

SEVENTY-THIRD DAY

St. Paul, Minnesota, Wednesday, January 23, 1974.

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Arnold	Gearty	Kowalczyk	Olson, H. D.	Sillers
Ashbach	Hansen, Baldy	Lewis	Olson, J. L.	Stassen
Bernhagen	Hanson, R.	Lord	Patton	Tennessee
Coleman	Hughes	McCutcheon	Perpich, A. J.	Thorup
Conzemius	Humphrey	Milton	Perpich, G.	Ueland
Doty	Keefe, S.	Novak	Pillsbury	Wegener
Dunn	Kirchner	Ogdahl	Purfeerst	Willet
Fitzsimons	Kleinbaum	Olson, A. G.	Schrom	

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:

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Anderson and Bang were excused from the Session of today. Mr. Frederick was excused from the early part of today's Session. Mr. Keefe, J. was excused from today's Session until 11:30 o'clock a.m. Mr. Laufenburger was excused from today's Session

until 1:30 o'clock p.m. Mr. Bernhagen was excused from today's Session beginning at 1:00 o'clock p.m. Mr. Lewis was excused from today's Session, beginning at 3:30 o'clock p.m. Mr. Kirchner was excused from today's Session, beginning at 4:30 o'clock p.m. Mr. Frederick was excused from Friday's Session.

INTRODUCTION OF BILLS

Messrs. Novak and Ashbach introduced—

S. F. No. 2752: A bill for an act relating to eminent domain; relocation assistance; defining certain terms; amending Minnesota Statutes, 1973 Supplement, Sections 117.50, Subdivisions 3 and 4; and 117.52.

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

Messrs. Perpich, A. J.; Fitzsimons and Moe introduced—

S. F. No. 2753: A bill for an act relating to taxation; assessment of property; classifying vacant, unimproved wild lands; amending Minnesota Statutes 1971, Section 273.13, by adding a subdivision.

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

Mr. Laufenburger introduced—

S. F. No. 2754: A bill for an act relating to the claim of Gust Wehinger; arising from erosion damage to property caused by alteration of Zumbro river channel; appropriating money for the payment thereof.

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

Messrs. Davies, O'Neill and Gearty introduced—

S. F. No. 2755: A bill for an act relating to courts; providing for the borrowing and tolling of statutes of limitation in certain cases; amending Minnesota Statutes 1971, Section 508.79; repealing Minnesota Statutes 1971, Sections 541.13; 541.14; and 541.15, as amended.

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

Messrs. Davies, Anderson and O'Neill introduced—

S. F. No. 2756: A bill for an act relating to civil process; providing for personal jurisdiction over nonresidents; amending Minnesota Statutes 1971, Sections 303.13, Subdivision 1; and 543.19.

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

Messrs. Ashbach, Novak and Hughes introduced—

S. F. No. 2757: A bill for an act relating to taxation; wheelage taxes in the seven county metropolitan area; providing that no county in the metropolitan area shall levy a wheelage tax after a certain date unless a majority of counties in the seven county metropolitan area impose a wheelage tax before that date; amending Minnesota Statutes 1971, Section 163.051, by adding a subdivision.

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

Messrs. Davies, O'Neill and Schaaf introduced—

S. F. No. 2758: A bill for an act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

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

Messrs. Chenoweth, Gearty and Kleinbaum introduced—

S. F. No. 2759: A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes 1971, Section 16.027, by adding a subdivision.

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

Messrs. Solon, Spear and Keefe, S. introduced—

S. F. No. 2760: A bill for an act relating to education; grounds for discharge of certain employees in school districts in cities of the first class; amending Minnesota Statutes 1971, Section 125.17, Subdivision 4.

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

Messrs. Brown, McCutcheon and Berg introduced—

S. F. No. 2761: A bill for an act relating to elections; regulating the position of names on ballots; amending Minnesota Statutes 1971, Section 203.34, Subdivision 1; and repealing Minnesota Statutes 1971, Section 203.33, Subdivision 3.

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

Messrs. Doty, Kleinbaum and Borden introduced—

S. F. No. 2762: A bill for an act relating to retirement; adjustment of annuities of certain retired members of the public employees retirement association.

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

Messrs. Doty, Stokowski and Solon introduced—

S. F. No. 2763: A resolution memorializing Congress to indemnify for damages caused by variations in the level of Lake Superior resulting from public policies.

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

Mr. Chmielewski introduced—

S. F. No. 2764: A bill for an act relating to the claim of Edward J. Mettner; arising from damage to water supply and equipment due to construction of interstate highway No. 35; appropriating money for the payment thereof.

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

Mr. Patton introduced—

S. F. No. 2765: A bill for an act relating to the claim of Mrs. Ardene Drake; arising from an injury to her on the Blakesly stadium steps at Mankato state college; appropriating money for the payment thereof.

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

Messrs. Hansen, Mel; Gearty and Knutson introduced—

S. F. No. 2766: A bill for an act relating to highway traffic regulations; accidents; prescribing penalties; amending Minnesota Statutes 1971, Section 169.09, Subdivision 14, and by adding a subdivision.

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

Messrs. Hansen, Mel; Kleinbaum and Ashbach introduced—

S. F. No. 2767: A bill for an act relating to the housing finance agency; authorizing loans to purchasers of multiple dwellings; au-

thorizing loans for the purpose of remodeling and improvements; amending Minnesota Statutes, 1973 Supplement, Section 462A.05, Subdivision 3; and Minnesota Statutes 1971, Section 462A.05, by adding a subdivision.

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

Mr. Coleman introduced—

S. F. No. 2768: A bill for an act relating to the claim of the city of St. Paul; arising from damage to a sidewalk of the city due to the construction of a highway overpass; appropriating money for the payment thereof.

