

EIGHTY-FIFTH DAY

St. Paul, Minnesota, Wednesday, February 13, 1974.

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

CALL OF THE SENATE

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

Arnold	Gearty	Lewis	Olson, J. L.	Stassen
Ashbach	Hansen, Baldy	Lord	Patton	Stokowski
Berg	Hanson, R.	McCutcheon	Perpich, A. J.	Tennessen
Bernhagen	Hughes	Moe	Perpich, G.	Thorup
Brown	Humphrey	Nelson	Pillsbury	Ueland
Coleman	Jensen	Novak	Purfeerst	Willet
Davies	Josefson	Ogdahl	Schrom	
Doty	Kirchner	Olhoft	Sillers	
Dunn	Kleinbaum	Olson, A. G.	Solon	
Fitzsimons	Larson	Olson, H. D.	Spear	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Frederick; Keefe, S. and Keefe, J. were excused from the Session of today. Mr. Perpich, G. was excused for the first hour of today's Session. Mr. Tennessen was excused from the Session of today from 11:00 o'clock a.m. until 2:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 11, 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:

John Bacich, 5321 Harriet Avenue South, Minneapolis, Hennepin County, has been appointed by me to the Veterans Home Board, effective February 11, 1974, for a term expiring January 1, 1979.

Sincerely,
Wendell R. Anderson, Governor

Which appointment was referred to the Committee on Rules and Administration.

February 12, 1974

The Honorable Alec Olson
President of the Senate
State of Minnesota

Dear Sir:

I have received and accepted the resignation of Margaret Smith from the Community Colleges Board. Therefore, I respectfully request that her name be removed from Senate consideration.

Sincerely,
Wendell R. Anderson, Governor

Which communication was referred to the Committee on Rules and Administration.

INTRODUCTION OF BILLS

Messrs. Milton, O'Neill and Schaaf introduced—

S. F. No. 3155: A bill for an act relating to crimes and criminals; highway traffic regulations; providing that the driver of any vehicle who fails to stop and give information at the scene of an accident resulting in injury or death to any person shall be guilty of a felony; amending Minnesota Statutes 1971, Section 169.09, Subdivision 14.

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

Messrs. McCutcheon, Pillsbury and Novak introduced—

S. F. No. 3156: A bill for an act relating to the powers of the attorney general; providing for investigation by the attorney general of suspected violations of business, commerce, trade and anti-trust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes

1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2.

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

Messrs. Milton, Pillsbury and Schaaf introduced—

S. F. No. 3157: A bill for an act relating to children; substituting the term born outside of wedlock for the term illegitimate.

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

Messrs. Laufenburger and Hansen, Baldy introduced—

S. F. No. 3158: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

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

Messrs. Milton, Ogdahl and Kleinbaum introduced—

S. F. No. 3159: A bill for an act relating to mobile homes; providing for warranties on the sale of new mobile homes; prohibiting limitation of warranties; requiring honoring of warranties; providing remedies.

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

Messrs. Lord, Gearty and North introduced—

S. F. No. 3160: A bill for an act relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15.0412, Subdivisions 3, 4 and 5; and 15.0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

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

Messrs. Keefe, S.; Gearty and Hansen, Mel introduced—

S. F. No. 3161: A bill for an act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

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

Messrs. Hansen, Mel; Spear and Keefe, S. introduced—

S. F. No. 3162: A bill for an act relating to the city of Minneapolis; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Section 16, Subdivision 8.

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

Messrs. North, Chenoweth and Coleman introduced—

S. F. No. 3163: A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

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

Messrs. Perpich, G.; Laufenburger and Coleman introduced—

S. F. No. 3164: A bill for an act relating to mine inspection; amending Minnesota Statutes 1971, Section 180.03.

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

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

S. F. No. 3165: A bill for an act relating to the coordination and integration of human services; prescribing powers and duties of the state planning agency; appropriating money.

