

## EIGHTY-SECOND DAY

St. Paul, Minnesota, Wednesday, February 6, 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	Hansen, Baldy	Larson	Ogdahl	Stassen
Bernhagen	Hansen, Mel	Laufenburger	Olhoft	Stokowski
Coleman	Hanson, R.	Lewis	Olson, A. G.	Tennessee
Conzemius	Hughes	Lord	Olson, H. D.	Ueland
Doty	Humphrey	McCutcheon	Patton	Wegener
Dunn	Josefson	Milton	Pillsbury	Willet
Fitzsimons	Keefe, S.	Moe	Purfeerst	
Frederick	Kirchner	North	Schrom	
Gearty	Kleinbaum	Novak	Solon	

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

Quorum present.

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

## MEMBERS EXCUSED

Mr. Berg was excused from the Session of today. Messrs. Jensen; Keefe, J. and Knutson were excused from this morning's Session. Mr. Ogdahl was excused from the Session of today, beginning at 12:00 o'clock noon.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

January 17, 1974

The Honorable Alec Olson  
President of the Senate  
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Allan A. Hill, Bean & Hill, Professional Engineers, 2002 London Road, Duluth, St. Louis County, has been appointed by me to the State Board of Electricity, effective January 1, 1974, for a term expiring January 1, 1979.

Sincerely,  
Wendell R. Anderson, Governor

January 21, 1974

The Honorable Alec Olson  
President of the Senate  
State of Minnesota

Dear Sir:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

Walter Passe, Wabasha, Wabasha County, has been appointed by me to the State Board of Electricity, effective January 1, 1974, for a term expiring January 1, 1979.

Sincerely,  
Wendell R. Anderson, Governor

Which appointments were referred to the Committee on Rules and Administration.

February 1, 1974

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. 152, An act relating to highway traffic regulations; providing for the adoption of motor vehicle safety standards; providing penalties.

S. F. No. 481, 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.

S. F. No. 781, An act relating to highway traffic regulations; application thereof; providing certain exemptions; amending Minnesota Statutes 1971, Section 169.03.

S. F. No. 944, An act relating to education; permitting certain teachers to apply for and receive life or permanent certificates.

S. F. No. 2243, An act relating to public indebtedness; sinking fund; amending Minnesota Statutes 1971, Section 475.66.

S. F. No. 2244, An act relating to securities and usury; exemption from usury for margin accounts maintained by broker-dealers; amending Minnesota Statutes 1971, Chapter 334, by adding a section.

S. F. No. 2246, An act relating to savings banks; authorized investments; amending Minnesota Statutes 1971, Section 50.14, Subdivision 2.

Sincerely,  
Wendell R. Anderson, Governor

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

The Honorable Alec G. Olson  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
152		21	January 31, 1974	February 1, 1974
481		22	January 31, 1974	February 1, 1974
781		23	January 31, 1974	February 1, 1974
944		24	February 1, 1974	February 1, 1974
2243		25	January 31, 1974	February 1, 1974
2244		26	January 31, 1974	February 1, 1974
2246		27	January 31, 1974	February 1, 1974

Sincerely,  
Arlen Erdahl  
Secretary of State

#### INTRODUCTION OF BILLS

Messrs. Chmielewski, Larson and Humphrey introduced—

S. F. No. 3060: A bill for an act relating to hazardous buildings; removal or correction of hazardous buildings; enforce-

ment; amending Minnesota Statutes 1971, Sections 463.151; 463.17, Subdivisions 1 and 3; 463.21; and Chapter 463, by adding a section.

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

Messrs. Arnold, Ashbach and Olson, A. G. introduced—

S. F. No. 3061: A bill for an act relating to parks; prohibiting littering; providing a penalty.

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

Mr. Purfeerst introduced—

S. F. No. 3062: A bill for an act relating to Rice county; probate judge's service and retirement contributions; appropriating money for refunds.

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

Messrs. Conzemius, Kirchner and Perpich, G. introduced—

S. F. No. 3063: A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

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

Messrs. Solon; Perpich, A. J. and Doty introduced—

S. F. No. 3064: A bill for an act relating to game and fish; prohibiting the taking of smelt outside of a certain area.

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

Messrs. Conzemius, Larson and Laufenburger introduced—

S. F. No. 3065: A bill for an act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

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

Messrs. Milton, Nelson and Keefe, S. introduced—

S. F. No. 3066: A bill for an act relating to health; certificates

of need for health care facilities; eliminating provisions of appeal to appeal board from order of state board of health; repealing Minnesota Statutes 1971, Section 145.81.

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

Messrs. Hughes, Blatz and Anderson introduced—

S. F. No. 3067: A bill for an act relating to taxation; inheritance taxes; tax rates; amending Minnesota Statutes, 1973 Supplement, Section 291.03.

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

Messrs. Hughes, Ogdahl and Keefe, S. introduced—

S. F. No. 3068: A bill for an act relating to the municipal housing and redevelopment act; providing for the acquisition and disposal of vacant, open, undeveloped and substandard real property; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.445, Subdivisions 1 and 4; 462.466; 462.525, Subdivision 1, and by adding subdivisions; and 462.545, Subdivision 1.

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

Mr. Dunn introduced—

S. F. No. 3069: A bill for an act authorizing the city of Foley to acquire and develop certain land for industrial purposes.

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

Messrs. Patton, Sillers and Hanson, R. introduced—

S. F. No. 3070: A bill for an act relating to education; providing for forgiveness of repayment of loans to medical students who practice medicine in rural communities; amending Minnesota Statutes 1971, Section 147.26, Subdivision 1.

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

Messrs. Brown and Anderson introduced—

S. F. No. 3071: A bill for an act relating to retirement; conditions for retirement of certain district judges.

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

Mr. Kowalczyk introduced—

S. F. No. 3072: A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

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

Mr. Pillsbury introduced—

S. F. No. 3073: A bill for an act relating to the metropolitan transit commission; transit taxing district; including within the transit taxing district the town of Hassan and the city of Rogers in Hennepin county subject to certain conditions; amending Minnesota Statutes 1971, Section 473A.111, by adding a subdivision.

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

Messrs. Keefe, S.; Spear and Tennesen introduced—

S. F. No. 3074: A bill for an act relating to the housing finance agency; granting additional housing loan and bonding authority.

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

Messrs. Milton, Olhoft and Krieger introduced—

S. F. No. 3075: A bill for an act relating to public health; establishment of community residential facilities for mentally retarded and cerebral palsied persons; authorizing counties and cities to issue bonds and lease facilities; amending Minnesota Statutes 1971, Chapter 447, by adding a section; and amending Section 447.45.

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

Messrs. Chenoweth, Kirchner and North introduced—

S. F. No. 3076: A bill for an act relating to mass transit; approving an accelerated bus improvement program and providing funds therefor; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

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

Messrs. Hansen, Baldy; and Schrom introduced—

S. F. No. 3077: A bill for an act relating to taxation, sales tax exemption for certain sand and gravel; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1, as amended.

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

Messrs. Hansen, Baldy; and Schrom introduced—

S. F. No. 3078: A bill for an act relating to highway traffic regulations; providing for maximum speeds of certain vehicles on the highways; authorizing the designation of specific lanes for such vehicles under certain conditions.

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

Messrs. Lord, Purfeerst and Renneke introduced—

S. F. No. 3079: A bill for an act relating to the counties of Carver and Scott; authorizing each county to designate a human services board.

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

Messrs. Kleinbaum and Chenoweth introduced—

S. F. No. 3080: A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

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

Mr. Stokowski, by request, introduced—

S. F. No. 3081: A bill for an act relating to the claim of Claudia Beamer; arising from impairment of marital relationship due to state's failure to acknowledge validity of marriage or, if marriage was invalid, to permit remarriage; appropriating money for the payment thereof.

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

Mr. Humphrey introduced—

S. F. No. 3082: A bill for an act relating to commerce; requiring a person who is conducting a poll or survey to identify his employer and the use for which the poll is designed.

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

Mr. Kirchner, by request, introduced—

S. F. No. 3083: A bill for an act relating to the claim of George Madsen Construction Company; arising from increased costs of construction material due to increase in sales tax rate and failure to qualify for prior rate when fire extended completion of construction; appropriating money for the payment thereof.

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

Mr. Fitzsimons introduced—

S. F. No. 3084: A bill for an act relating to state lands; authorizing the conveyance of certain state conservation area lands in Roseau county.

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

Mr. Frederick introduced—

S. F. No. 3085: A bill for an act relating to state government; authorizing a conveyance of certain state owned lands to the city of Owatonna and specifying terms and conditions thereof.

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

Mr. Josefson introduced—

S. F. No. 3086: A bill for an act relating to agriculture; requiring furnishing of certain information by first buyers of milk; providing a penalty.

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

Messrs. Perpich, A. J; Perpich, G. and Arnold introduced—

S. F. No. 3087: A bill for an act relating to unemployment compensation; benefits; disqualification; exceptions; amending Minnesota Statutes, 1973 Supplement, Section 268.09, Subdivision 1.

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

#### MESSAGES FROM THE HOUSE

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. 2012: A bill for an act relating to taxes on and measured by net income; prescribing penalties; amending Minnesota Statutes 1971, Section 290.92, Subdivision 15.

Senate File No. 2012 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 4, 1974



**CONCURRENCE AND REPASSAGE**

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 2012 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2012 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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 House Files, herewith transmitted: H. F. Nos. 2735, 2856 and 2902.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted February 4, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 1136 and 2425.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted February 5, 1974

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 2704.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned February 5, 1974

**FIRST READING OF HOUSE BILLS**

H. F. No. 2735: A bill for an act relating to the town of Rapidan in Blue Earth county; conferring certain powers on the town.

H. F. No. 2856: A bill for an act authorizing the county of Marshall to assume liability for payment of contract for construction of county ditch; authorizing the issuance of bonds and validating contract.