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

Mr. Schaaf introduced—

S. F. No. 2769: A bill for an act relating to elections; providing a change in the method by which ballots are counted; amending Minnesota Statutes 1971, Sections 204.19, Subdivision 2; and 204.21, Subdivision 1.

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

Mr. Schaaf introduced—

S. F. No. 2770: A bill for an act imposing a moratorium upon certain residential construction in the metropolitan area; providing a penalty and providing for injunctive relief.

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

Mr. North introduced—

S. F. No. 2771: A bill for an act relating to motor vehicles; providing that certain new vehicles sold or offered for sale after a certain date have affixed to the vehicle a label containing certain fuel consumption information.

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

Mr. North introduced—

S. F. No. 2772: A bill for an act relating to the claim of Thomas R. Loomis; arising from loss of a package of seeds left in the Minnesota state prison lobby and never properly delivered; appropriating money for the payment thereof.

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

Mr. North introduced—

S. F. No. 2773: A bill for an act relating to the claim of Vince Hencier for his daughter Jody Hencier; arising from failure of Winona state college to safely maintain a stairway at Shepard Hall; appropriating money for the payment thereof.

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

Mr. Chmielewski introduced—

S. F. No. 2774: A bill for an act relating to the claim of Edward J. Mettner; arising from damage to water supply and equipment due to construction of interstate highway No. 35; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2775: A bill for an act relating to the claim of Elmer C. Pederson; arising from loss of cash and personal property and impairment of vision while at the Minnesota state security hospital; appropriating money for the payment thereof.

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

Mr. Brown introduced—

S. F. No. 2776: A bill for an act relating to the claim of Gary Meyers; arising from failure of state to prevent stabbing of Minnesota state prison employee by providing adequate safety precautions; appropriating money for the payment thereof.

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

Messrs. Doty; Keefe, J. and Schaaf introduced—

S. F. No. 2777: A bill for an act relating to municipalities; ramp installations at crosswalks; amending Laws 1973, Chapter 50, Section 1, Subdivision 2.

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

Messrs. Purfeerst; Hansen, Baldy and Wegener introduced—

S. F. No. 2778: A bill for an act relating to crimes and criminals; providing minimum sentences for certain felonies; amending Minnesota Statutes 1971, Section 609.11.

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

Messrs. Ueland, Humphrey and O'Neill introduced—

S. F. No. 2779: A bill for an act relating to crimes and criminals; providing for the setting aside of convictions in certain cases; amending Minnesota Statutes 1971, Section 609.166.

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

Messrs. Gearty, Kirchner and Davies introduced—

S. F. No. 2780: A bill for an act relating to the county of Hennepin license bureau; providing for the transfer of the licensing duties of the clerk of district court.

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

Messrs. Gearty, Kirchner and Davies introduced—

S. F. No. 2781: A bill for an act relating to the office of the district court administrator, fourth judicial district, Hennepin county, state of Minnesota; and relating to the statutory duties of the clerk of district court.

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

Messrs. Perpich, G.; Spear and Solon introduced—

S. F. No. 2782: A bill for an act relating to migrant labor housing inspection; appropriating funds therefor.

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

Messrs. Perpich, G.; Spear and Solon introduced—

S. F. No. 2783: A bill for an act relating to migrant labor; requiring the employer to furnish a written statement of hire; prescribing penalties.

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

Messrs. Davies, Krieger and Humphrey introduced—

S. F. No. 2784: A bill for an act relating to certain commercial transactions; amending provisions of the uniform commercial code governing secured transactions and related provisions; amending Minnesota Statutes 1971, Chapter 336, by adding sections; and Sections 336.1-105; 336.1-201; 336.2-107; 336.5-116:

336.9-102; 336.9-103; 336.9-104; 336.9-105; 336.9-106; 336.9-203; 336.9-204; 336.9-205; 336.9-301; 336.9-302; 336.9-304; 336.9-305; 336.9-306; 336.9-307; 336.9-308; 336.9-312; 336.9-313; 336.9-318; 336.9-401; 336.9-402; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 336.9-501; 336.9-502; 336.9-504; and 336.9-505; and repealing Minnesota Statutes 1971, Section 336.9-408.

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

Messrs. Doty, Ogdahl and Coleman introduced—

S. F. No. 2785: A bill for an act relating to municipalities; allowing municipalities to set minimum labor standards in awarding contracts; amending Minnesota Statutes 1971, Section 471.345, by adding a subdivision.

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

Mr. Gearty introduced—

S. F. No. 2786: A bill for an act relating to reimbursable examinations and audits by the state auditor; authorizing contracting for accounting and technical personnel and permitting the use of the revolving fund therefor; amending Minnesota Statutes 1971, Section 215.225.

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

Mr. Perpich, G. introduced—

S. F. No. 2787: A bill for an act relating to the city of Hibbing; firemen's relief association dependency pensions; amending Laws 1935, Chapter 192, Section 1, as amended.

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

Mr. Doty introduced—

S. F. No. 2788: A bill for an act relating to courts; providing that conciliation courts of county courts may conduct personal receiverships; amending Minnesota Statutes, 1973 Supplement, Section 487.30.

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

Messrs. Doty, Laufenburger and Ogdahl introduced—

S. F. No. 2789: A bill for an act relating to the compensation of members of the tax court; amending Minnesota Statutes 1971, Section 271.01, Subdivision 4a.

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

Mr. North introduced—

S. F. No. 2790: A bill for an act relating to pollution control; regulating the display and distribution of certain lists setting forth the phosphorous content of certain products; amending Minnesota Statutes 1971, Section 116.28, Subdivision 2; repealing Minnesota Statutes 1971, Section 116.28, Subdivision 1.

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

Mr. Lord introduced—

S. F. No. 2791: A bill for an act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide reasonable public access to the north shore of Lake Superior; directing the commissioner of natural resources to make a determination of the location and number of access points; appropriating money therefor.