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

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

S. F. No. 3166: A bill for an act relating to labor and minimum wages; providing a penalty; amending Minnesota Statutes 1971, Chapter 177, by adding a section; amending Minnesota Statutes, 1973 Supplement, Section 177.32, by adding a subdivision; repealing Minnesota Statutes, 1973 Supplement, Section 177.28, Subdivision 4.

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

Mr. Schaaf introduced—

S. F. No. 3167: A bill for an act relating to highway traffic regulations; requiring the operator of a motor vehicle to wear seat belts under certain conditions; prescribing penalties; amending Minnesota Statutes 1971, Section 169.685, by adding a subdivision.

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

Mr. Josefson introduced—

S. F. No. 3168: A bill for an act relating to the claim of Elmer Christianson; arising from loss of a pair of spectacles while an employee of the department of natural resources; appropriating money for the payment thereof.

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

Mr. Arnold introduced—

S. F. No. 3169: A bill for an act relating to Itasca county; government of certain unorganized townships for hospital district purposes.

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

Messrs. Kirchner, Milton and McCutcheon introduced—

S. F. No. 3170: A bill for an act relating to the Gillette hospital authority; appropriating money for construction of hospital facilities.

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

Mr. Laufenburger introduced—

S. F. No. 3171: A bill for an act relating to the city of Winona; placing the chief of police under the public employees police and fire fund.

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

Mr. Chmielewski introduced—

S. F. No. 3172: A bill for an act relating to education; school aids; changing the adjusted assessed valuation of Independent School District No. 93 and No. 99 for the use of the equalization aid review committee.

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

Messrs. Hansen, Mel; Anderson and Jensen introduced—

S. F. No. 3173: A bill for an act relating to crime and criminals; prohibiting a person convicted of a crime from possessing firearms unless he has received a pardon; prescribing penalties.

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

Messrs. Krieger, Fitzsimons and Hansen, Mel introduced—

S. F. No. 3174: A bill for an act relating to elections; providing for the election of independent and party candidates to the state legislature; amending Minnesota Statutes 1971, Section 202.03, Subdivision 2; and Minnesota Statutes, 1973 Supplement, Sections 202.03, Subdivision 1; 203.28, Subdivision 1; 203.29, Subdivision 1; and 203.35, Subdivisions 7 and 9.

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

Messrs. Milton, Kirchner and Lewis introduced—

S. F. No. 3175: A bill for an act relating to health; providing for limitations on liability of review organizations; providing for confidentiality of records of review organizations; amending Minnesota Statutes 1971, Sections 145.61, Subdivision 5; 145.63; and 145.64.

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

Messrs. Knutson, by request, Stassen and Konzemius introduced—

S. F. No. 3176: A bill for an act relating to Dakota county; authorizing certain requirements for appointees to the Dakota county planning advisory commission.

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

Messrs. Milton, Spear and Schaaf introduced—

S. F. No. 3177: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in statutes governing parental and inter-spousal relationships; regulating intra-family duties of support, rights of custody, rights of notice of adoption proceedings, and determinations of parenthood; amending Minnesota Statutes 1971, Chapters 259, by adding a section; and 519, by adding sections; Sections 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.261, Subdivisions 1 and 3; 257.262; 257.263; 257.264; 257.27; 257.28; 257.30; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivisions 1 and 2; 259.28; 260.135, Subdivision 2; 260.221; 260.231, Subdivision 3; 525.172; 525.173; 609.375, Subdivision 1; repealing Minnesota Statutes 1971, Section 519.05.

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

Messrs. Laufenburger, O'Neill and Hughes introduced—

S. F. No. 3178: A bill for an act relating to education; school safety patrol; providing that equipment used by school crossing

guards be visible by night and day; amending Minnesota Statutes 1971, Section 126.15, by adding a subdivision.

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

Messrs. Coleman, Brown and Anderson introduced—

S. F. No. 3179: A bill for an act relating to education; establishing a Minnesota history and government learning center; appropriating money.