H. F. No. 2902: A bill for an act relating to public indebtedness; amending Minnesota Statutes 1971, Section 475.52, Subdivision 4.

H. F. No. 1136: A bill for an act relating to unemployment compensation; benefits; disqualification; exception; amending Minnesota Statutes 1971, Section 268.09, Subdivision 1.

H. F. No. 2425: A bill for an act relating to cities and counties; investment of city and county funds.

Which were 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 the report from the Committee on Natural Resources and Agriculture on S. F. No. 891 and those pertaining to appointments. The motion prevailed.

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

S. F. No. 2257: A bill for an act relating to the park and recreation board of the city of Minneapolis; providing a tax levy limit for the tree preservation and reforestation fund; amending Laws 1969, Chapter 593, Section 3.

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

Page 1, line 24, strike "1973" and insert "1974"

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

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

S. F. No. 2400: A bill for an act relating to the city of Hopkins; investment of city funds.

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 471.56, Subdivision 1, is amended to read:

471.56 [MUNICIPAL FUNDS.] Subdivision 1. Any municipal funds, not presently needed for other purposes, may be invested in *any the same obligations and in the same manner* in which sinking funds are now authorized to be invested pursuant to section 475.66, including appreciation bonds issued by the United States of America on a discount basis. Municipal funds may also be deposited in time deposits of any state or national bank subject to the limitations and requirements of chapter 118.

The term "municipal funds" as used herein shall include all general, special, permanent, trust, and other funds, regardless of source or purpose, held or administered by any county, city, village or borough, or by any officer or agency thereof, in the state of Minnesota.

Sec. 2. Minnesota Statutes 1971, Section 475.66, is amended to read:

475.66 [SINKING FUND; SURPLUSES.] There shall always be retained in any sinking fund sufficient cash to provide for the annual payments of principal and interest on the obligations for which the fund was created. Subject to the provisions of any resolutions of the governing body relating to the maintenance of reserves of cash or investments for the security of holders of such obligations, any surplus in any sinking fund above such amount may be invested under the direction of the governing body in any general obligation of the United States, the state of Minnesota or any of its municipalities, and in securities issued by the following agencies of the United States: Federal Home Loan Banks, Federal Intermediate Credit Banks, Federal Land Banks, Banks for Cooperatives, and the Federal National Mortgage Association. *Investments in such obligations and securities may also be made when accompanied by simultaneous repurchase agreements issued by a state or federally chartered banking institution under the terms of which the obligations or securities are to be repurchased by the particular banking institution on a specified date at a predetermined price.* Such surplus may also be used to purchase any obligation, whether general or special, of the issue for which the fund is created, at such price, which may include a premium, as shall be agreed to by the holder, or may be used to redeem any obligation of said issue prior to maturity in accordance with its terms. The obligations representing any such investment may be sold or hypothecated by the governing body at any time, but the money so received remains a part of such fund until used for the purpose for which the fund was created. Any obligation held in the sinking fund from which it is payable may be cancelled at any time when moneys in such fund are sufficient to pay all other obligations issued prior to July 1, 1961, payable therefrom with interest to maturity or to their earliest redemption dates. Any obligation issued after July 1, 1961, held in the sinking fund from which it is payable may be cancelled at any time unless otherwise provided in the other obligations payable from such fund or in a resolution or ordinance authorizing their issuance."

Further amend by striking the title and inserting:

"A bill for an act relating to municipalities; investments of Municipal Funds; amending Minnesota Statutes 1971, Sections 471.56, Subdivision 1; and 475.66."

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

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

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

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

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

S. F. No. 2600: A bill for an act relating to the White Bear Lake conservation district; imposing additional duties on the board of the district; providing for means of funding; establishing certain lake regulatory powers; amending Laws 1971, Chapter 355, Sections 3 and 4.

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

Page 3, line 13, strike the word "*suggest*" and insert "*recommend*"

Page 3, line 16, after "*seaplanes*" strike the remainder of the line.

Page 3, strike all of lines 17 and 18.

Page 3, line 19, strike the word "*person*"

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

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which were re-referred the following appointments:

#### CHAIRMAN OF THE METROPOLITAN COUNCIL

John Boland, 2454 Ripley Avenue, North St. Paul, Ramsey County, appointed effective August 6, 1973, for an indeterminate term.

#### METROPOLITAN COUNCIL

Mrs. Joan Campbell, 947 17th Avenue Southeast, Minneapolis, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

John Costello, 2177 Stanford Avenue, St. Paul, Ramsey County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Kingsley Murphy, Jr., 2265 North Shore Drive, Wayzata, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

Mrs. Alice Kreber, 4719 Yates Avenue North, Crystal, Hennepin County, appointed effective June 15, 1973, for a term expiring the first Monday of January, 1979.

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

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

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

S. F. No. 2691: A bill for an act relating to elections; abolishing the use of social security numbers in voter registration; amending Laws 1973, Chapter 676, Section 5, Subdivision 1.

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

Page 1, after "Section 1." strike the rest of line 7 and insert in lieu thereof: "Minnesota Statutes, 1973 Supplement, Section 201.071,"

Line 9, delete the brackets before and after "201.071"

Line 24, strike the entire line and renumber accordingly.

Further, amend the title as follows:

Page 1, line 4, strike "Laws 1973"

Line 5, strike the entire line and insert in lieu thereof "Minnesota Statutes, 1973 Supplement, Section 201.071, Subdivision 1."

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

H. F. No. 2715: A bill for an act relating to elections; prohibiting the scheduling of athletic events on a precinct caucus day; amending Minnesota Statutes 1971, Chapter 202, by adding a section.

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

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

"Section 1. No school board, county board of commissioners, township board, village council, or city council may conduct a meeting after 7 p. m. on the day of a political party precinct caucus.

Sec. 2. Every employee who is entitled to attend a political party precinct caucus is entitled to absent himself from his work for the purpose of attending the caucus during the time for which the caucus is scheduled without penalty or deduction from his salary or wages on account of his absence other than a deduction in salary for the time he absented himself from his employment.

Sec. 3. No state college may schedule an event which will take place after 7:00 p. m. on the day of a political party precinct caucus unless permission to do so has been received from the state college board. No state community college may schedule an event which will take place after 7:00 p. m. on the day of a political party precinct caucus unless permission to do so has been received from the state community college board.

Sec. 4. No school official may deny the use of a public school building for the holding of a political party precinct caucus if the school office has received a written request for the use of the school building 30 days or more prior to the date of the caucus.

Sec. 5. No public elementary or secondary school may hold a school sponsored event after 7:00 p. m. on the day of a political party precinct caucus."

Further, amend the title as follows:

Page 1, line 3, strike "athletic events on a" and strike lines 4, 5 and 6 and insert in lieu thereof: "certain activities on a political party precinct caucus day; granting employees time off from work during precinct caucuses; making public schools available for precinct caucuses."

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. 2605: A bill for an act authorizing the sale and conveyance of certain surplus public lake access land in Stearns county.

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

Page 1, line 8, before "the" insert "the governor, upon recommendation of"

Page 1, line 8, strike "natural resources" and insert in lieu thereof "administration,"

Page 1, line 11, strike "agreed upon by the parties" and insert in lieu thereof "determined by appraisal of the commissioner"

Page 1, after line 26, insert:

"The commissioner shall cause the lands to be appraised by not less than three appraisers, at least two of whom shall be

residents of Stearns county. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any lands to be appraised, which oath shall be attached to the report of such appraisal.

The consideration to be paid for the conveyance provided for in this act shall be not less than the appraised value of the land plus the cost of the appraisal."

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. 2469: A bill for an act relating to water pollution control; authorizing municipalities to let individual contracts for the joint design and construction of sewage treatment facilities; appropriating money.

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

Page 1, line 17, strike "will" and insert "should"

Page 2, line 25, after "Sec. 2." strike "The sum of \$1,000 is appropriated from the"

Page 2, strike lines 26 to 28 and insert "This act is effective the day following final enactment."

Further amend the title as follows:

Page 1, line 6, strike "; appropriating"

Page 1, line 7, strike "money"

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. 891: A bill for an act relating to natural resources; regulating the harvest of wild rice in Aitkin, Crow Wing, Mille Lacs, and Morrison counties; providing a penalty.

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

Page 6, after line 14, insert:

"Sec. 2. This act is effective July 1, 1974."

And when so amended the bill do pass.

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

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

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

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

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

"Section 1. Minnesota Statutes 1971, Section 40.07, is amended by adding a subdivision to read:

*Subd. 16. A district may appropriate necessary funds to provide membership in state and national associations which have as their purpose the betterment and improvement of soil and water conservation district operations. A district is also authorized to participate through duly designated representatives in the meetings and activities of such associations, and is authorized to appropriate necessary funds to defray the actual and necessary expenses of such representatives in connection therewith, which expenses may be paid only upon the presentation and allowance of a properly verified itemized claim."*

Strike the title and insert in lieu thereof:

"A bill for an act relating to soil and water conservation districts; authorizing membership in state and national associations; amending Minnesota Statutes 1971, Section 40.07, by adding a subdivision."

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. 2398: A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Otter Tail.

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

Page 1, line 8, after "COUNTY.]" and before "The" insert "The governor, upon recommendation of"

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. 2611: A bill for an act relating to state lands; direct-ing conveyance and release of a certain reversionary interest and right of re-entry to previously conveyed lands.



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

Page 1, line 7, after "Section 1." strike "The state of Minnesota shall convey and"

Page 1, strike line 8

Page 1, line 9, strike "approved by the attorney general," and insert "The governor, upon recommendation of the commissioner of administration, by quitclaim deed in such form as the attorney general approves, in the name of the state, for a consideration to be determined by appraisal of the commissioner, shall convey"

Page 3, after line 11, insert:

"The commissioner of administration shall cause the lands to be appraised by not less than three appraisers, at least two of whom shall be residents of Carlton county. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any lands to be appraised, which oath shall be attached to the report of such appraisal.