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

Messrs. Lord and Keefe, S. introduced—

S. F. No. 2792: A bill for an act relating to the use of flame resistant fabric in camping tentage and sleeping bags; providing standards.

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

Mr. Laufenberger introduced—

S. F. No. 2793: A resolution memorializing Congress and the President to take certain actions in respect to the energy crisis.

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

Messrs. Purfeerst, Dunn and Laufenberger introduced—

S. F. No. 2794: A bill for an act relating to the safety of school children; regulation of school bus transportation; amending Minnesota Statutes 1971, Sections 169.45; and 169.451, by adding a subdivision.

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

Messrs. Chmielewski, Anderson and Laufenberger introduced—

S. F. No. 2795: A bill for an act relating to courts; witnesses; in-

creasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

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

Mr. Wegener introduced—

S. F. No. 2796: A bill for an act relating to federal emergency loans to individuals; capacity of individuals to contract and give security therefor; repealing Minnesota Statutes, 1973 Supplement, Sections 17.74; and 17.75.

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

Mr. Kleinbaum introduced—

S. F. No. 2797: A bill for an act relating to the claim of J. B. Surma and Sons Excavating; arising from expenses incurred by performance of extra work to comply with plans and specifications of general contract; appropriating money for the payment thereof.

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

Mr. Schaaf introduced—

S. F. No. 2798: A bill for an act relating to family planning services; providing for the establishment of a comprehensive state family planning services plan; appropriating funds; repealing Minnesota Statutes 1971, Section 617.251.

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

Messrs. Gearty, Fitzsimons and Borden introduced—

S. F. No. 2799: A bill for an act relating to state government; granting subpoena powers to the legislative auditor; prescribing penalties.

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

Mr. Borden introduced—

S. F. No. 2800: A bill for an act relating to the claim of M. D. McVay; arising from the loss of a heifer because of brucellosis testing; appropriating money for the payment thereof.

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

Messrs. Doty, Chenoweth and Stokowski introduced—

S. F. No. 2801: A resolution memorializing the President and Congress to enact a national health insurance program.

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

Messrs. Doty, Knutson and Laufenburger introduced—

S. F. No. 2802: A bill for an act relating to veterans; Vietnam adjusted compensation payments for disabled veterans; amending Laws 1973, Chapter 204, Section 2.

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

Messrs. Krieger, Larson and Hansen, Baldy introduced—

S. F. No. 2803: A bill for an act relating to the city of Mantorville; authorizing the issuance of an on-sale liquor license.

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

Messrs. Brown, Blatz and Frederick introduced—

S. F. No. 2804: A bill for an act relating to taxation; providing for adjustments to income tax credits based upon changes in monetary inflation; amending Minnesota Statutes 1971, Section 290.06, Subdivision 3c.

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

Mr. Perpich, A. J. introduced—

S. F. No. 2805: A bill for an act authorizing the city of Silver Bay in Lake County to reimburse members for lost earnings; amending Laws 1971, Chapter 602, Section 1.

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

Mr. Josefson introduced—

S. F. No. 2806: A bill for an act relating to the claim of James A. Van Nevel; arising from denial of access to property due to construction on highway No. 23; appropriating money for the payment thereof.

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

Mr. Josefson introduced—

S. F. No. 2807: A bill for an act relating to the claim of Loyd

Wooge; arising from damages occasioned by milk dumping due to construction on highway 23; appropriating money for the payment thereof.

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

Messrs. Bang, Kirchner and Blatz introduced—

S. F. No. 2808: A bill for an act relating to public transportation; establishing a subregional public transit system; appropriating money therefor.

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

Messrs. Moe, Kirchner and Gearty introduced—

S. F. No. 2809: A bill for an act relating to the creation of a state economic opportunity commission and community action agencies; appropriating money to the economic opportunity commission for the purposes of this act.

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

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. 516, 993, 1191, 1523, 1802, 1960, 2011, 2206 and 2272.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 22, 1974

Mr. President:

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

Senate Concurrent Resolution No. 11: A Concurrent Resolution relating to parking space on the Capitol grounds, Capitol approach and Aurora Avenue for members of the Minnesota State Legislature.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 18, 1974

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. 1138: A bill for an act relating to taxation; providing that county auditors shall furnish abstract of tax list to certain state officials; amending Minnesota Statutes 1971, Section 275.29.

Senate File No. 1138 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 22, 1974

Mr. Borden moved that S. F. No. 1138 be laid on the table. The 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. 481: A bill for an act relating to highway traffic regulations; accidents; reporting of accidents; driver's license suspension under certain circumstance by reason of accident; amending Minnesota Statutes 1971, Sections 169.09, Subdivisions 3, 7, 8, and 13; and 170.25, Subdivision 1; repealing Minnesota Statutes 1971, Section 170.33, Subdivision 5.

Senate File No. 481 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 22, 1974

Mr. Hughes moved that S. F. No. 481 be laid on the table. The 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. 871: A bill for an act relating to the state building code; directing certain amendments concerning lighting and heat loss; amending Minnesota Statutes 1971, Section 16.86, by adding a subdivision.

Senate File No. 871 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned January 22, 1974

CONCURRENCE AND REPASSAGE

Mr. Hansen, Mel moved that the Senate do now concur in the amendments by the House to S. F. No. 871 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 871 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

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 appointed a conference committee, consisting of three members, on the following House File:

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.

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

Kahn, Bell and Weaver.

