sections 120.17, Subdivision 8; 124.04; 124.17, Subdivision 1; 124.212, Subdivisions 3, 4, 6, and 7; 124.22, Subdivisions 1, 3, 4, and 6; 124.31; 124.32, Subdivision 3; and 275.125, Subdivisions 2 and 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 57 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Brown, Milton and Nelson voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the rules of the Senate be so far suspended as to make H. F. No. 2107, No. 129 on General Orders, a Special Order for immediate consideration.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 40 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Laufenburger	Olhoff	Sillers
Arnold	Davies	Lewis	Olson, A. G.	Solon
Bang	Doty	Lord	Olson, H. D.	Spear
Berg	Dunn	Milton	Perpich, A. J.	Stassen
Borden	Hansen, Mel	Moe	Perpich, G.	Stokowski
Brown	Hughes	Nelson	Pillsbury	Tennessen
Chenoweth	Humphrey	North	Purfeerst	Wegener
Coleman	Keefe, S.	Novak	Schaaf	Willet

Those who voted in the negative were:

Bernhagen	Hansen, Baldy	Kleinbaum	Ogdahl	Schrom
Blatz	Hanson, R.	Knutson	Olson, J. L.	Thorup
Chmielewski	Jensen	Kowalczyk	O'Neill	Ueland
Fitzsimons	Josefson	Krieger	Patton	
Frederick	Keefe, J.	McCutcheon	Renneke	

Which motion did not prevail.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. Which motion prevailed.

After a brief recess, the President called the Senate to order.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Conzemius, for the Committee on Rules and Administration, moved that H. F. No. 2107 be made a Special Order to be heard immediately. Which motion prevailed.

After some discussion, the Chair ruled that the Committee on Rules and Administration has the authority to designate a bill a Special Order.

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

Mr. Berg moved to amend H. F. No. 2107, the printed bill, as follows:

Page 1, after line 3, insert:

"Sec. 2. Minnesota Statutes 1971, Chapter 340, is amended by adding a section to read:

[340.114] [UNLAWFUL DISCRIMINATIONS PROHIBITED.] *Subdivision 1. All licensed importers shall offer for sale on an equal basis to all licensed wholesalers and manufacturers all intoxicating liquor brought into the state of Minnesota.*

Subd. 2. Without limiting subdivision 1; the following shall be deemed failures to offer intoxicating liquor for sale on an equal basis and are unlawful:

(a) *A refusal to sell any intoxicating liquor to a wholesaler or manufacturer, which is offered for sale to any other wholesaler or manufacturer, except when a wholesaler or manufacturer is in arrears on payments for past purchases from the importer who refuses to sell.*

(b) *A sale of any intoxicating liquor to any wholesaler or manufacturer at a price different from that offered to any other wholesaler or manufacturer, exclusive of shipping costs, except that quantity discounts based upon actual cost savings may be uniformly offered to all wholesalers and manufacturers.*

(c) *A sale of any intoxicating liquor to any wholesaler or manufacturer on terms of purchase different from those offered any other wholesaler or manufacturer, except that when the importer reasonably believes that a wholesaler or manufacturer will be unable to comply with the existing terms of credit, then other terms may be employed, including denial of credit.*

(d) *Any discrimination among wholesalers and manufacturers in satisfying their respective demands for any intoxicating liquor.*

(e) *A sale conditioned upon an agreement which restricts the wholesaler or manufacturer with respect to customers, area for distribution, or resale price, or which otherwise restrains the wholesaler or manufacturer from competing in trade and commerce.*

(f) *For purposes of this subdivision and subdivision 1 only, the term "intoxicating liquor" shall not include "pop wines" as the same are defined by regulation of the commissioner.*

Subd. 3. No licensed importer or manufacturer shall offer or sell to any licensed wholesaler any intoxicating liquor at a bottle or case price which is higher than the lowest price at which such item of liquor is contemporaneously being sold by such importer or manufacturer to any wholesaler anywhere in any other state of the United States or in the District of Columbia or to any state or state agency which owns and operates retail liquor stores.