The consideration to be paid for the conveyance provided for in this act shall be not less than the appraised value of the land plus the cost of the appraisal."

Amend the title in line 5, after "lands" and before the period by inserting "in Carlton county"

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

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

S. F. No. 2750: A bill for an act authorizing the sale of certain lands in Cass county by the commissioner of natural resources.

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

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

S. F. No. 2857: A bill for an act relating to wild animals; clarifying certain provisions concerning fishing license exemptions and free fishing licenses; amending Minnesota Statutes, 1973 Supplement, Section 98.47, Subdivisions 1 and 8.

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

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

S. F. No. 2295: A bill for an act relating to game and fish; closing the season to taking of beaver in a certain area.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1971, Section 100.27, Subdivision 4, is amended to read:

Subd. 4. Muskrats may be taken for a period not exceeding 60 days in the aggregate for the area, otter for a period not exceeding 15 days, only by trapping, and mink for a period not exceeding 90 days, in such areas of the state and during such times and subject to such regulations as the commissioner shall prescribe, between November 1st and April 30th following, and beaver may be taken, by trapping only, for a period, or periods, not exceeding a total of 45 days, in such areas of the state and during such times and subject to such regulations as the commissioner shall prescribe, between November 1st and May 31st following, *provided that during the calendar year 1974 and 1975 there shall be no season open for the taking of beaver in that portion of the state lying northerly and easterly of a line commencing at the intersection of state trunk highway numbered 71 and the Canadian border and running southerly along state trunk highway numbered 71 to its intersection with state trunk highway numbered 6, thence southerly along state trunk highway numbered 6 to its intersection with state trunk highway numbered 18, thence easterly along state trunk highway numbered 23, thence northeasterly along state trunk highway numbered 23 to Duluth.*"

Amend the title as follows:

Page 1, line 4, after "area" and before the period, insert "; amending Minnesota Statutes 1971, Section 100.27, Subdivision 4"

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. 2822: A bill for an act relating to county water management; clarifying the jurisdiction of lake conservation districts and counties over certain bodies of water; amending Laws 1973, Chapter 702, Sections 4, Subdivision 2; and 5, Subdivision 1.

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

Page 1, line 9, after "Section 1." strike "Laws 1973, Chapter 702, Section 4" and insert "Minnesota Statutes, 1973 Supplement, Section 378.31"

Page 1, line 25, after "Sec. 2." strike "Laws 1973, Chapter 702, Section 5" and insert "Minnesota Statutes, 1973 Supplement, Section 378.32"

Page 1, line 27, delete the brackets before and after "378.32"

Further amend the title as follows:

Page 1, line 5, strike "Laws" and insert "Minnesota Statutes,"

Page 1, line 6, strike everything after "1973" and insert "Supplement, Sections 378.31,"

Page 1, line 7, strike "5" and insert "378.32"

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

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

S. F. No. 1243: A bill for an act relating to education; providing for waiver of tuition for foreign students.

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

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

"Section 1. Institutions of higher education in Minnesota shall be authorized to grant resident status for the purpose of paying tuition fees in these institutions to bona fide foreign students after their first year in Minnesota, provided that the total number of these residencies shall not exceed one half of one percent of total fall term enrollment of each institution, provided further that these residencies shall be granted on the basis of demonstrated financial need.

Sec. 2. The state of Minnesota shall establish an emergency scholarship fund of \$160,000 to be awarded to public and private institutions of higher education in Minnesota for the purpose of meeting emergency financial problems of their foreign students. This scholarship shall be apportioned to these institutions on the basis of their foreign student enrollment, cost of education, and demonstrated financial need. The formula for apportioning this fund to the institutions shall be determined by the higher education coordinating commission.

Sec. 3. Institutions of higher education in Minnesota shall be authorized to grant resident status for the purpose of paying tuition fees to foreign students who are recipients of scholarship funds contributed to these institutions by Minnesota individuals, organizations or corporations in sufficient amounts to cover such resident tuition fees in the institutions concerned.

Sec. 4. Public and private institutions of higher education in Minnesota shall be authorized to establish procedures which would require recipients of these scholarship funds and/or residencies to return to their countries upon conclusion of their education and training. Initially these scholarship funds and/or residencies shall be made as loans which will be converted to scholarships upon evidence that the students returned home. Should the students

not return, these loans will be repaid in full to the institutions granting them.

Sec. 5. [APPROPRIATION.] The sum of \$\_\_\_\_\_ or so much thereof as may be required, is appropriated from the general fund to these institutions of higher education for the biennium ending June 30, 1975 for the purposes of section 1 and section 3 of this act."

Further amend the title as follows:

Line 3, after "students" and before the period insert "; appropriating money"

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

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

S. F. No. 2627: A bill for an act relating to education; authorizing school districts to adopt a year-round school program under certain conditions; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 1; 124.11; 124.19, Subdivision 1; 125.12, by adding a subdivision; 126.12; Chapter 120, by adding sections; and Laws 1973, Chapter 683, Section 11, Subdivision 3.

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

Page 1, line 24, after "of" strike "*this act*" and insert "*Minnesota Statutes, Sections 120.59 to 120.68*"

Page 1, line 26, strike "*year-round school*" and insert "*flexible school year*"

Page 1, line 27, strike "*year-round*" and insert "*flexible school year*"

Page 2, line 4, strike "*Year-round school*" and insert "*Flexible school year*"

Page 2, line 9, after "*schools*" and before the period insert "*or residential facilities for handicapped children*"

Page 2, line 14, strike "*year-round school*" and insert "*flexible school year*"

Page 2, line 15, after "*schools*" insert "*or residential facilities for handicapped children*"

Page 2, line 19, strike "*year-round*" and insert "*flexible school year*"

Page 3, line 5, strike "*year-round*" and insert "*flexible*"

Page 3, line 6, after "*school*" and before "*program*" insert "*year*"

Page 3, line 7, after "*teachers*" insert "*, principals, assistant principals, supervisory personnel*"

Page 3, line 8, after "school" and before the comma insert "*pursuant to Minnesota Statutes, 1973 Supplement, Chapter 179*"

Page 3, line 11, strike "*public*" and insert "*open*"

Page 3, line 18, strike "*year-round school*" and insert "*flexible school year*"

Page 3, line 25, strike "*year-round*" and insert "*flexible school year*"

Page 3, line 26, after "*more*" insert "*or less*"

Page 3, line 27, after "*of*" and before "*days*" insert "*scheduled*"

Page 3, line 27, after "*days*" insert "*or their equivalent*"

Page 3, line 28, strike "*year-round*" and insert "*flexible school year*"

Page 4, line 4, strike "*year-round school*" and insert "*flexible school year*"

Page 4, line 5, strike "*prescribe*" and insert "*negotiate a salary schedule that shall not be less than*"

Page 4, line 5, after "*teachers*" insert "*, principals, assistant principals, supervisory personnel*"

Page 4, line 7, strike "*year-round*" and insert "*flexible school year*"

Page 4, line 9, after "*the*" insert "*flexible*"

Page 4, line 17, strike "*year-round*" and insert "*flexible school year*"

Page 4, line 19, strike "*year-round*" and insert "*flexible school year*"

Page 4, line 22, strike "*year-round*" and insert "*flexible school year*"

Page 4, line 23, strike "*year-round*" and insert "*flexible school year*"

Page 4, line 27, strike "*year-round*" and insert "*flexible school year*"

Page 5, line 7, strike "*year-round*" and insert "*flexible school year*"

Page 5, line 12, strike the comma and insert "*and*"

Page 5, line 13, strike "*, and (c) the length of the*"

Page 5, line 14, strike "*school day and the school week*"

Page 5, line 17, strike "*year-round*" and insert "*flexible school year*"

Page 5, line 25, strike "*year-round*" and insert "*flexible*"

Page 5, line 26, after "*school*" and before "*program*" insert "*year*"

Page 5, after line 28, insert a new section as follows:

"Sec. 11. Minnesota Statutes 1971, Chapter 120, is amended by adding a section to read:

[120.68] [TERMINATION OF PROGRAM.] *The school board of any district, with the approval of the state board of education, may terminate a flexible school year program in one or more of the schools or residential facilities for handicapped children within the district. This section shall not be construed to permit an exception to Minnesota Statutes, Section 120.10 or Minnesota Statutes, Section 124.19.*"

Page 6, line 5, strike "year-round" and insert "flexible school year"

Page 7, line 15, after "days" insert "or their equivalent"

Page 7, line 16, strike "effective the 1970-71 school year and thereafter"

Page 8, line 4, after "session" strike ", and (2) expend for teachers' salaries not" and insert a period

Page 8, strike lines 5 through 14

Page 8, after line 14, insert a new section as follows:

"Sec. 13. Minnesota Statutes, 1973 Supplement, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and inter-session classes of ~~year-round~~ *flexible school year* programs in elementary and secondary schools, and summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school shall be paid at a proportionate rate for aids paid during the regular school term."

Page 8, line 15, strike everything after "Sec. 13." and insert "Minnesota Statutes, 1973 Supplement, Section 124.222,"

Page 8, line 19, strike "year-round program" and insert "flexible school year"

Page 8, line 27, strike "YEAR-ROUND" and insert "FLEXIBLE YEAR"

Page 9, line 1, strike "year-round" and insert "flexible school year"

Page 9, line 3, after "year" strike "if agreeable to the parties. No contract entered into" and insert "through mutual consent, and provided that either

(i) one contract per teacher shall cover a period of consecutive full time employment at least equivalent to a full school year as set forth in Minnesota Statutes, Section 124.19, which contract shall be covered by the provisions of this section, while supplementary

contracts for additional time shall not be covered by the provisions of this section unless expressly so declared therein, or

(ii) the sum of the number of days in the contracts entered into by an individual teacher during any number of successive school years within a five year period which, when added together, equal or exceed the number of days in a full school year as defined in Minnesota Statutes, Section 124.19, shall constitute a full year's employment for purposes of establishing and retaining tenure under the provisions of Subdivisions 3 and 4 of this section, and any teacher who has established tenure rights thereunder shall be entitled, upon delivery of a written demand therefor to the superintendent of schools on or before April 1, to a full school year contract, if available, as specified in clause (i) above."