House File No. 835 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 January 21, 1974

Mr. Spear moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 835, 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. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 47, 210, 568, 1973, 2185, 2191, 2332, 2338, 2387, 2405, 2410, 2502, 2517 and 2605.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 22, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 438, 1426, 1524, 2789, and 577.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted January 21, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 577: A bill for an act relating to agriculture; dairy products; creating a dairy products stabilization board within the department of agriculture to establish wholesale prices for selected dairy products; amending Minnesota Statutes 1971, Sections 32A.01; 32A.02; 32A.03, by adding a subdivision; 32A.04, Subdivisions 1 and 2; 32A.05, Subdivision 4; Chapter 32A, by adding sections; repealing Minnesota Statutes 1971, Sections 32A.07; 32A.08; and 32A.09, Subdivision 4.

H. F. No. 438: A bill for an act relating to highway traffic regulations; authorizing the use of tires with metal studs by authorized emergency vehicles and U. S. route mail carriers; amending Minnesota Statutes 1971, Section 169.72, Subdivision 1.

H. F. No. 1426: A bill for an act relating to labor; providing that employers provide certain information with all pay checks; amending Minnesota Statutes 1971, Section 181.12.

H. F. No. 1524: A bill for an act relating to the metropolitan council; requirements to be met by the council in reviewing applications of governmental units, independent commissions, boards or agencies for federal programs; amending Minnesota Statutes 1971, Section 473B.06, Subdivision 8.

H. F. No. 2789: A bill for an act relating to elections; providing procedures for nominating petitions in elections in cities of the first class; amending Minnesota Statutes 1973 Supplement, Section 202.09, Subdivision 1.

H. F. No. 47: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 1; providing the majority necessary to pass constitutional amendments.

H. F. No. 210: A bill for an act relating to education; regulating the tenure of teachers and granting seniority rights; amending Minnesota Statutes 1971, Section 125.12, Subdivision 6.

H. F. No. 568: A bill for an act proposing an amendment to the Minnesota Constitution, repealing Article IV, Section 32 (a); providing that changes from gross earnings taxation of railroads may be made without referendum.

H. F. No. 1973: A bill for an act relating to education, teacher certification; providing for the refund of renewal fees paid by mistake; amending Minnesota Statutes 1971, Section 125.08, as amended.

H. F. No. 2185: A bill for an act relating to wild animals; prescribing the wearing of fluorescent orange outer garments by hunters or trappers; reducing certain penalties for failing to wear such garments; amending Minnesota Statutes 1971, Sections 98.52, Subdivision 2; and 100.29, Subdivision 8; and repealing Minnesota Statutes 1971, Section 98.52, Subdivision 5.

H. F. No. 2191: A bill for an act relating to state government; advisory councils; and information services facilities; amending Minnesota Statutes 1971, Sections 16.91; 16.911; and 16.93; repealing Minnesota Statutes 1971, Section 16.92.

H. F. No. 2332: A bill for an act relating to adoption; amending Minnesota Statutes 1971, Sections 259.24, Subdivisions 1 and 2, and by adding a subdivision; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 260.221; 260.231, Subdivision 3; and Chapter 259, by adding a section.

H. F. No. 2338: A bill for an act relating to motor vehicle regulations; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

H. F. No. 2387: A bill for an act relating to Faribault and Martin counties; authorizing retention of per diems in drainage proceedings to county commissioners.

H. F. No. 2405: A bill for an act relating to elections; requiring precinct boundaries to be filed with the secretary of state; amending Minnesota Statutes 1971, Section 203.06, Subdivision 1.

H. F. No. 2410: A bill for an act relating to waters, drainage; increasing per diem compensation for members of county boards engaged in drainage proceedings and inspections; amending Minnesota Statutes 1971, Section 106.431, Subdivision 1.

H. F. No. 2502: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to create a revolving tort liability fund.

H. F. No. 2517: A bill for an act relating to taxation; providing for declaration of value attached to transfers of real property; amending Minnesota Statutes 1971, Section 287.241, Subdivisions 2 and 3.

H. F. No. 2605: A bill for an act relating to the village of Grand Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of reports pertaining to appointments. The motion prevailed.

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

S. F. No. 2136: A bill for an act relating to counties; commissioner districts; amending Minnesota Statutes 1971, Section 375.02.

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

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

"Section 1. Minnesota Statutes 1971, Chapter 375, is amended by adding a section to read:

[375.025] [COMMISSIONER DISTRICTS.] *Subdivision 1. [STANDARDS.] The redistricting plan in use in a county shall be effective and continue to be used until a redistricting plan is adopted in accordance with the provisions of this act. Each county shall be divided into as many districts numbered consecutively as it has members of the county board. Unless necessary to meet the standards set forth in this section, commissioner districts shall be bounded by town, municipal, ward, or precinct lines. Each district shall be composed of contiguous territory as regular and compact in form as practicable, depending upon the geography of the county involved and shall be as nearly equal in population as possible, provided that no district shall vary in population more than 10 per cent from the average for all districts in the county, unless the result forces a voting precinct to be split. In addition, a majority of the least populous districts shall contain not less than a majority of the population of the county. A county may be redistricted by the county board after each state or federal census. When it appears after a federal census that the districts of the county are not in accord with the standards set forth in this subdivision, the county shall be redistricted by the county board within 180 days of the date on which certified copies of the latest federal census are filed with the secretary of state in accordance with Minnesota Statutes, Section 600.18. Before acting to redistrict a county, the county board or a redistricting commission, if one be appointed, shall cause at least 3 weeks published notice of its purpose to do so, stating the time and place of the meeting where the matter will be considered, to be published in the newspaper having the contract for publishing the commissioners' proceedings for the county for the current year.*

Subd. 2. [VOTERS RIGHTS.] Any qualified voter may apply to the district court of the county for a writ of mandamus (a) requiring the county to be redistricted if the county board has not redistricted the county within the time specified in subdivision 1, or (b) to revise any arbitrary action or abuse of discretion by the county board in redistricting the county; provided, any application for revision of a redistricting plan shall be filed with the district court within 30 days after the filing of the redistricting plan with

the county auditor. The district court may direct the county board to show cause why it has not redistricted the county or why the redistricting plan prepared by it should not be revised, and on a hearing thereon may allow the county board additional time in which to redistrict the county or to correct errors in the redistricting plan. If it shall appear to the district court that the county board has not been sufficiently diligent in performing its redistricting duties, the court may appoint a redistricting commission to redistrict the county in accordance with the standards set forth in subdivision 1 and any other conditions the court shall deem advisable and appropriate. If a redistricting commission is appointed, the county board shall be without authority to redistrict the county.