In determining the lowest price for which any item of liquor is being sold in any other state or in the District of Columbia, or to any state or state agency which owns and operates retail liquor stores, appropriate reductions shall be made to reflect all discounts, rebates, free goods, allowances and other inducements of any kind whatsoever offered or given to any such wholesaler, state, or state

agency purchasing such item in such other state or in the District of Columbia; provided that nothing contained herein shall prevent differentials in price which make only due allowance for differences in state taxes and fees, and in the actual cost of delivery. As used in this subdivision, the term "state taxes or fees" shall mean the excise taxes imposed or the fees required by any state or the District of Columbia based upon a gallon of liquor.

Nothing in this subdivision shall apply to any wines or malt beverages regardless of alcoholic content.

Sec. 3. Minnesota Statutes 1971, Section 340.09, is amended to read:

340.09 [LIQUOR CONTROL COMMISSIONER; POWERS.] *Subdivision 1.* The principal office of the liquor control commissioner shall be in the city of Saint Paul. He may appoint a secretary and such inspectors, clerks, and other assistants as he may require. All employees of the commissioner shall be in the classified service. He shall set up an adequate system for the administration of the provisions of chapter 340, and have supervision over and power to regulate all forms of advertising and display of liquors as provided in section 340.15.

Subd. 2. The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable regulations to effect the object of such chapter 340 and to fix maximum prices from time to time on all liquors sold at wholesale. Such regulations shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale.

Subd. 3. In all matters relating to his official duties, the commissioner shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and answer under oath the commissioner's lawful inquiries, produce and exhibit such books, accounts, documents and property as he may desire to inspect, and in all things aid him in the performance of his duties.

Sec. 4. Minnesota Statutes 1971, Section 340.11, Subdivision 2, is amended to read:

Subd. 2. [WHOLESALESALE'S AND MANUFACTURERS' LICENSES.] Manufacturers' and wholesalers' licenses shall be issued by the liquor control commissioner.

A manufacturer's or wholesaler's license shall include the right to import. The business of manufacturer and wholesaler may be combined and carried on under one license issued therefor. No wholesaler's license shall be granted to any person or partnership unless the person or each member of a partnership applying for such license shall have been a resident of the state for a period of five years continuously immediately prior to such application for a

license, and that such person shall have voted at least twice during said period of five years at a general state election if two general state elections have been had since such person reached his majority. No wholesaler's license shall be granted to any corporation unless all of the officers, directors, and stockholders, who own or control more than 75 percent of the stock by value and 75 percent of the voting rights of the stock, of such corporation applying for a license shall have been residents of the state for a period of five years continuously immediately prior to such application for a license and any and all such persons shall have voted at least twice during said period of five years at a general state election if two general state elections have been had since such person reached his majority. A person, partnership, or corporation lawfully licensed as a wholesaler in the state of Minnesota, March 27, 1946, shall not be subject to any residence or voting requirements to renew his wholesaler's license, nor shall his successor or designee who acquire substantially all of the property of such license. A person who served in the Armed Forces of the United States of America during any time since July 1, 1942, shall be given credit as having voted at any general election held during the time he served in the Armed Forces of the United States of America.

Sec. 5. Minnesota Statutes 1971, Section 340.15, is amended to read:

340.15 [REGULATION OF ADVERTISING.] *Subdivision 1.* The unrestricted advertising of intoxicating liquor is hereby declared to be contrary to public policy. *The liquor control commissioner shall have supervision over and the power to regulate all forms of advertising and display of intoxicating liquors and shall adopt reasonable rules and regulations restricting advertising to prevent it from counteracting temperance education shall be made by the liquor control commissioner except that no rule or regulation shall prohibit a retailer at off-sale from advertising the price at which such products are offered for sale.*

Subd. 2. No wholesaler or other person shall communicate to a retailer at off-sale in any manner a suggested retail price for the sale of intoxicating liquor.