Page 9, strike lines 4 through 7

Page 9, after line 7, insert the following:

"Sec. 15. Minnesota Statutes 1971, Section 125.17, is amended by adding a subdivision to read:

Subd. 3a. [FLEXIBLE SCHOOLS.] Notwithstanding the foregoing provisions, teachers in any district operating flexible year elementary or secondary school programs may enter into more than one contract during any calendar or school year through mutual consent, and provided that either

(i) one contract per teacher shall cover a period of consecutive full time employment at least equivalent to a full school year as set forth in Minnesota Statutes, Section 124.19, which contract shall be covered by the provisions of this section, while supplementary contracts for additional time shall not be covered by the provisions of this section unless expressly so declared therein, or

(ii) the sum of the number of days in the contracts entered into by an individual teacher during any number of successive school years within a five year period which, when added together, equal or exceed the number of days in a full school year as defined in Minnesota Statutes, Section 124.19, shall constitute a full year's employment for purposes of establishing and retaining tenure under the provisions of subdivisions 3 and 4 of this section, and any teacher who has established tenure rights thereunder shall be entitled, upon delivery of a written demand therefor to the superintendent of schools on or before April 1, to a full school year contract, if available, as specified in clause (i) above."

Page 9, line 14, reinstate the stricken word "Every"

Page 9, line 15, reinstate the stricken language through the word "school holiday" and insert a period after "holiday"

Page 9, line 18, after "year" and before "on" insert "and the calendar for the school year"

ReNUMBER the sections in sequence

Further amend the title as follows:

Line 3, strike "year-round" and insert "flexible"

Line 4, after "school" insert "year"

Line 8, after "subdivision;" insert "125.17, by adding a subdivision;"

Lines 9 and 10, strike "and Laws 1973, Chapter 683, Section 11, Subdivision 3." and insert "Minnesota Statutes, 1973 Supplement, Sections 124.20; and 124.222, Subdivision 3."

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

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

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

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

Page 1, line 8, before "The" insert "Notwithstanding any other law,"

Page 1, line 8, strike "The official" and insert "any public officer"

Page 1, line 10, after "use" insert ", subject to the approval of the commissioner of administration or the state auditor,"

Page 1, line 10, strike "creation" and insert "compilation"

Page 1, line 12, after "records" insert a comma and strike the rest of the line

Page 1, strike lines 13 to 14

Page 1, line 16, strike "the" at the end of the line

Page 1, line 17, strike "dissemination of" and insert "access to"

Page 1, line 17, strike "to" at the end of the line and insert "by"

Page 1, line 18, strike "specified" and insert "authorized"

Page 1, line 18, strike "legal"

Page 1, line 21, strike "and security"

Page 1, after line 22, insert the following new sections:

"Sec. 2. [APPROVAL OF ALTERNATE METHOD.] At least 90 days prior to the date upon which he proposes to put into effect an alternate method of compilation, maintenance, and storage of records, the public official shall submit a description of the proposed method and the reasons for adopting it to the commissioner of administration, in the case of records of statewide significance, or to the state auditor, in the case of records of less than statewide significance. If the commissioner of administration or the state auditor finds that the proposed method complies with the conditions specified in section 1, he shall



approve its use; if not, he shall disapprove its use. A failure of the commissioner of administration or state auditor to act before the date upon which the public official proposes to put the alternative method into effect shall be deemed a disapproval of that method.

Sec. 3. [NOTICE OF ALTERNATIVE METHOD.] Whenever the commissioner of administration or the state auditor approves an alternate method of compilation, maintenance and storage, he shall maintain a written notice of that approval, the date of taking effect of the alternate method, a description of the method and the reasons for its adoption in his office as a public record. In the case of a record having less than statewide significance, the public official having jurisdiction over the records shall file a written notice containing the same information as the notice maintained by the auditor with the county auditor, clerk or other similar recording officer of the affected governmental subdivision and such notices shall also be maintained as public records.

Sec. 4. [RECORDS NOW IN USE.] Notwithstanding section 1, any public official using an alternate method of compilation, maintenance and storage of a record on the effective date of this act may continue to use that alternate method unless and until that method is expressly disapproved by the commissioner of administration or the county auditor. Such an official shall file a description of the method and the reasons for its use on or before the effective date of this act. Failure of the commissioner of administration or state auditor to approve or disapprove such a method within 90 days shall be deemed an approval. Notice of such methods shall be filed as required in section 3."

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

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

S. F. No. 2875: A bill for an act relating to the city of Marshall; authorizing land acquisition and development to promote industry and alleviate unemployment.

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

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

S. F. No. 2730: A bill for an act relating to the town of Rapidan in Blue Earth county; conferring certain powers on the town.

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

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

S. F. No. 2862: A bill for an act relating to public indebtedness; amending Minnesota Statutes 1971, Section 475.52, Subdivision 4.

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

Page 1, line 13, strike "*such*" and insert "*town*"

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

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

S. F. No. 2967: A bill for an act relating to the city of Ellendale; authorizing it to issue bonds.

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

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

H. F. No. 2827: A bill for an act relating to partition fences; partition fences running into water; repealing Minnesota Statutes 1971, Section 344.15.

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

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

S. F. No. 2682: A bill for an act relating to the city of Upsala; validating certain proceedings of the city preliminary to and in the issuance and sale of certain general obligation bonds.

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

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

S. F. No. 2498: A bill for an act relating to the village of Hibbing; taxation; levy for library purposes.

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

Page 1, line 5, strike "*VILLAGE*" and insert "*CITY*"

Page 1, line 8, strike "*village*" and insert "*city*"

Page 1, line 8, strike "*special*"

Page 1, line 15, strike "*1973*" and insert "*1974*"

Page 1, line 16, strike "1974" and insert "1975"

Page 1, after line 16, insert a new section as follows:

"Sec. 3. This act takes effect when approved by the city council of the city of Hibbing and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, strike "village" and insert "city"

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

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

S. F. No. 2842: A bill for an act relating to public health; authorizing school nurses and other qualified persons to take throat cultures for the purpose of detecting streptococcus infections.

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

Page 1, line 15, after the period insert:

"A nominal charge may be made by the school board to cover the cost of materials and laboratory fees."

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

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

S. F. No. 2881: A bill for an act relating to taxation; increases in valuation for property tax purposes; amending Minnesota Statutes 1971, Section 273.11, Subdivision 2, as added.

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, 1973 Supplement, Section 273.11, Subdivision 1, is amended to read:

273.11 [VALUATION OF PROPERTY.] ~~Subdivision 1. Except as provided in subdivision 2,~~ All property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and

at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 273.11, Subdivisions 2, 3, 4, and 5 are repealed.

Sec. 3. This bill is effective for taxes payable in 1975."

Further, amend the title as follows:

Page 1, line 2, strike "increases in"

Line 4, strike "1971" and insert ", 1973 Supplement"

Line 5, strike "2, as added" and insert "1; repealing Minnesota Statutes, 1973 Supplement, Section 273.11, Subdivisions 2, 3, 4, and 5"

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

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

S. F. No. 2582: A bill for an act relating to energy; establishing a division of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; imposing an energy surcharge tax; prescribing penalties; and appropriating money.

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

Page 2, lines 5 to 9, strike subdivisions 2 and 3 and insert:

"Subd. 2. "Agency" means the intergovernmental agency on energy as provided in this act.

Subd. 3. "Commission" means the legislative commission on energy."

Page 2, after line 9, insert:

"Subd. 4. "Director" means the director of the intergovernmental agency on energy."

Renumber the subdivisions accordingly.

Page 2, line 24, strike "30,000" and insert "100,000"

Page 2, line 27, after "84.57," insert "any facility designed or capable of serving as a depot for coal transported into this state for transshipment from the state"

Page 3, strike line 6 and insert "this state in the wholesale distribution of coal or transportation into this state of any coal intended for use or distribution in the state or transshipment from the state."

Page 3, strike line 7

Page 3, line 11, after "synthetic" insert "natural"

Page 3, line 13, after "utility." at the end of the line, insert:

"The director shall establish by regulation output or capacity thresholds to exempt any utility from the requirements of this act whose output or capacity has no significant effect on energy supply in this state."

Page 3, line 15, strike "permanent equipment"

Page 3, line 16, strike "structures" and insert "enlarge a large energy facility"

Page 3, strike lines 18 to 23

Page 3, strike lines 24 to 28 and insert:

"Sec. 3. [CREATION OF AGENCY.] Subdivision 1. There is hereby created in the executive branch the intergovernmental agency on energy.

Subd. 2. The agency shall be under the supervision of the director who shall organize the agency and employ such other officers, agents and employees as are necessary to carry out the functions of the agency. Duties of such officers, agents and employees shall be as specified by the director.

Subd. 3. The director shall be appointed by the governor by and with the advice and consent of the senate, to a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and qualified. In appointing the director the governor should give due consideration to the listing of names submitted by the commission pursuant to section 4. The director shall serve at the pleasure of the governor.

A vacancy in the office of director shall be filled by the governor and the new appointee shall immediately take office and carry out all duties until the next session of the legislature when his appointment shall be submitted to the senate for confirmation.

The director may appoint a deputy who shall serve at his pleasure. The salary of the deputy shall be fixed by the director unless otherwise expressly provided for by law. The deputy may be authorized by the director to perform every duty, power and responsibility imposed on the director unless expressly forbidden by law. The director and his deputy shall serve in the unclassified service and shall be members of the Minnesota state retirement system.