Subd. 3. [REDISTRICTING COMMISSION.] The redistricting commission shall be composed of not less than 5 nor more than 9 residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership on the commission. Members of the commission shall not be eligible for election to the county board until 2 years after the redistricting in which they participated becomes effective. Members of the commission shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission.

Subd. 4. [REDISTRICTING PLAN; ELECTION FOLLOWING REDISTRICTING.] A redistricting plan whether prepared by the county board or the redistricting commission shall be filed in the office of the county auditor. Notice that the plan is on file shall be published in the newspaper having the contract for publishing the commissioners' proceedings for the current year. A redistricting plan shall be effective on the 31st day after publication of the notice unless a later effective date is specified; provided, no redistricting plan shall be effective as to the next election of county commissioners unless the plan shall have been filed with the county auditor not less than 30 days before the first date candidates may file for the office of county commissioner. One commissioner shall be elected in each district who, at the time of the election, shall be a resident thereof and the person so elected shall be entitled to hold the office only while he remains a resident of the commissioner district. The county board or the redistricting commission as appropriate shall determine the number of members of the county board who shall be elected for two year terms and for four year terms in order to provide for staggered terms on the county board. Thereafter, all commissioners shall be elected for four years. When a county is redistricted, there shall be a new election of commissioners in all the districts of the county at the next general election except that where no change is made in the boundaries of a district, the commissioner in office at the time of the redistricting shall serve for the full period for which he was elected.

Sec. 2. Minnesota Statutes 1971, Section 375.02 is repealed.

Sec. 3. Section 1, subdivisions 1, 3 and 4 are effective the day after final enactment and subdivision 2 is effective January 1, 1975."

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

“A bill for an act relating to counties; providing standards for redistricting of county boards, and the appointment of redistricting commissions; amending Minnesota Statutes 1971, Chapter 375, by adding a section; repealing Minnesota Statutes 1971, Section 375.02.”

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

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

S. F. No. 1800: A bill for an act relating to game and fish; discounts upon sales of licenses; amending Minnesota Statutes 1971, Section 98.50, Subdivision 5.

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

Page 1, line 14, strike “six” and insert “seven”

Page 1, line 15, strike “five” and insert “six”

Page 1, line 29, strike “four” and insert “three”

Page 1, line 30, strike “five” and insert “four”

Page 2, line 10, strike “1974” and insert “1975”

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

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

S. F. No. 2248: A bill for an act relating to foods; regulating the packaging, labelling, and advertising of imitation honey; providing penalties; amending Minnesota Statutes 1971, Chapter 31, by adding a section.

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

Page 1, line 13, after “bees” insert “, which is levorotatory, contains not more than 25 percent of water, not more than 25 hundredths percent of ash, and not more than eight percent sucrose”

Page 1, line 14, after [PROHIBITED SALE.] strike “It is a misdemeanor for”

Page 1, strike lines 15 to 18 and insert “Notwithstanding any law or regulation to the contrary, it is unlawful for any person to sell or offer for sale any product which is in semblance of honey and which is labeled, advertised, or otherwise represented to be honey, if it is not honey. The word “imitation” shall not be used in the name of a product which is in semblance of honey whether or not it contains any honey. The label for a product which is not in sem-

blance of honey and which contains honey may include the word "honey" in the name of the product and the relative position of the word "honey" in the product name, and in the list of ingredients, when required, shall be determined by its prominence as an ingredient in the product."

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

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

S. F. No. 1656: A bill for an act relating to animals; regulation of pet shops; licensing; amending Minnesota Statutes 1971, Sections 347.31; 347.32; 347.33; 347.34; 347.35; 347.37; 347.38; 347.39; and 347.40.

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

Page 1, line 19, strike everything after the period

Page 1, strike lines 20 and 21

Page 1, line 24, before the period insert "*except a place where such animals are raised and produced by the owner for sale on his home premises*"

Page 2, line 27, strike "\$10" and insert "\$25"

Page 2, line 27, after the period insert "*No license fee shall be required for a dog pound owned and operated by, or pursuant to contract with, any political subdivision of the state.*"

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

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

S. F. No. 2447: A bill for an act relating to soil and water conservation; amending Minnesota Statutes 1971, Sections 40.03, Subdivision 1; 40.04, Subdivision 12; 40.05, Subdivisions 3, 3a, and 4; and 40.07, Subdivision 15.

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

Page 6, strike lines 8 to 28

Further amend the title as follows:

Page 1, line 5, after "12;" insert "and"

Page 1, line 6, strike everything after "4" and insert a period

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

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

S. F. No. 420: A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80; Subdivision 3; 169.85; and Chapter 169, by adding a section.