Sec. 6. Minnesota Statutes 1971, Section 340.19, is amended to read:

340.19 [REMOVAL OF OFFICERS; LICENSES REVOKED; BONDS FORFEITED; VIOLATIONS.] (1) The failure on the part of any duly constituted public officer, charged by law with the enforcement of the intoxicating liquor act shall constitute non-feasance in office and shall be valid ground for the removal of such officer.

(2) When any licensee shall wilfully violate the provisions of the intoxicating liquor act his license shall be immediately revoked and his bond forfeited, and no license of any class shall for a term of five years thereafter be issued to the same person or to any person who at the time of the violation owns any interest, whether as holder of more than five percent of the capital stock of a corporation licensee, as partner, or otherwise, in the premises or in

the business conducted thereon, or to any corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested.

(3) Whoever, in violation of the provisions of the intoxicating liquor act, shall manufacture intoxicating liquor for the purposes of sale shall be guilty of a gross misdemeanor.

(4) Whoever, in violation of the provisions of the intoxicating liquor act, shall transport or import into the state liquor for the purposes of sale shall be guilty of a gross misdemeanor.

(5) Whoever shall sell directly or indirectly any intoxicating liquor without having a license for such sale shall be guilty of a gross misdemeanor.

(6) Whoever shall violate any of the provisions of the intoxicating liquor act as to sale, licensing, or any of the regulatory provisions pertaining thereto, as herein provided, shall be guilty of a misdemeanor.

(7) Whoever refuses or neglects to obey any lawful direction of the liquor control commissioner, or his deputy or any of his assistants; withholds any information, book, record, paper, or other thing called for by him for the purpose of examination; obstructs or misleads him in the execution of his duties; or swears falsely concerning any matter stated under oath shall be guilty of a gross misdemeanor.

~~(7)~~ (8) The liquor control commissioner shall have the power to institute proceedings to cancel or revoke the licensing of any pharmacist or druggist as such pharmacist or druggist who shall violate the provisions of the intoxicating liquor act.

Sec. 7. Minnesota Statutes 1971, Chapter 340, is amended by adding a section to read:

[340.408] [JOINT PURCHASES.] *The joint purchase for resale to the general public of 300 or fewer quart or smaller bottles of intoxicating liquor by more than one person lawfully permitted to sell intoxicating liquor to the general public lawful. No rule or regulation pursuant to chapter 340 shall prohibit a lawful purchase pursuant to this section.*

Sec. 8. Minnesota Statutes 1971, Section 340.47, is amended to read:

340.47 [EXCISE TAX.] Subdivision 1. [ON INTOXICATING LIQUORS.] There shall be levied and collected on all intoxicating liquors manufactured, imported, sold or in possession of any person in this state, except as herein provided by sections 340.50 and 340.601, and except the natural fermentation of fruit juices in the home for family use the following excise tax:

(1) On all unfortified wines, the sum of 27 cents per gallon;

(2) On all fortified wines from 14 to 21 percent of alcohol by volume, the sum of 79 cents per gallon;

(3) On all fortified wines from 21 to 24 percent of alcohol by volume, the sum of \$1.58 per gallon;

(4) On all fortified wines containing more than 24 percent of alcohol by volume, the sum of \$3.08 per gallon;

(5) On all natural and artificial sparkling wines containing alcohol, the sum of \$3.08 per gallon;

(6) On all other distilled spirituous liquors, liqueurs, cordials, and liquors designated as specialties regardless of alcoholic content, the sum of ~~\$4.53~~ 4.39 per gallon, but not including ethyl alcohol; provided, that in computing the tax on any package of spirits a proportional tax at a like rate on all fractional parts of a gallon shall be paid except that all fractional parts of a gallon less than one-sixteenth shall be taxed at the same rate as shall be taxed for one-sixteenth of a gallon; provided, however, that the contents of miniatures containing two fluid ounces or less shall be taxed 12 cents.