Sec. 4. [CREATION OF COMMISSION; DUTIES.] Subdivision 1. There is hereby created by the legislature a legislative commission on energy.

The commission shall be composed of three members from the senate, two to be appointed by the majority leader and one to be appointed by the minority leader; and three members from the house, two to be appointed by the speaker and one to be appointed by the minority leader, and three public members to be appointed by the governor, no more than two to be of the same political party. The commission shall appoint an executive secretary to serve at its pleasure.

Subd. 2. The director of the office of legislative research shall serve as executive director of the commission. The commission shall utilize the office of legislative research and employ and specify the duties of such other officers, agents and employees as are necessary to carry out its functions.

Subd. 3. The commission shall:

(a) submit to the governor a listing of ten persons whom it recommends for appointment as director;

(b) review and evaluate policies adopted by the agency;

(c) coordinate with the director of the agency and assist him in determining energy policies;

(d) assist the director in eliminating duplication in effort among governmental departments and agencies involved in energy activities;

(e) assist the director in charging governmental departments with specific information gathering goals and report such goals to the legislature and governor;

(f) consult with the director and the agency on all matters regarding energy conservation;

(g) routinely advise the director and the agency regarding the exercise of their other duties under this act;

(h) continuously evaluate the energy policies of the state;

(i) review and comment upon the other activities of the agency;

(j) re-evaluate the report of the agency submitted pursuant to section 10;

(k) recommend to the governor and the legislature any future energy legislation which it considers necessary or desirable;

(l) submit an annual report of its activities to the governor and the legislature.

(m) include in its report to the 1975 legislative session and to the governor its assessment of the scope of the energy shortage in Minnesota and of the need for creating a permanent independent agency on energy; and

(n) hold public bi-monthly meetings to carry out its duties under this act."

Strike all of page 4

Page 5, strike lines 1 to 19

Page 5, strike lines 20 to 25 and insert the following:

"Sec. 5. [CONFLICT OF INTEREST.] No person during his term as director shall receive any substantial portion of his income directly or indirectly from any utility, coal or petroleum supplier, or the sale or manufacture of any major component of a large energy facility. No person shall be eligible to be appointed director unless and until he divests himself of any interest or abandons any employment which produces such a substantial portion of his income."

Page 5, line 26, strike "division" and insert "agency"

Page 5, line 28, strike "division" and insert "agency or committee"

Page 5, line 28, strike "or" at the end of the line

Page 6, line 1, strike "other beneficial"

Page 6, strike lines 2 to 6

Page 6, line 7, strike "Subd. 5." and insert "Sec. 6. [JURISDICTION.] Subdivision 1."

Page 6, line 7, strike "division" and insert "agency"

Page 6, line 9, after "act." insert: "Other laws notwithstanding, the authority granted the agency shall supersede the authority given any other agency whenever overlapping, duplication or additional administrative or legal procedures might occur in the administration or enforcement of this act."

Page 6, line 9, strike "The commissioner will consult with the other" and insert "The director shall consult with other state departments or agencies in matters related to energy and shall contract with them to provide appropriate services to effectuate the purposes of this act"

Page 6, strike lines 10 to 12

Page 6, line 13, strike "the provisions of this act"

Page 6, line 13, strike "division" and insert "department, agency"

Page 6, line 17, strike "division" and insert "agency"

Page 6, line 19, strike "commissioner" and insert "director"

Page 6, line 20, strike "his division" and insert "the agency"

Page 6, line 21, strike "insure minimum" and insert "eliminate"

Page 6, line 23, after "energy." insert:

"The commissioner of administration shall, if and to the extent he deems it efficient and beneficial, transfer to the agency, pursuant to Minnesota Statutes, Sections 16.125, 16.13 and 16.135, the functions, employees or work of any agency of the state if such functions or work relate to or if such employees are engaged in matters which fall within the jurisdiction of the agency pursuant to this act."

Page 6, line 24, after "DUTIES" insert "OF THE AGENCY"

Page 6, line 25, strike "commissioner" and insert "director"

Page 6, line 26, strike "division" and insert "agency"

Page 6, after line 28, insert:

(b) charge other governmental departments and agencies involved in energy related activities with specific information gathering goals, require that those goals be met, and report such goals to the commission;"

Page 7, after line 25, insert:

"(j) report to the committee and provide the committee with all forecasts, statistics and other data compiled by it in carrying out its duties under this act;"

Page 7, line 27, strike "commissioner" and insert "director"

Reletter the clauses in sequence

Page 7, line 28, after "POWERS" insert "OF THE AGENCY"

Page 7, line 28, strike "commissioner" and insert "director"

Page 8, line 1, strike "pursuant to chapter 15" and insert "necessary to carry out the purposes of this act;"

Page 8, strike line 2

Page 8, line 3, strike "and do all things necessary to" and insert "pursuant to this act"

Page 8, line 4, strike "cooperate with the United States government"

Page 8, line 4, strike "to"



Page 8, line 5, strike "public or"

Page 8, line 6, after "act" insert ". Notwithstanding any other law, the agency is designated the state agency to apply for, receive and accept federal funds made available to the state for the purposes of this act"

Page 8, line 9, strike "division" and insert "agency"

Page 8, strike line 13 and insert: "(c) Furnish informational material without charge upon reasonable request."

Page 8, strike line 14

Page 8, line 15, strike "ENERGY"

Page 8, strike lines 16 to 28 and insert the following:

"Subdivision 1. Within nine months after the effective date of this act, the director shall prepare and issue an emergency conservation and allocation plan in the manner set forth in subdivision 2. Such plan shall provide a variety of strategies and staged conservation measures to reduce energy use in the event of sudden or serious shortage and shall establish guidelines and criteria for allocation of fuels to priority users in a shortage situation. The plan shall contain alternative conservation actions and allocation plans to reasonably meet various foreseeable shortage circumstances and allow a choice of appropriate responses. The plan shall be consistent with requirements of federal emergency energy conservation and allocation laws and regulations and shall:

(a) Give priority to persons who demonstrate they have engaged in energy-saving measures and shall include provisions to insure that:

(1) immediate allocations to persons be based on needs at energy conservation levels;

(2) successive allocations to persons be based on needs after implementation of required action to increase energy conservation;

(3) needs of individuals and institutions are adjusted to insure the health and welfare of the young, old and infirm;

(b) Insure maintenance of reasonable job safety conditions and avoid environmental sacrifices, provided that if no feasible and prudent alternative exists, minimum easing of short range environmental goals and standards, consistent with human health, in specific cases for minimum specific periods of time shall be permitted;

(c) Establish procedures for fair and equitable review of complaints and requests for special exemptions regarding emergency conservation measures or allocations.

Subd. 2. Within four months after the effective date of this act, the director shall circulate, in a manner designed to assure widespread public notice, a tentative plan of energy conservation measures and allocation priorities and criteria, and shall solicit, in a time, form and manner prescribed by him, public comments thereon. Further the director may require all utilities, coal suppliers and petroleum suppliers to comment thereon, as prescribed by him, and

to submit suggested emergency conservation measures and allocation criteria. The director may by written order, to the extent he deems appropriate, require joint preparation and submission of such comments and proposals by utilities, coal suppliers and petroleum suppliers. Industry participants in such cooperative planning, acting at the request of the director, shall be deemed thereby to have performed actions permitted by a regulatory body acting under authority of this state within the meaning of chapter 325.8017, subdivision 2. In the process of soliciting public comments on the tentative plan, the director shall hold at least five public meetings in various geographical areas of the state to insure easy public comment. The final plan shall be based on comments received from the public and utilities, coal suppliers and petroleum suppliers, the independent evaluation and analysis of the director and the guidelines set forth in subdivision 1.

Subd. 3. At least once every five years and whenever construction of a large new energy facility is completed which affects the supply of energy in Minnesota, the director shall review the emergency conservation and allocation plan.

Subd. 4. Upon a declaration of an energy supply emergency or serious fuel shortage by the executive council or concurrent resolution of the legislature, the director shall, in accordance with those provisions of the emergency conservation and allocation plan as specified in the resolution declaring the emergency, restrict the use of or limit the availability of any form of energy to avoid impending serious shortages of energy supplies and to protect the public health, safety, and welfare. The division of civil defense shall, at the direction of the director, implement and enforce the emergency conservation allocation plan and each person shall carry out the responsibilities specified in the plan. Violation of any provision of such required emergency conservation or allocation requirements shall be deemed a violation of this act and the rules or regulations thereunder for purposes of enforcement pursuant to section 13 hereof."

Page 9, strike lines 1 to 19

Page 9, line 22, strike "commissioner" and insert "director"

Page 10, line 2, strike "commissioner" and insert "director"

Page 10, line 7, strike "throughout the state" and insert "within their respective service areas"

Page 10, line 10, strike "commissioner" and insert "director"

Page 10, line 11, strike "commissioner" and insert "director"

Page 10, line 12, strike "commissioner" and insert "director"

Page 10, line 19, strike "division" and insert "agency"

Page 10, line 20, strike "commissioner" and insert "director"

Page 10, line 27, strike "commissioner" and insert "director"

Page 10, line 28, after "governor" insert ", commission"

Page 11, line 11, strike "commissioner" and insert "director"

Page 11, line 16, strike "commissioner" and insert "director"

Page 12, line 2, strike "division's" and insert "agency's"

Page 12, line 8, strike "commissioner" and insert "director"

Page 12, line 8, strike "energy"

Page 12, line 9, strike "advisory committee" and insert "commission"

Page 12, line 10, strike "hearing" and insert "meeting"

Page 12, line 11, strike "hearing" and insert "meeting"

Page 12, line 13, strike "commissioner" and insert "director"

Page 12, line 15, strike "The"

Page 12, strike lines 16 to 19 and insert: "When legislation to insure the efficient use of energy and to minimize unnecessary energy consumption is enacted, the director shall have the authority to promulgate rules and regulations for the administration of such laws."