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

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

"Section 1. Minnesota Statutes 1971, Section 169.67, Subdivision 4, is amended to read:

Subd. 4. [SERVICE BRAKES ON ALL WHEELS; EXCEPTIONS.] Every new motor vehicle, trailer, or semi-trailer, sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except that ~~any motorcycle~~, any trailer or semi-trailer of less than 1,500 pounds gross weight, *provided that the gross weight of the trailer or semi-trailer does not exceed 40 percent of the towing vehicle's manufacturer's maximum gross vehicle weight, and provided further, that the gross weight of the towing vehicle and the trailer or semi-trailer does not exceed 140 percent of the towing vehicle's manufacturer's maximum gross vehicle weight, and except that a third wheel, of a swivel type, on a house trailer, a temporary auxiliary axle attached to a motor vehicle during the period of road restrictions for the purpose of relieving weight of another axle, when the temporary auxiliary axle and the axle to be relieved do not exceed the combined gross weight of 18,000 pounds, and the vehicle to which such temporary axle is attached meets the brake requirements of this section, need not be equipped with brakes; and except, further, that brakes are not required on the front steering wheels of vehicles having three or more axles or upon more than one wheel of a motorcycle provided the brakes on the other wheels are adequate to stop the vehicle in accordance with the braking performance requirements of subdivision 5.*

Sec. 2. Minnesota Statutes 1971, Section 169.73, Subdivision 2, is amended to read:

Subd. 2. All motor vehicles shall be equipped with front and rear bumpers or with front bumpers and with rear reflectors, as herein provided, and all trailers and semi-trailers weighing more than 1,500 pounds shall be equipped with rear bumpers or with rear reflectors, as herein provided. Such bumpers shall be securely attached to the frame thereof, and shall extend beyond the extreme front and rear points, respectively, of such vehicles. The center point of such bumpers shall be not more than 29 30 , nor less than 14, inches from the ground when the vehicle is unloaded, provided that two rigid cross-bars may be attached to any bumper to extend it so that it will reach into a point within the required height from the ground; provided further, however, that bumpers on all private passenger automobiles manufactured and sold after August 1, 1973 July 1, 1974 , shall be of substantial construction, and that the center point of such bumpers shall be 14 to 29 30 inches from the

ground when the vehicle is unloaded and the vertical measurement of such bumpers shall not be less than six inches. All trucks and trailers manufactured and sold after July 1, 1955 1974 , having a rear platform or tailboard more than 20 30 inches above the ground, except public utility trailers used for hauling reels of cable or wire, pole trucks, dump trucks, and farm trucks as defined in Minnesota Statutes, Section 168.011, Subdivision 17, and trucks and semi-trailers transporting logs, pulpwood and other raw and unfinished forest products from the place of production to an assembly yard or rail head when such transportation constitutes the first haul thereof, are required when operating upon the highways of this state, to have rigid rear safeguards, so constructed as to prevent any part of another motor vehicle from penetrating the area immediately below such rear platform or tailboard, when such tailboard is in a ~~vertical~~ horizontal position.

Every new truck, trailer or semi-trailer manufactured and sold after July 1, 1974 and operated upon the highways of this state shall be equipped with rigid rear safeguards if the vertical distance from the ground to the rearmost portion of the bed, platform or other load-supporting part of the vehicle is 30 inches or more, provided that rigid safeguards are not required on vehicles having a horizontal distance of 30 inches or less between the rearmost axle and the rearmost point of the vehicle. When the installation of rear rigid safeguards at the rear of a vehicle would interfere with the operation of a ramp hoist or other necessary mechanism, such rear rigid safeguards may be mounted forward of the rearmost point of the vehicle a distance of not to exceed 30 inches or may be permanently affixed to such mechanism. Motor vehicles constructed and maintained so that the body, chassis, or other parts of the vehicle afford the rear end protection contemplated shall be deemed to be in compliance with this section.

Sec. 3. Minnesota Statutes 1971, Chapter 169, is amended by adding a section to read:

[169.734] [WHEEL DEVICES ON AUTOMOBILES.] *Every passenger automobile shall have fenders, or other devices, that at least extend over each wheel of the automobile from the midpoint of the axle rearward to prevent, as far as practicable, water, dirt, or other material being thrown up and to the rear by the wheels of the vehicle.*

Sec. 4. Minnesota Statutes 1971, Section 169.80, Subdivision 3, is amended to read:

Subd. 3. [LOAD ON VEHICLES.] ~~No passenger type vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the extreme left side of such vehicle nor extending more than six inches beyond the line of the fenders on the extreme right side thereof. This section shall not apply to vehicles operated in compliance with permits issued pursuant to section 169.86 or to trucks with gate, loading rack or partition carried in any manner on any part of the exterior of the truck where the top and bottom of the gate, loading rack or partition is securely attached to the truck so as to prevent swinging~~

or becoming loose, or to trucks with a tail gate or tail-board hanging down or projecting from the vehicle while the vehicle is being loaded or unloaded when the load on the tail-board renders impossible the closing of the tail-board.

Sec. 5. Minnesota Statutes 1971, Section 169.85, is amended to read:

169.85 [WEIGHING.] Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales, and may require that such vehicle be driven to the nearest public scales in the event such scales are within five miles. *Official traffic control devices as authorized by section 169.06 may be used to direct the driver to the nearest scale. When any weigh station upon a trunk highway or interstate highway is open and signs giving notice of that fact are posted in accordance with section 169.06, the driver of every vehicle registered for or weighing in excess of 11,000 pounds shall comply with the direction of the signs and submit the vehicle to weighing and inspection at the weigh station, provided; such signs shall not be posted more than one mile from the weigh station.*

When an officer, upon weighing a vehicle and load, as above provided, determines that the weight on any axle exceeds the lawful gross weight as prescribed by section 169.83, by 2,000 pounds or more, or when the weight on any group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight as prescribed by section 169.83, by 4,000 pounds or more and in all cases when the weight is unlawful on any axle or group of consecutive axles on any road restricted in accordance with section 169.87, he may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this chapter. All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver.

Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing *as required herein*, or who fails or refuses, when directed by an officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor.

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

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

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

S. F. No. 1944: A bill for an act providing for the creation, organization, administration, and functions of a Hennepin-Scott Minnesota river bridge authority as a local government unit; authorizing the authority to acquire, construct, finance, operate, and

maintain a bridge and the approaches thereto across the Minnesota river connecting state highway 101 and Hennepin county state aid highway 18 .