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

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

Mr. Thorup introduced—

S. F. No. 3180: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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

Mr. Perpich, A. J. introduced—

S. F. No. 3181: A bill for an act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

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

Mr. Hansen, Baldy introduced—

S. F. No. 3182: A bill for an act relating to the claim of Donald R. Boyer; arising from failure of the highway department to properly maintain a counting device in Albert Lea; appropriating money for the payment thereof.

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

Messrs. Solon and Doty introduced—

S. F. No. 3183: A bill for an act relating to the city of Duluth; Spirit Mountain recreation area authority; authorizing the issuance of bonds and allowing for the negotiated sale thereof; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 7, Subdivision 1; 8, Subdivision 2; and by adding a section.

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

Messrs. Doty and Solon introduced—

S. F. No. 3184: A bill for an act relating to Independent School District No. 709; St. Louis county; abolishing the civil service system therein; establishing policies with respect to the transfer, demotion, suspension, discharge, layoff and promotion of noncertified employees within the school district; requiring union shop in the case of noncertified employees within the school district who are members of nonsupervisory bargaining units; repealing Minnesota Statutes 1971, Sections 421.11 to 421.14; Laws 1967, Chapter 252, as amended; Laws 1969, Chapter 699, Section 5; and Extra Session Laws 1971, Chapter 40.

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

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

Messrs. Doty and Solon introduced—

S. F. No. 3185: A bill for an act authorizing the city of Duluth to issue general obligation bonds in excess of the net debt limitations imposed in Minnesota Statutes, Section 475.53 and not subject to the provisions of Minnesota Statutes, Section 475.58, to provide the local funds needed to match state or federal grant funds.

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

Mr. Purfeerst introduced—

S. F. No. 3186: A bill for an act relating to courts; probate; bond requirements for representatives of estates; amending Minnesota Statutes 1971, Section 525.32 and Chapter 525, by adding a section.

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

Messrs. Keefe, S.; Larson and Solon introduced—

S. F. No. 3187: A bill for an act relating to natural gas pipeline safety; modifying the definition of the term "gas"; changing the procedure by which civil penalties may be imposed for violations of the natural gas pipeline safety act; providing for fire marshal regulations thereunder; granting certain powers to the state fire marshal in regard to civil penalties for violations; imposing penalties; amending Minnesota Statutes 1971, Sections 299F.56 and 299F.60, Subdivisions 1 and 2.

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

Messrs. Keefe, S.; Kirchner and Conzemius introduced—

S. F. No. 3188: A bill for an act relating to the organization and operation of the state government; regulating the bloc grant system of the department of public welfare; appropriating money; amending Laws 1973, Chapter 765, Section 2, Subdivision 2.

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

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

S. F. No. 3189: A bill for an act relating to human rights; forbidding banks and other financial institutions to discriminate against persons who desire to purchase or rehabilitate real property on the basis of the economic, social or environmental conditions of the area where the property is located; amending Minnesota Statutes, 1973 Supplement, Section 363.03, Subdivision 2.

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

Messrs. Chenoweth, Laufenburger and Bang introduced—

S. F. No. 3190: A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects; appropriating money therefor.

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

Mr. Kleinbaum introduced—

S. F. No. 3191: A bill for an act relating to courts; establishing a separate county court district for Stearns county to be activated by the county board.

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

Messrs. Stassen, Fitzsimons and Hansen, Baldy introduced—

S. F. No. 3192: A bill for an act relating to taxation; providing a property tax refund for certain uncultivated or unharvested agricultural land; appropriating money.

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

Messrs. Gearty, Willet and Lord introduced—

S. F. No. 3193: A bill for an act relating to pollution; regulating the details of hazardous waste control; providing a penalty; amending Minnesota Statutes 1971, Sections 116.06, by adding a subdivision; 116.07, Subdivisions 4 and 4a; 400.03, by adding a subdivision; 473D.02, by adding a subdivision; 473D.03, Subdivision 1; 473D.04; 473D.07, by adding a subdivision; Chapter 116, by adding sections; 400, by adding a section; 473D, by adding a section; and Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2.