Page 12, line 20, strike "commissioner" and insert "director"

Page 12, line 21, after "governor" insert ", the commission"

Page 12, line 26, strike "commissioner" and insert "director"

Page 13, line 5, strike "commissioner" and insert "director"

Page 13, line 9, strike "In assessing need, the commissioner" and insert "The criteria for assessing need"

Page 13, line 10, strike "evaluate" and insert "include"

Page 13, line 13, strike "possible" and insert "pending"

Page 13, line 27, strike "views" and insert "policies, rules and regulations"

Page 14, line 1, strike "Any utility may" and insert "After promulgation of the criteria for assessment of need each utility, coal supplier, and petroleum supplier in the state shall"

Page 14, line 2, strike "to construct" and insert "prior to the construction of"

Page 14, line 4, strike "commissioner" and insert "director"

Page 14, line 5, strike "commissioner" and insert "director"

Page 14, line 5, strike "pursuant" and insert "after notice to all"

Page 14, line 6, strike "to chapter 15" and insert "interested persons"

Page 14, line 7, strike "Within" and insert "No later than"

Page 14, line 7, after "months" strike "of" and insert "after"

Page 14, line 8, strike "commissioner" and insert "director"

Page 14, line 8, after "approve" insert a comma and strike "or"

Page 14, line 8, after "deny" insert "or approve subject to modification"

Page 14, line 11, strike "Issuance of the"

Page 14, strike lines 12 and 13 and insert the following subdivisions:

"Subd. 6. To assure the paramount and controlling effect of the provisions herein over other state agencies, regional, county and local governments and special purpose government districts, the determinations of the director and issuance of certificates of need shall be the sole and exclusive prerogative of the director, and said determinations and certificates shall be binding upon other state agencies, regional, county and local governments and special purpose government districts.

Subd. 7. Any person subject to federal legislation requiring, with respect to the construction of interstate pipeline facilities or interstate electrical transmission lines, a certificate comparable to that provided for herein shall be deemed to have complied with this section upon filing with the director a copy of the certificate issued by the responsible federal agency."

Renumber the remaining subdivision

Page 14, line 16, strike "commissioner" and insert "director"

Page 14, line 16, strike "pursuant to"

Page 14, line 17, strike "chapter 15 and this act,"

Page 14, line 18, strike "output of the facility and the difficulty" and insert "cost"

Page 14, strike lines 21 to 28

Page 15, strike lines 1 to 4

Page 15, line 5, strike "commissioner" and insert "director"

Page 15, line 10, after "record." insert "If a person does not comply with a subpoena, the director may apply to the district court of Ramsey County and the court shall compel obedience to the subpoena by a proper order. A person failing to obey the order is punishable by the court as for contempt."

Page 15, line 24, strike "commissioner" and insert "director"

Page 16, after line 5, insert the following:

"Sec. . Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2, is amended to read:

Subd. 2. The council shall include as permanent members the director of the state planning agency, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the executive officer of the department of health, the commissioner of highways, *the director of the inter-governmental agency on energy*, a representative of the governor's office designated by the governor, the chairman of the citizens

advisory committee, and three other members of the citizens advisory committee as designated by the governor."

Page 16, line 6, strike "\$500,000" and insert "\$300,000"

Page 16, line 7, strike "division of energy" and insert "Minnesota intergovernmental agency on energy"

Page 16, line 8, strike "in the department of public service"

Page 16, line 9, after "act." insert "The sum of \$30,000 is appropriated from the general fund to the legislative commission on energy for the purposes of this act. Notwithstanding Minnesota Statutes, Section 16.17 or other law, this appropriation shall cancel June 30, 1975."

Page 16, line 10, strike "Section 14 is effective the" and insert "This act is effective the day following final enactment."

Page 16, strike lines 11 to 18

Page 16, after line 18, insert the following new section:

"Sec. . [EXPIRATION DATE.] The provisions of this act shall expire June 30, 1979 unless renewed by the legislature."

Renumber the sections in sequence

Further amend the title as follows:

Line 2, strike "a" and insert "an intergovernmental agency on energy"

Line 3, strike "division of energy"

Line 15, before the period, insert "; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2"

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

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

S. F. No. 1427: A bill for an act relating to contracts; providing, on the termination of certain contracts, for the repurchase of implements, machinery, attachments and parts held for retail sale.

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

Page 1, line 13, after "contract" insert " , sales agreement or security agreement"

Page 1, line 14, strike "such" and insert "the"

Page 1, line 17, after "thereafter" insert "the written contract, sales agreement or security agreement is terminated, cancelled or discontinued, then the"

Page 1, line 18, strike "either such"

Page 1, line 18, after "distributor" strike "or" and insert "shall pay to"

Page 1, line 19, strike all the language after "retailer" and insert "or credit to the retailer's account, if the retailer has outstanding any sums owing the"

Page 1, line 20, strike "shall pay to such"

Page 1, line 21, strike "retailer"

Page 1, line 21, after "desire" insert "and has a contractual right"

Page 1, line 24, after "attachments" insert "in new condition which have been purchased by the retailer from the wholesaler, manufacturer or distributor within the 24 months immediately preceding notification by either party of intent to cancel or discontinue the contract"

Page 1, line 25, strike "such" and insert "the"

Page 1, line 25, after "retailer," insert "or invoiced to retailer's account by the wholesaler, manufacturer or distributor"

Page 1, line 25, strike "85" and insert "80"

Page 1, line 26, after "superseded" insert "or obsolete"

Page 1, line 27, after "catalogs" insert "in use by the wholesaler, manufacturer or distributor on the date of cancellation or discontinuance of the contract,"

Page 1, line 28, after "purchased" insert "by the retailer"

Page 1, line 28, strike "such" and insert "the"

Page 1, line 29, after "and" insert "are"

Page 1, line 29, strike "such" and insert "the"

Page 1, line 30, strike "such" and insert "the"

Page 2, line 1, strike "such" and insert "the"

Page 2, line 3, strike "such" and insert "the"

Page 2, line 3, after "retailer" insert "or credit to his account"

Page 2, line 6, strike "such" and insert "the"

Page 2, line 7, before the period insert "unless the wholesaler, manufacturer or distributor elects to perform inventorying, packing and loading of the parts itself"

Page 2, line 7, after "payment" insert "or allowance of credit to the retailer's account"

Page 2, line 7, strike "equal to 100"

Page 2, strike lines 8 through 19 and insert "required by this subdivision, the title to the farm implements, farm machinery, attachments or repair parts shall pass to the manufacturer, wholesaler or distributor making the payment or allowing the

credit and the manufacturer, wholesaler or distributor shall be entitled to the possession of the farm implements, machinery, attachments or repair parts. However, this section shall not in any way affect any security interest which the wholesaler, manufacturer or distributor may have in the inventory of the retailer."

Page 2, strike all of subdivision 2 and insert:

"Subd. 2. [PROVISIONS OF CONTRACT SUPPLEMENTED.] The provisions of this section shall be supplemental to any agreement between the retailer and the manufacturer, wholesaler or distributor covering the return of farm implements, machinery, attachments and repair parts. The retailer can elect to pursue either his contract remedy or the remedy provided herein, and an election by the retailer to pursue his contract remedy shall not bar his right to the remedy provided herein as to those farm implements, machinery, attachments and repair parts not affected by the contract remedy. Notwithstanding anything contained herein, the rights of a manufacturer, wholesaler or distributor to charge back to the retailer's account amounts previously paid or credited as a discount incident to the retailer's purchase of goods shall not be affected. Further, any repurchase hereunder shall not be subject to the provisions of the bulk sales law."

Page 3, strike line 1.

Page 3, line 20, strike "such" before "dealership" and insert "the"

Page 3, line 20, before "merchandise" strike "such" and insert "the"

Page 3, line 22, strike "such" and insert "the"

Page 3, line 23, strike "such" and insert "the"

Page 3, line 24, after "of" insert "the"

Page 4, line 5, strike "such" and insert "the"

Page 4, line 6, insert a comma after "section" and strike the remaining language in that line

Page 4, strike all of lines 7 through 11

Page 4, line 12, strike "wholesaler or distributor, such"

Page 4, line 12, insert "the" before "manufacturer,"

Page 4, line 14, strike "such" and insert "the"

Page 4, line 15, strike "such" and insert "the"

Page 4, line 17, strike "85" and insert "80"

Page 4, line 18, after "handling" insert " , packing"

Page 4, line 18, after "loading" insert " , if applicable."

Page 4, strike all of line 19.

Page 4, strike all of subdivision 6, and insert:

"Subd. 5. [EXCEPTIONS.] This act shall not require the repurchase from a retailer of a repair part where the retailer previously has failed to return the repair part to the wholesaler, manufacturer or distributor after being offered a reasonable opportunity to return the repair part at a price not less than 80 percent of the net price of the repair part as listed in the then current price list or catalog. This act shall not require the repurchase from a retailer of repair parts which have a limited storage life or are otherwise subject to deterioration, such as rubber items, gaskets and batteries; repair parts in broken or damaged packages; single repair parts priced as a set of two or more items; and repair parts which because of their condition are not resalable as new parts without new packaging or reconditioning.

Subd. 6. [DEFINITION.] For the purposes of this act "farm implements" mean every vehicle designed or adapted and used exclusively for agricultural operations and only incidentally operated or used upon the highways.

Subd. 7. [EFFECTIVE DATE.] The effective date of this act is July 1, 1974."

Renumber subdivisions in sequence.

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

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.

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

Page 1, line 15, strike "under" and insert "as determined by the tests conducted by the environmental protection agency"

Page 1, line 16, strike "ordinary city driving conditions"

Page 1, line 18, after "mileage" insert "and that the addition of accessories may decrease gas mileage"

Page 1, line 18, strike "All information contained on"

Page 1, strike all of lines 19 and 20

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

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

S. F. No. 2251: A bill for an act relating to public welfare; providing supplemental categorical aid to certain persons after December 31, 1973 to maintain levels of aid existing on that date; appropriating money.