Subd. 2. [ON FERMENTED MALT BEVERAGES.] An excise tax is hereby assessed, imposed, and levied upon the sale, either directly or indirectly of fermented malt beverages other than for shipment in interstate or foreign commerce. Such tax shall not be imposed or collected upon fermented malt beverages given away by a brewery for consumption only upon the brewery premises, for which no charge of any kind is made or collected; nor shall fermented malt liquors distributed to brewery employees for consumption only upon the brewery premises pursuant to a contract of employment be subject to such tax. Such tax shall be levied and collected at the rate of \$2.00 per barrel of 31 gallons, containing not more than 3.2 percent of alcohol by weight, and a tax of \$4.00 per barrel of 31 gallons containing more than 3.2 percent of alcohol by weight, and at a proportional rate for fractional parts thereof. All the receipts from these taxes shall be paid into the general fund by the liquor control commissioner.

Sec. 9. Minnesota Statutes 1971, Section 340.983, is amended to read:

340.983 [FILING OF WHOLESALE PRICE SCHEDULE.] No brand owner or wholesaler of distilled liquor or wine shall sell, offer for sale, or solicit any order for distilled liquor or wine unless a schedule of wholesale prices, which ~~may~~ *shall* include varying volume prices, is filed with the commissioner, *on a form prescribed by him*, and no sales shall be made except in accordance with such prices. *Such forms shall provide for the listing of the price, including any varying volume prices, at which each brand distributed by the filing wholesaler or brand owner is sold. The commissioner shall maintain such filings in such a manner as to make their contents easily accessible to the public. The filings required under this section shall be made not later than the tenth day of each month, and the schedule of filed prices shall be effective from that day until the tenth day of the next month, provided that any filing may be amended within 5 days after its filing. The commissioner shall provide copies of such filings to any person requesting them, and may charge a reasonable fee therefor. Any person may examine such filings in the office of the commissioner, and no charge shall be made for such examination.*

No volume price filed pursuant to this section shall be for a quantity in excess of 300 quarts.

Sec. 10. *Minnesota Statutes 1971, Sections 340.97; 340.971; 340.972; 340.973; 340.974; 340.975; 340.976; 340.977; 340.978; 340.98; 340.981; 340.9815; 340.982; 340.984; and 340.985, are repealed.*"

Strike the title in its entirety and insert in lieu thereof the following:

"A bill for an act relating to intoxicating liquor; regulation of the on-sale thereof; prohibiting discrimination by importers; granting the liquor control commissioner subpoena powers; removing the residency requirement for obtaining a wholesaler's or manufacturer's license; regulating the advertising of intoxicating liquor; providing for a penalty; providing for joint purchases; reducing excise tax on liquor; providing for filing of wholesale price schedules; amending Minnesota Statutes 1971, Chapter 340, by adding sections; Sections 340.07, Subdivision 5; 340.09; 340.11, Subdivision 2; 340.15; 340.19; 340.47; 340.983; and repealing Minnesota Statutes 1971, Sections 340.97; 340.971; 340.972; 340.973; 340.974; 340.975; 340.976; 340.977; 340.978; 340.98; 340.981; 340.9815; 340.982; 340.984; and 340.985."

Mr. Berg moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 7 of the amendment, line 10, after "*public*" insert "*is*"

Which motion prevailed. So the amendment was adopted.

Mr. McCutcheon moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 8, of the amendment, line 1, strike "4.39" and insert "4.35"

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

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Jensen	Novak	Schrom
Bang	Fitzsimons	Josefson	Ogdahl	Sillers
Bernhagen	Frederick	Knutson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Kowalczyk	O'Neill	
Brown	Hansen, Mel	Krieger	Patton	
Doty	Hanson, R.	McCutcheon	Pillsbury	

Those who voted in the negative were:

Anderson	Davies	Lord	Perpich, G.	Stokowski
Arnold	Gearty	Moe	Purfeerst	Tennessen
Berg	Hughes	North	Renneke	Wegener
Borden	Humphrey	Olhoff	Schaaf	Willet
Coleman	Keefe, S.	Olson, A. G.	Solon	
Conzemius	Lewis	Perpich, A. J.	Spear	

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

Mr. Krieger moved the Senate do now adjourn.