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

Page 4, line 22, strike the period and add the following: "unless they are at the time of employment by the authority a member of another public retirement system in which case they may elect to remain a member of such system."

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

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

S. F. No. 1977: A bill for an act relating to condominiums; allowing operation of mobile home parks and property used to accommodate mobile homes as condominiums; amending Minnesota Statutes 1971, Section 515.02, Subdivisions 2 and 6.

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

Page 1, lines 14 and 15, strike the new language and insert "*or a part of a parcel of real estate situated in a mobile home park upon which one or more mobile homes may be erected,*"

Lines 26 and 27, strike the new language and insert "*, and includes a parcel of real estate in a mobile home park upon which one or more mobile homes may be erected*"

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

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

S. F. No. 2643: A bill for an act relating to elections; providing procedures for nominating petitions in elections in cities of the first class; amending Minnesota Statutes, 1973 Supplement, Section 202.09, Subdivision 1.

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

Page 1, line 16, strike "entire vote of" and insert "*total number of persons voting in*"

Page 1, line 16, after "state" strike "cast"

Page 1, line 20, strike "entire vote cast" and insert "*total number of persons voting*"

Page 1, line 24, strike "entire vote cast" and insert "*total number of persons voting*"

Page 1, line 28, strike "entire vote cast" and insert "*total number of persons voting*"

Page 1, line 29, after "*the*" and before "*ward*" insert "*municipality,*"

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

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

S. F. No. 2644: A bill for an act relating to highway traffic regulations; authorizing the executive department of government to reduce maximum highway vehicular speeds under certain circumstances; providing penalties.

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

Page 2, after line 20, add a new section to read:

"Sec. 3. This act and all actions taken pursuant to this act shall cease to be in effect on and after June 30, 1975."

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

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

H. F. No. 1692: A bill for an act relating to labor and industry; boiler and pressure vessel fees to be paid to the state of Minnesota; amending Minnesota Statutes 1971, Sections 183.545, Subdivisions 3 and 4; and 183.57, Subdivision 2.

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

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

S. F. No. 2446: A bill for an act relating to the powers of the county board of commissioners; amending Minnesota Statutes 1971, Section 375.19.

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

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

H. F. Nos. 577, 438, 1426, 1524, 210, 1973, 2338, 2387, 2410, 2502, 2517 and 2605 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. Nos. 210 and 1973 to the Committee on Education.

H. F. No. 577 to the Committee on Governmental Operations.

H. F. Nos. 1426 and 2605 to the Committee on Labor and Commerce.

H. F. Nos. 2387 and 2410 to the Committee on Local Government.

H. F. Nos. 1524 and 2502 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 2517 to the Committee on Taxes and Tax Laws.

H. F. Nos. 438 and 2338 to the Committee on Transportation and General Legislation.

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

January 21, 1974

The Honorable Alec G. Olson
President of the Senate
State Capitol

Dear Sir:

On January 18, 1974 the Committee on Committees of the Senate met and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes:

Sec. 3.89 Ethics Committee

Mr. Knutson to replace Mr. Novak

Pursuant to the Permanent Rules of the Senate:

Rule 78. Special Ethics Committee

Mr. Knutson to replace Mr. Novak

Rule 79. Lobby Registration Committee

Mr. Knutson to replace Mr. Novak

Respectfully submitted,

Jack Davies, Chairman
Committee on Committees

Mr. Conzemius from the Committee on Health, Welfare and Corrections, to which were referred the following appointments:

MINNESOTA CORRECTIONS AUTHORITY

Jane Belau, 433-9th Avenue S.W., Rochester, Olmsted County, appointed effective January 1, 1974, for a term expiring January 1, 1976.

Leslie R. Green, 727-13th Avenue South, St. Cloud, Stearns County, appointed effective January 1, 1974, for a term expiring January 1, 1980.

P. K. Peterson, 3332 Edmund Boulevard, Minneapolis, Hennepin County, appointed effective January 1, 1974, for a term expiring January 1, 1980.

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

Mr. Conzemius moved that the foregoing committee report be laid on the table. The motion prevailed.

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

MINNESOTA CORRECTIONS AUTHORITY

Lester Melchert, Rural Route 2, Chaska, Carver County, appointed effective January 1, 1974, for a term expiring January 1, 1978.

Reports the same back with the recommendation that the appointment be reported without committee recommendation.

Mr. Conzemius moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 2136, 1800, 2248, 1656, 2447, 420, 1977, 2643, 2644 and 2446 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 1692 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Borden moved that the name of Mr. Milton be added as co-author to S. F. No. 2727. The motion prevailed.

Mr. Keefe, S. moved that S. F. No. 2726 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Spear moved that S. F. No. 2719 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Education. The motion prevailed.

Mr. Perpich, A. J. moved that the name of Mr. Arnold be shown as chief author and the name of Mr. Perpich, G. be added as co-author to S. F. No. 2668. The motion prevailed.

Mr. Ashbach moved that the names of Messrs. North and Milton be added as co-authors to S. F. No. 2729. The motion prevailed.

Mr. Ashbach moved that S. F. No. 2344, No. 37 on General Orders, be stricken and re-referred to the Committee on Metropolitan and Urban Affairs. The motion prevailed.

Mr. Borden moved that H. F. No. 1168, No. 6 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Conzemius moved that S. F. No. 2687 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Hughes moved that S. F. No. 2122, No. 41 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. North moved that S. F. No. 1983, No. 72 on General Orders, be stricken and returned to its author. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 283: A bill for an act relating to education; school board membership in certain associations; requiring filing of financial statements; amending Minnesota Statutes 1971, Section 123.33, Subdivisions 10 and 14.