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

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

**"Section 1. [CATEGORICAL AID PROGRAMS; PROVISION FOR CONTINUING PAYMENTS.]** Subdivision 1. Commencing January 1, 1974, the commissioner of public welfare shall certify to each county the amount of aid each eligible county resident received per pay period prior to December 31, 1973 pursuant to a categorical aid program of old age assistance, aid to the blind, or aid to the disabled. From and after January 1, 1974, each county shall advance to the commissioner of public welfare one half of the amount by which aid paid to the county resident by the county, the state, and the United States prior to January 1, 1974 exceeds the amount of aid paid to the individual after December 31, 1973 by the United States pursuant to 42 U.S.C. Section 1381. The commissioner of public welfare shall forward all such sums received from the counties, together with an equal state share, to the appropriate department of the United States for disbursement.

**Subd. 2. [OPTIONAL FISCAL PROCEDURE.]** The commissioner of public welfare may, by rule and regulation, establish alternate fiscal procedures by which the amount of individual county liability established under this section may be deducted from the state liability to the county incurred under any other public assistance program authorized by law.

**Subd. 3. [PROVISIONS FOR RE-CALCULATIONS OF SUPPLEMENTAL AID IN CASES OF CHANGED CIRCUMSTANCES.]** An individual who is eligible for supplemental aid under this section may, if his or her circumstances change substantially after January 1, 1974, have the amount of his or her supplemental aid recalculated by the county welfare board in accordance with the standards for shelter, food, clothing, personal needs, household supplies, utilities, and recurring special needs in effect for the appropriate categorical aid program in December, 1973. No individual shall experience a decrease in the amount of his or her original supplemental aid as a result of a recalculation under this section. Any increase in the individual's supplemental aid which results from a recalculation shall be administered pursuant to the provisions of section 2.

**Sec. 2. [NEW ENROLLEES; PROVISION FOR SUPPLEMENTS.]** Subdivision 1. For all recipients of supplemental security income provided by the United States pursuant to 42 U.S.C. Section 1381 who were not enrolled in any categorical aid program referred to in section 1 on December 31, 1973 and who make application to the appropriate county welfare board, each county welfare board shall determine whether the recipient meets the relevant eligibility criteria in effect December 31, 1973 for the appropriate categorical aid program. For any recipient who meets the eligibility criteria in effect December 31, 1973, the county welfare board shall certify to the commissioner of public welfare the amount which the individual would have received in accordance with the standards for shelter, food, clothing, personal needs,

household supplies, utilities, and recurring special needs in effect for the categorical aid program in December, 1973. From and after the first of the month in which a successful application was filed, the state shall advance to the county one half of the amount by which the amount certified by the county exceeds the amount of aid paid to the recipient after December 31, 1973 by the United States pursuant to 42 U.S.C. Section 1381. The county shall forward each sum received, together with an equal county share, to the appropriate recipient.

Subd. 2. The state shall pay one half of the administrative costs incurred by the county under this section and not otherwise reimbursed by federal or state funds.

Sec. 3. No recipient of supplemental aid granted pursuant to this act shall experience a decrease in the amount of his or her supplement as a result of any increase authorized or effective on or after January 1, 1974 in the amount of aid paid to the recipient by the United States pursuant to 42 U.S.C. Section 1381.

Sec. 4. The commissioner of public welfare shall promulgate all rules and regulations necessary to carry out the provisions of this act.

Sec. 5. [ADMINISTRATIVE AND JUDICIAL REVIEW.] Any applicant or recipient aggrieved by any order or determination by the county welfare board may appeal the order or determination in the manner provided by Minnesota Statutes, 1973 Supplement, Section 245A.12.

Sec. 6. [SPECIAL 1974 FISCAL PROCEDURES.] Notwithstanding any law to the contrary, any county board of commissioners may, by majority vote at any time following the effective date of this act, transfer surplus funds to the appropriate fund for purposes of this act; and it may immediately levy taxes and issue certificates of indebtedness in anticipation of collection of said taxes, for the purpose of providing money necessary to pay supplemental aid as required by this act during the calendar year 1974.

Sec. 7. Minnesota Statutes, 1973 Supplement, Section 261.063 is amended to read:

261.063 [TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.] The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for poor relief, general assistance, aid to dependent children, *county supplementation of supplemental security income recipients*, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

Sec. 8. There is appropriated from the general fund to the de-

partment of public welfare \$\_\_\_\_\_ for the purposes of this act.

Sec. 9. This act shall be effective the day following enactment; provided, however, that payments authorized under section 1 shall be made retroactive to January 1, 1974."

Amend the title as follows:

Page 1, line 3, strike "categorical"

Page 1, strike lines 4 and 5 and insert "supplemental security income recipients after December 31, 1973"

Page 1, line 6, strike "date"

Page 1, line 6, after the semicolon insert "providing a penalty for failure to levy taxes for the purposes of county supplementation of supplemental security income recipients;"

Page 1, line 6, after "money" and before the period, insert "amending Minnesota Statutes, 1973 Supplement, Section 261.063"

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

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

S. F. No. 1569: A bill for an act relating to labor; removing prohibition on certain employment of females under 16 years of age; amending Minnesota Statutes 1971, Section 181.40.

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. 2873 for comparison to companion Senate File, 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.
		2873	2727		

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 referred

H. F. No. 1136 for comparison to companion Senate Files, reports the following House File was found to have no companion

Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 1136 to the Committee on Labor and Commerce.

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

### SECOND READING OF SENATE BILLS

S. F. Nos. 2257, 2400, 2600, 2691, 2605, 2469, 2488, 2398, 2750, 2857, 2295, 2822, 2627, 2516, 2875, 2730, 2862, 2967, 2682, 2498, 2842, 2881, 1427, 2771 and 1569 were read the second time.

### SECOND READING OF HOUSE BILLS

H. F. Nos. 2502, 2715, 2827 and 2873 were read the second time.

### MOTIONS AND RESOLUTIONS

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

Mr. North moved that the names of Messrs. McCutcheon and Kirchner be added as co-authors to S. F. No. 2885. The motion prevailed.

Mr. Tennesen moved that S. F. No. 1776, No. 3 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Conzemius moved that S. F. No. 1310 be taken from the table. The motion prevailed.

### CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 1310 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1310: A bill for an act relating to taxation; assessment of personal property of electric light and power companies; amending Minnesota Statutes 1971, Section 273.38.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Gearty	Keefe, S.	Lewis
Arnold	Conzemius	Hansen, Baldy	Kirchner	Lord
Ashbach	Davies	Hansen, Mel	Kleinbaum	McCutcheon
Bang	Doty	Hanson, R.	Kowalczyk	Milton
Bernhagen	Dunn	Hughes	Krieger	Moo
Blatz	Fitzsimons	Humphrey	Larson	North
Chmielewski	Frederick	Josefson	Laufenburger	Novak

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

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Sillers moved that his name be stricken as co-author to S. F. No. 2913. The motion prevailed.

Mr. Arnold moved that S. F. No. 2763 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Arnold moved that S. F. No. 2734 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Purfeerst moved that the name of Mr. Olhoff be added as co-author to S. F. No. 2701. The motion prevailed.

Mr. Arnold moved that S. F. No. 3032 be withdrawn from the Committee on Natural Resources and Agriculture and re-referred to the Committee on Transportation and General Legislation. The motion prevailed.

Mr. Conzemius moved that his name be stricken as chief author to S. F. No. 2251 and the name of Mr. Tennessee be added as chief author to S. F. No. 2251. The motion prevailed.

#### CALENDAR OF ORDINARY MATTERS

S. F. No. 2590: A bill for an act relating to Anoka county; authorizing the acquisition, development, and construction of nature centers; the operation thereof; and the issuance of bonds therefor.

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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Dunn, Frederick, Josefson and Patton voted in the negative.

So the bill passed and its title was agreed to.

## GENERAL ORDERS

The Senate resolved intself into a Committee of the Whole, with Mr. Spear in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Spear reported that the committee had considered S. F. No. 2231, also H. F. Nos. 1309, 483, 482, 1764, 952 which the committee recommends to pass.

S. F. No. 1665 and S. F. No. 1946 which the committee recommends be re-referred to the Committee on Finance.

S. F. No. 1815 which the committee reports progress, subject to the following motion:

Mr. Davies moved to amend S. F. No. 1815 as follows:

Page 2, line 2, after "(4)" insert "if upon motion made by a judgment creditor within six months of entry of a judgment and after notice and hearing a district court determines that extending the exemption from seizure or sale to the full value of the homestead would be unconscionable in the circumstances,"

Page 2, line 4, strike "\$25,000" and insert in lieu thereof "\$35,000"

Page 2, line 17, strike "A" and insert in lieu thereof: "If a judicial determination of unconscionability has been obtained pursuant to section 2, clause (4), a"

Page 2, line 18, after "homestead" strike "of" and insert in lieu thereof "or"

Page 6, strike line 4, insert in lieu thereof:

"Sec. 10. The provisions of section 2, clause (4) of this act do not apply to judgments obtained prior to the effective date of this act. This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

The committee then progressed S. F. No. 1815.

H. F. No. 2185 which the committee reports progress, subject to the following motion:

Mr. Olson, A. G. moved to amend H. F. No. 2185, as amended by the rule 49 amendment adopted by the Senate January 25, 1974, as further amended by Mr. Kleinbaum's amendment adopted January 30, 1974, as follows:

After "waterfowl" insert "and except for a person hunting small game or a trapper in territory open for the taking of deer with shotguns and slugs but not with rifles"

The motion prevailed. So the amendment was adopted.

The committee then progressed H. F. No. 2185.