The question being taken on the adoption of the motion,

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

And the roll being called, there were yeas 23 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Josefson	Olson, J. L.	Schrom
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Stassen
Blatz	Hansen, Mel	Kowalczyk	Patton	Ueland
Dunn	Hanson, R.	Krieger	Pillsbury	
Fitzsimons	Jensen	Nelson	Renneke	

Those who voted in the negative were:

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

Which motion did not prevail.

Mr. Bang moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 8 of the amendment, line 1, strike "4.39" and insert "\$3.99"

The question being taken on adoption of the amendment,

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

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

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Josefson	Ogdahl	Schrom
Bang	Frederick	Kleinbaum	Olson, J. L.	Sillers
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Solon
Blatz	Hansen, Mel	Kowalczyk	Patton	Stassen
Brown	Hanson, R.	Krieger	Pillsbury	Thorup
Dunn	Jensen	Nelson	Renneke	Ueland

Those who voted in the negative were:

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

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

Mr. Dunn moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 5, lines 7 through 22, strike all of section 5

Renumber the sections in sequence

Amend the title as follows:

Page 10, line 14, in the title amendment, strike "340.15;"

Mr. Nelson requested to divide the Dunn amendment to the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

First portion: Page 5, lines 11 through 14, strike the new language

Page 5, lines 16 through 19, strike the new language and reinstate the stricken language

Second portion: Page 5, lines 20 through 22, strike all of subdivision 2

In the title amendment, Page 10, line 14, strike "340.15;"

The question recurred on the adoption of the first portion of the Dunn amendment to the Berg amendment.

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

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

And the roll being called, there were yeas 32 and nays 30, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson, H. D.	Sillers
Ashbach	Hansen, Baldy	Kowalczyk	Olson, J. L.	Stassen
Bang	Hansen, Mel	Krieger	O'Neill	Stokowski
Bernhagen	Hanson, R.	McCutcheon	Patton	Ueland
Blatz	Jensen	Novak	Pillsbury	
Brown	Josefson	Ogdahl	Renneke	
Dunn	Kleinbaum	Olthoff	Schrom	

Those who voted in the negative were:

Arnold	Davies	Keefe, S.	North	Solon
Berg	Doty	Lewis	Olson A.G.	Spear
Borden	Fitzsimons	Lord	Perpich, A. J.	Tennessee
Chenoweth	Gearty	Milton	Perpich, G.	Thorup
Coleman	Hughes	Moe	Purfeerst	Wegener
Conzemius	Humphrey	Nelson	Schaaf	Willet

Which motion prevailed. So the first portion of the Dunn amendment to the Berg amendment was adopted.

Mr. Dunn then withdrew the second portion of his amendment to the Berg amendment.

Mr. Nelson moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 3, after line 31 add a new subdivision to read:

"Subd. 4. The commissioner shall have the power to require retailers to reduce off-sale prices to consumers by as much as 10 percent of any retailer's average price to consumers during the month of April, 1973."