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

Messrs. Wegener, Bernhagen and Olson, H. D. introduced—

S. F. No. 3194: A bill for an act relating to agriculture; licensing of livestock marketing agencies and livestock dealers; requiring bonds and providing for claims against bonds; requiring records and providing for inspection thereof; requiring livestock weighers and providing for a weighing service; providing penalties; amending Minnesota Statutes 1971, Section 239.27; repealing Minnesota Statutes 1971, Sections 239.05, Subdivisions 2, 3, 4, 5, and 6; 239.13; 239.14; 239.15; 239.16; 239.17; 239.18, as amended; 239.19; 239.21; 239.225; and 239.26.

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

Messrs. Brown, Nelson and Renneke introduced—

S. F. No. 3195: A bill for an act relating to energy conservation; providing the governor with authority during an energy shortage to order the closing of business establishments on Sunday.

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

Messrs. Anderson, Thorup and Milton introduced—

S. F. No. 3196: A bill for an act relating to the metropolitan transit commission; establishing the outer limits of the metropolitan transit taxing district; amending Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 2.

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

Mr. Chmielewski introduced—

S. F. No. 3197: A bill for an act relating to barbers; board of barber examiners; officers; compensation and reports; providing that the secretary of the board of barber examiners may elect not to be covered by the Minnesota state retirement system; amending Minnesota Statutes, 1973 Supplement, Section 154.23.

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

Mr. Arnold introduced—

S. F. No. 3198: A bill for an act relating to tax forfeited lands; providing conditions for the sale of tax forfeited riparian lands; amending Minnesota Statutes, 1973 Supplement, Sections 9.071 and 282.018.

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

Messrs. McCutcheon, Brown and Purfeerst introduced—

S. F. No. 3199: A bill for an act relating to employments licensed by the state; appraisers and planners; amending Minnesota Statutes 1971, Sections 326.02, Subdivision 1, and by adding subdivisions; 326.03, Subdivision 1; 326.08, Subdivision 2; 326.09; 326.10, Subdivisions 1, 2 and 7; 326.11, Subdivision 1; 326.12; 326.13; 326.14; amending Minnesota Statutes, 1973 Supplement, Sections 326.02, Subdivision 5; 326.04; 326.05; and 326.07.

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

Messrs. Conzemius, Kirchner and Tennessen introduced—

S. F. No. 3200: A bill for an act relating to community corrections; acquisition of necessary facilities by counties; transfer of state employees; amending Minnesota Statutes, 1973 Supplement, Section 401.04.

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

Mr. Perpich, A. J. introduced—

S. F. No. 3201: A bill for an act relating to taxation; defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; amending Minnesota Statutes, 1973 Supplement, Section 290.0601, Subdivision 6.

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

Mr. Conzemius introduced—

S. F. No. 3202: A bill for an act relating to the claim of Mrs. Josephine M. Brow; arising from damage done to an automobile as a result of its being stolen by escapees of the state training school at Red Wing; appropriating money for the payment thereof.

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

Mr. Schrom introduced—

S. F. No. 3203: A bill for an act relating to the claim of John Ahrens; arising from damage done to an automobile and other expenses incurred as a result of its being stolen by an escapee from the Minnesota home school; appropriating money for the payment thereof.

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

Mr. Schrom introduced—

S. F. No. 3204: A bill for an act relating to the claim of Julian Haskamp; arising from damage done to an automobile and other expenses incurred as a result of its being stolen by escapees from Minnesota home school; appropriating money for the payment thereof.

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

Mr. Wegener introduced—

S. F. No. 3205: A bill for an act to reimburse the city of Staples for the loss of certain gross earnings aids; appropriating money.

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

Mr. Hughes introduced—

S. F. No. 3206: A bill for an act relating to education; establishing early identification and early educational childhood programs; prescribing powers and duties of the department of education; requiring certain information to be included in the school census; appropriating money; amending Minnesota Statutes 1971, Section 120.095, Subdivision 5.