S. F. No. 634 which the committee reports progress, subject to the following motions:

Mr. Hansen, Mel moved to amend S. F. No. 634 as follows:

On page 2, line 19, after "brand" insert "*, size and type of container*"

The motion prevailed. So the amendment was adopted.

Mr. Milton moved to amend S. F. No. 634 as follows:

Page 5, line 22, insert a new section 7 to read:

"Sec. 7. [TAX CREDIT.]

(a) A credit of 5 percent of the net cost of equipment which is installed and operated in Minnesota as a necessary means of complying with this act, as determined by the agency, may be deducted from the tax due under chapter 290 in the first year for which a depreciation deduction is allowed for the equipment. The credit allowed by this subdivision shall not exceed so much of the liability for the taxable year as does not exceed \$100,000.

(b) If the amount of the credit determined under (a) for any taxable year for which a depreciation deduction is allowed exceeds the limitation provided by (a) for such taxable year (hereinafter in this subdivision referred to as the "unused credit year"), such excess shall be,

(1) a credit carryback to each of the three taxable years preceding the unused credit year, and

(2) a credit carryover to each of the seven taxable years following the unused credit year.

The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the ten taxable years to which (by reason of (1) and (2)) such credit may be carried and then to each of the other nine taxable years; provided, however, the maximum credit allowable in any one taxable year under this subdivision (including the credit allowable under (a) and the carryback or carry-forward allowable under this paragraph) shall in no event exceed \$100,000.

(c) This section shall apply to property acquired in taxable years beginning after December 31, 1973.

(d) In determining the net cost of newly installed and operated equipment pursuant to clause (a), the agency shall subtract the economic benefits accruing to the bottler apart from the requirements of this act resulting from such installation and operation from the total cost of installation and operation."

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing for a tax credit;"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 6 and nays 52, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Kleinbaum	Milton	Schrom
Hansen, Baldy				

Those who voted in the negative were:

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

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

The question being taken on the committee recommendation to pass S. F. No. 634,

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

Those who voted in the affirmative were:

Bang	Conzemius	Humphrey	Moe	Olson, H. D.
Berg	Davies	Josefson	Nelson	Perpich, G.
Bernhagen	Doty	Keefe, J.	North	Schaaf
Borden	Dunn	Keefe, S.	Olhoft	Spear
Brown	Hansen, Mel	Lewis	Olson, A. G.	Willet

Those who voted in the negative were:

Anderson	Hansen, Baldy	Krieger	O'Neill	Solon
Arnold	Hanson, R.	Larson	Patton	Stassen
Ashbach	Hughes	Laufenburger	Perpich, A. J.	Stokowski
Blatz	Jensen	Lord	Pillsbury	Thorup
Chenoweth	Kirchner	McCutcheon	Purfeerst	Ueland
Chmielewski	Kleinbaum	Milton	Renneke	
Coleman	Knutson	Ogdahl	Schrom	
Frederick	Kowalczyk	Olson, J. L.	Sillers	

The committee then progressed S. F. No. 634.

H. F. No. 2332, which the committee recommends to pass with the following amendments offered by Mr. Tennesen:

Amend H. F. No. 2332, the typewritten bill, as amended under Rule 49 and adopted by the Senate January 25, 1974, as follows:

Strike the Rule 49 amendment and further amend H. F. No. 2332, the printed bill, as follows:

Page 1, line 3, strike "or her"

Page 1, line 7, strike "or her"

Page 2, line 23, strike "or her"

Page 3, line 1, strike "or she"

Page 3, line 2, strike "or her"

Page 3, line 26, strike the period and insert ", or"



Page 3, after line 26, insert

*"(f) The person has filed an affidavit pursuant to section 1 of this act."*

Page 3, line 27, strike *"Provided that such"* and insert *"This"*

Page 3, line 28, after *"terminated,"* insert *"whose notice of intention to retain parental rights filed pursuant to section 1 has been successfully challenged,"*

Mr. Tennesen then moved to amend H. F. No. 2332, the printed bill, as follows:

Page 1, line 6, strike *"Minnesota department"* and insert *"division"*

Page 1, line 7, after *"tics"* insert *"of the Minnesota department of health"*

Page 1, line 11, strike *"Minnesota"* and insert *"division"*

Page 1, line 12, strike *"department"*

Page 1, line 12, after *"statistics"* insert *"of the Minnesota department of health"*

S. F. No. 1530, which the committee recommends to pass with the following amendments offered by Messrs. Doty and Dunn:

Mr. Doty moved to amend S. F. No. 1530 as follows:

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

*"Section 1. This act may be cited as "The Minnesota Fair Pupil Fee Law."*

*Sec. 2. [GENERAL POLICY.] It is the policy of the state of Minnesota that public school education shall be free and a public school pupil shall not be denied an education because of economic inability to furnish books and educational supplies necessary to complete requirements for graduation. Any practice leading to suspension, exclusion, withholding of grades or diplomas, or coercive or discriminatory action based upon nonpayment of fees denies pupils their right to equal protection and entitled privileges. It is recognized that school boards do have the right to make certain charges and to establish fees in areas considered extra curricular, non-curricular, supplementary, or not required for the successful completion of a class. No public school board may require, except as authorized by section 3, the payment of fees relating to participation in any instructional program.*

*Sec. 3. [AUTHORIZED FEES.] Subdivision 1. A public school board is authorized to collect fees only for the following:*

- a) In any program a resultant product which, at the pupil's option, becomes the personal property of the pupil;*
- b) Admission fees or charges for extra curricular activities, where attendance is optional;*

- c) A security deposit for the return of materials, supplies, or equipment;
- d) Personal physical education and athletic equipment and apparel, provided that any pupil may provide his own if it meets reasonable requirements and standards relating to health and safety established by the public school board;
- e) Items or products which a student may purchase at his own option such as newspapers, class rings, annuals, and graduation announcements;
- f) Fees specifically permitted by any other statute;
- g) Field trips considered supplementary to a district educational program;
- h) Any authorized voluntary student health and accident benefit plan;
- i) For the use of musical instruments owned or rented by the district, a reasonable rental fee not to exceed either the rental cost to the district or the annual depreciation plus the actual annual maintenance cost claimed by the district for each instrument.

Subd. 2. Students may be required to furnish consumable items such as pencils, paper, pens, erasers and notebooks.

Subd. 3. This act shall not preclude the operation of a school store wherein pupils may purchase school supplies and materials such as paper, pencils, and notebooks.

Subd. 4. A school board may waive any charge, deposit or fee if any pupil or his parent or guardian is unable to pay it.

Sec. 4. [PROHIBITED FEES.] Subdivision 1. A public school board is not authorized to charge fees in the following areas:

- a) Textbooks, workbooks, art supplies, laboratory supplies, towels;
- b) Supplies required for participation in the requirements of any instructional course except as authorized in section 3, subdivision 1;
- c) Field trips which are a part of a basic educational program or course;
- d) Graduation caps, gowns, any other specific form of dress necessary for any educational program, and diplomas;
- e) Instructional costs for necessary school personnel employed in any course or educational program;
- f) Library books necessary for any educational course or program;
- g) Admission fees, dues, or fees for any activity the pupil is required to attend;

- h) Any admission or examination costs for any educational course or program;
- i) Locker rentals.

Subd. 2. No pupil's rights or privileges, including the receipt of grades or diplomas may be denied or abridged for non-payment of fees; but this provision shall not prohibit a school district from maintaining any action provided by law for the collection of such fees authorized by section 3.

Sec. 5. Subdivision 1. The state board of education may promulgate rules and regulations for the purposes of this act.

Subd. 2. In any case where a public school board wishes to initiate a fee not specifically authorized by section 3, the board shall petition the state board of education. After a public hearing to be held within the petitioning district, the state board shall rule on the issue in accordance with the general policy set forth in this act.

Subd. 3. The decision of the state board of education made pursuant to subdivision 2 shall be subject to direct judicial review as provided by Minnesota Statutes, Sections 15.0424 to 15.0426.

Sec. 6. [EFFECTIVE DATE.] This act shall be effective July 1, 1975."

Further, amend the title as follows:

Page 1, line 2, after the ";" and before "prohibiting" insert "authorizing and"

The motion prevailed. So the amendment was adopted.

Mr. O'Neill moved that S. F. No. 1530 be re-referred to the Committee on Education.

The question being taken on adoption of the motion,

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

Those who voted in the affirmative were:

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

Those who voted in negative were:

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

The motion did not prevail.

**RECESS**

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

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

The question recurred on S. F. No. 1530.

Mr. Dunn moved to amend the Doty amendment to S. F. No. 1530 as follows:

Page 1 of the amendment, line 23, strike "only"

Page 3, line 13, after "any" and before "educational" insert "required"

The motion prevailed. So the amendment to the amendment was adopted.

The question being taken on the committee recommendation to pass S. F. No. 1530,

And the roll being called, there were yeas 43 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Lord	Patton	Stasson
Borden	Hughes	Milton	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Nelson	Perpich, G.	Tennessen
Coleman	Jensen	North	Furfeerst	Thorup
Conzemius	Keefe, S.	Novak	Renneke	Ueland
Davies	Kleinbaum	Olhoft	Schaaf	Wegener
Doty	Knutson	Olson, A. G.	Sillers	Willet
Dunn	Laufenburger	Olson, H. D.	Solon	
Gearty	Lewis	O'Neill	Spear	

Those who voted in the negative were:

Bang	Fitzsimons	Hanson, R.	Kowalczyk	Olson, J. L.
Berg	Frederick	Keefe, J.	Krieger	Pillsbury
Bernhagen	Hansen, Baldy	Kirchner	Larson	Schrom

So the committee recommended S. F. No. 1530 to pass.

S. F. No. 2736, which the committee recommends to pass with the following amendment offered by Mr. Nelson:

Page 2, line 12, reinstate the stricken "\$6,000" and strike "\$8,000"

And then, on motion of Mr. Spear, 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 12:00 o'clock noon, Monday, February 11, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.