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

Mr. Bang moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 7 of the amendment, line 24, strike "79" and insert "71"

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 19 and nays 36, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Hanson, R.	Novak	Renneke
Bernhagen	Frederick	Jensen	Olson, J. L.	Schrom
Blatz	Hansen, Baldy	Knutson	O'Neill	Ueland
Brown	Hansen, Mel	Kowalczyk	Patton	

Those who voted in the negative were:

Anderson	Doty	Lewis	Perpich, A. J.	Stokowzki
Arnold	Dunn	Lord	Perpich, G.	Tennesen
Berg	Gearty	Milton	Pillsbury	Wegener
Borden	Hughes	Moe	Purfeerst	Willet
Chenoweth	Humphrey	Nelson	Schaaf	
Coleman	Josefson	North	Solon	
Conzemius	Keefe, S.	Olhoff	Spear	
Davies	Krieger	Olson A.G.	Stassen	

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

Mr. Coleman moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 2, line 33, before "*Nothing*" insert "*Subd. 4.*"

Page 2, line 33, strike "*subdivision*" and insert "*section*"

Which motion prevailed. So the amendment was adopted.

Mr. Bang moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 8 of the amendment, line 1, strike "4.39" and insert "4.22"

The question being taken on the adoption of the amendment,

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

Mr. Conzemius moved that those not voting be excused from voting.

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

And the roll being called, there were yeas 36 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Davies	McCutcheon	Perpich, A. J.	Tennesen
Arnold	Doty	Milton	Perpich, G.	Thorup
Berg	Gearty	Moe	Purfeerst	Wegener
Borden	Hughes	North	Schaaf	Willet
Brown	Humphrey	Novak	Schrom	
Chenoweth	Keefe, S.	Olhoff	Solon	
Coleman	Lewis	Olson, A. G.	Spear	
Conzemius	Lord	Olson, H. D.	Stokowski	

Those who voted in the negative were:

Bang	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Ogdahl	O'Neill	Ueland
Fitzsimons	Jensen			

Which motion prevailed.

The question recurred on the adoption of the Bang amendment,

Mr. Conzemius moved that those not voting be excused from voting.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 31 and nays 16, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bang	Hansen, Mel	Knutson	Ogdahl	Stassen
Blatz	Hansen, R.	Kowalczyk	Olson, J. L.	Thorup
Fitzsimons	Jensen	Krieger	O'Neill	Ueland
Hansen, Baldy				

Which motion prevailed.

And the roll being called, there were yeas 27 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Josefson	O'Neill	Stassen
Bang	Frederick	Knutson	Patton	Thorup
Bernhagen	Hansen, Baldy	Kowalczyk	Pillsbury	Ueland
Blatz	Hansen, Mel	Krieger	Schrom	
Brown	Hansen, R.	Ogdahl	Sillers	
Dunn	Jensen	Olson, J. L.	Solon	

Those who voted in the negative were:

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

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

The question then recurred on the adoption of the Berg amendment as amended,

Mr. Conzemius moved that those not voting be excused from voting.

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

And the roll being called, there were yeas 35 and nays 11, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Fitzsimons	Hansen, Mel	Ogdahl	O'Neill
Bernhagen	Hansen, Baldy	Krieger	Olson, J. L.	Stassen
Blatz				

Which motion prevailed.

The question being taken on the adoption of the Berg amendment, as amended,

And the roll being called, there were yeas 39 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Olhoft	Sillers
Arnold	Davies	Lewis	Olson, A. G.	Solon
Berg	Doty	Lord	Olson, H. D.	Spear
Bernhagen	Dunn	Milton	Perpich, A. J.	Stokowski
Borden	Gearty	Moe	Perpich, G.	Tennessen
Brown	Hansen, Mel	Nelson	Pillsbury	Wegener
Chenoweth	Hughes	North	Purfeerst	Willet
Coleman	Humphrey	Novak	Schaaf	

Messrs. Blatz; Fitzsimons; Hansen, Baldy; Olson, J. L. and Schrom voted in the negative.

Which motion prevailed. So the Berg amendment, as amended, was adopted.

Mr. Krieger moved to amend the Berg amendment to H. F. No. 2107, the typewritten bill, as follows:

Page 7, strike lines 21 through 32 and insert in lieu thereof the following:

"Excise taxes levied shall be no higher than the excise tax levied in any of the states bordering the state of Minnesota on identical intoxicating liquors as of May 1, 1973."