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 42 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lord	Olson, H. D.	Stassen
Arnold	Hansen, Mel	McCutcheon	O'Neill	Stokowski
Borden	Hughes	Milton	Perpich, A. J.	Tennessee
Chmielewski	Humphrey	Moe	Perpich, G.	Thorup
Coleman	Jensen	Nelson	Purfeerst	Wegener
Conzemius	Keefe, S.	North	Schaaf	Willet
Davies	Kirchner	Novak	Sillers	
Doty	Kleinbaum	Olhoft	Solon	
Dunn	Lewis	Olson, A. G.	Spear	

Those who voted in the negative were:

Bernhagen	Hansen, Baldy	Knutson	Larson	Renneke
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Schrom
Brown	Josefson	Krieger	Pillsbury	Ueland
Fitzsimons				

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Thorup in the chair.

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

S. F. No. 1541, also H. F. Nos. 1211, 1577, 1939, 484, 285, 487, 149, 1005, 1184, 1196, 140, 2197, 284, 1895, 371 and 854 which the committee recommends to pass.

H. F. No. 246, which the committee recommends be re-referred to the Committee on Health, Welfare and Corrections.

S. F. No. 1225, which the committee recommends to pass with the following amendment offered by Mr. Spear:

Page 1, line 20, after "Subd. 3." insert the following: "Subject to the provisions of section 243.55 and the duty of the warden or superintendent to take reasonable precautions to prevent the introduction of contraband into a correctional institution,"

Page 1, line 24, after the period add:

"Any representative of the public news media who is denied access to a correctional institution must be given the reasons therefor in writing and he may appeal such denial to the commissioner of corrections."

H. F. No. 1504, which the committee recommends to pass with the following amendment offered by Mr. Stassen:

Amend H. F. No. 1504, the printed bill, as follows:

Strike everything after the enacting clause, and insert the following:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 201.091, Subdivision 6, is amended to read:

Subd. 6. Each county auditor shall determine a number of public buildings located within the county, and not less than one location per 30,000 residents, where eligible voters may register by completing a registration card and leaving it with an official within the building whose duty it shall be to transit the cards to the appropriate county auditor. *All such locations shall remain open until 9:00 P.M. on the last registration day and for at least two days not including Saturdays, Sundays, and legal holidays immediately preceding the last registration day, and shall also remain open from 10:00 A.M. to 4:00 P.M. on the Saturday immediately preceding the last registration day.* An adequate supply of registration cards shall be maintained at the locations determined."

Further, amend the title as follows:

First and second lines, strike "office of the commissioner of registration" and insert "registration locations"

Second line, strike "1971" and insert " , 1973 Supplement" and strike "201.05" and insert "201.091, Subdivision 6"

S. F. No. 1104, which the committee recommends to pass with the following amendment offered by Mr. North:

Page 10, line 17, restore the stricken language

Page 10, line 18, restore the stricken "agencies" and strike "*any agency or instrumentality*"

Page 10, line 19, restore the stricken language

Page 10, line 20, restore the stricken language

Page 10, line 21, restore the stricken language

S. F. No. 917, which the committee recommends be re-referred to the Committee on Health, Welfare and Corrections, subject to the following motion:

Mr. Hansen, Mel moved to amend S. F. No. 917 as follows:

Page 1, line 5, strike "places" and insert in lieu thereof "structures"

Page 1, line 6, after "transportation" insert ", whether publicly or privately owned and"

Page 1, line 7, after "people" insert ", and otherwise permitting smoking,"

Page 1, line 8, strike "except that a separately designated no" and insert ". This act shall not apply to lobbies, hallways, skyways or any other public structure used mainly as a thoroughfare."

Page 1, strike lines 9 and 10

The motion prevailed. So the amendment was adopted.

The committee then re-referred S. F. No. 917 to the Committee on Health, Welfare and Corrections.

S. F. No. 1375, which the committee recommends progress.

The question being taken on the committee recommendation to pass S. F. No. 1375,

And the roll being called, there were yeas 28 and nays 30, as follows:

Those who voted in the affirmative were:

Bernhagen	Humphrey	Larson	O'Neill	Solon
Doty	Josefson	Lord	Patton	Spear
Fitzsimons	Keefe, S.	Milton	Pillsbury	Stassen
Frederick	Knutson	Moe	Renneke	Ueland
Gearty	Kowalczyk	Nelson	Schaaf	
Hanson, R.	Krieger	Olson, J. L.	Sillers	

Those who voted in the negative were:

Anderson	Conzemius	Jensen	Olhoff	Schrom
Arnold	Davies	Kirchner	Olson, A. G.	Stokowski
Ashbach	Dunn	Kleinbaum	Olson, H. D.	Tennessee
Berg	Hansen, Baldy	Lewis	Perpich, A. J.	Thorup
Blatz	Hansen, Mel	McCutcheon	Perpich, G.	Wegener
Coleman	Hughes	Ogdahl	Purfeerst	Willet

The motion did not prevail. The committee then progressed S. F. No. 1375.

H. F. No. 1617, which the committee recommends to pass with the following amendment offered by Mr. Purfeerst:

Amend H. F. No. 1617, the printed bill, as follows:

Page 3, line 5, strike "January 1, 1974" and insert "*the day following its final enactment*"

H. F. No. 1288, which the committee recommends to pass with the following amendment offered by Mr. Purfeerst:

Amend H. F. No. 1288, the printed bill, as follows:

Page 2, line 2, strike "July 1, 1973" and insert "*the day following its final enactment*"

H. F. No. 1566, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Amend H. F. No. 1566, the printed bill, as follows:

Page 1, line 16, strike "*January*" and insert "*July*"

And then, on motion of Mr. Thorup, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:30 o'clock p.m., Friday, January 25, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.