Page 8, strike lines 1 through 25

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 17 and nays 36, as follows:

Those who voted in the affirmative were:

Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Ueland
Blatz	Hansen, Mel	Kowalczyk	O'Neill	
Fitzsimons	Hansen, R.	Krieger	Patton	
Frederick	Jensen	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Doty	McCutcheon	Perpich, A. J.	Stokowski
Arnold	Gearty	Milton	Perpich, G.	Tennessen
Berg	Hughes	Moe	Purfeerst	Wegener
Borden	Humphrey	North	Renneke	Willet
Chenoweth	Keefe, S.	Novak	Schaaf	
Coleman	Laufenburger	Olhoft	Solon	
Conzemius	Lewis	Olson, A. G.	Spear	
Davies	Lord	Olson, H. D.	Stassen	

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

Mr. Krieger moved that the Senate do now adjourn.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 23 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Baldy	Kowalczyk	O'Neill	Sillers
Bernhagen	Hansen, Mel	Krieger	Patton	Stassen
Blatz	Hanson, R.	Nelson	Pillsbury	Ueland
Fitzsimons	Jensen	Ogdahl	Renneke	
Frederick	Knutson	Olson, J. L.	Schrom	

Those who voted in the negative were:

Anderson	Conzemius	Laufenburger	Novak	Schaaf
Arnold	Davies	Lewis	Olhoft	Solon
Berg	Doty	Lord	Olson, A. G.	Spear
Borden	Gearty	McCutcheon	Olson, H. D.	Stokowski
Brown	Hughes	Milton	Perpich, A. J.	Tennessen
Chenoweth	Humphrey	Moe	Perpich, G.	Wegener
Coleman	Keefe, S.	North	Purfeerst	Willet

Which motion did not prevail.

H. F. No. 2107 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. Coleman moved that those not voting be excused from voting. Which motion prevailed.

And the roll being called, there were yeas 44 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Lord	Olson, H. D.	Solon
Arnold	Doty	McCutcheon	Olson, J. L.	Spear
Berg	Dunn	Milton	Perpich, A. J.	Stassen
Bernhagen	Gearty	Moe	Perpich, G.	Stokowski
Borden	Hansen, Mel	Nelson	Pillsbury	Tennessen
Brown	Hughes	North	Purfeerst	Ueland
Chenoweth	Humphrey	Novak	Renneke	Wegener
Coleman	Keefe, S.	Olhoft	Schaaf	Willet
Conzemius	Lewis	Olson, A. G.	Sillers	

Those who voted in the negative were:

Ashbach	Fitzsimons	Hansen, Baldy	Jensen	Schmom
Blatz				

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

Mr. Keefe, J. moved that the vote whereby H. F. No. 377 was passed May 18, 1973 be now reconsidered.

The question being taken on the adoption of the motion,

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

And the roll being called, there were yeas 25 and nays 32, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Mr. Coleman moved that the vote whereby H. F. No. 2107 was passed on May 18, 1973 be now reconsidered.

The question being taken on the adoption of the motion,

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

And the roll being called, there were yeas 9 and nays 43, as follows:

Those who voted in the affirmative were:

Blatz	Jensen	Krieger	Patton	Ueland
Hansen, Baldy	Knutson	Olson, J. L.	Schmom	

Those who voted in the negative were:

Anderson	Davies	Keefe, S.	Olson, H. D.	Spear
Arnold	Doty	Lewis	Perpich, A. J.	Stassen
Berg	Dunn	Lord	Perpich, G.	Stokowski
Bernhagen	Fitzsimons	Milton	Pillsbury	Tennessen
Borden	Gearty	Moe	Purfeerst	Thorup
Brown	Hansen, Mel	North	Renneke	Wegener
Chenoweth	Hughes	Novak	Schaaf	Willet
Coleman	Humphrey	Olhoff	Sillers	
Conzemius	Josefson	Olson, A. G.	Solon	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Saturday, May 19, 1973. Which motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.