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

Messrs. Olson, A. G. and Conzemius introduced—

S. F. No. 3207: A bill for an act relating to peace officer training courses; eligibility; amending Minnesota Statutes, 1973 Supplement, Section 626.851, Subdivision 2.

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

lis; retirement; disability benefits for city employees; amending Laws 1973, Chapter 133, Section 18, Subdivisions 2 and 3, as amended.

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

Page 1, line 30, after "or" strike "*1/55 of the final average*"

Page 2, strike all of line 1 and insert: "*an amount equal to two percent of final average compensation for each year of allowable service for the first ten years, and thereafter 2.5% of final average compensation per year of allowable service,*"

Page 3, after line 3, insert a new section to read:

"Sec. 3. [EFFECTIVE DATE.] This act is effective upon approval by the city council of the city of Minneapolis, and upon compliance with Minnesota Statutes, Section 645.021."

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

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

S. F. No. 3006: A bill for an act relating to retirement; actuarial valuations and experience studies of various public retirement funds; amending Minnesota Statutes 1971, Chapter 356, by adding a section; and Sections 356.22, Subdivisions 1 and 3; and 356.23; repealing Minnesota Statutes 1971, Sections 356.21, as amended; 356.211; and 356.212.

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

Page 4, line 1, strike "*survey*" and insert "*valuation*"

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. 2638: A bill for an act relating to the city of International Falls; firemen's lump sum service benefits; amending Laws 1967, Chapter 831, Section 1.

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

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

S. F. No. 1679: A bill for an act relating to the city of St. Cloud; contributions to the firemen's pension fund.

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

Alice Keller, 358 Collegeview, Winona, Winona County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Shirley K. Hunt, 5600 Hillside Court, Edina, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

James Ted Shields, Longville, Cass County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

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

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

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

MINNESOTA WATER RESOURCES BOARD

Mr. David R. Von Holtum, 607 Tenth Street, Worthington, Nobles County, appointed effective October 5, 1973, for a term expiring October 5, 1979.

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

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

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

S. F. No. 2944: A bill for an act relating to food; certain frozen dairy foods; restrictions on the sale thereof; amending Minnesota Statutes 1971, Section 32.62, Subdivision 2.

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

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

S. F. No. 2631: A bill for an act relating to game and fish; opening of migratory waterfowl seasons; amending Minnesota Statutes 1971, Section 97.48, Subdivision 23.

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. 2860: A bill for an act relating to state lands; directing conveyance of certain state lands in Isanti county to Cambridge memorial hospital.

Subd. 13. "Deferred pensioner" means a member of the relief association who has completed not less than 20 years of service in the fire department of the city of St. Cloud, before reaching the age of 50 years, and who is entitled upon request to receive a pension when he attains the age of 50 years.

Subd. 14. "Funeral benefit" means a sum given to assist the family of a deceased member in defraying funeral expenses.

Subd. 15. "Death benefit" means a sum to be paid to beneficiaries of a deceased member after his death.

Subd. 16. "Payroll deduction" means deductions from the salaries of members made pursuant to section 4.

Subd. 17. "City" means the city of St. Cloud.

Sec. 2. [ORGANIZATION; OPERATION.] Subdivision 1. The members of the fire department of the city shall organize a firemen's relief association or maintain the relief association now existing which shall be incorporated under the laws of this state. This association shall create, maintain, and administer a firemen's pension fund for the benefit of its members, their widows, and their children.

Subd. 2. The association shall be organized, operated and maintained in accordance with its own articles of incorporation and bylaws, by firemen who are members of the fire department.

Subd. 3. The general management of the association shall be vested in a board of trustees, which shall be composed of the following persons: six trustees elected annually from their members and the mayor, city clerk and the chief of the fire department, who shall serve as ex officio members.

Sec. 3. [MEMBERSHIP.] Subdivision 1. Every fireman shall be eligible to apply for membership in the relief association within the time and in the manner set forth in the bylaws of the association.

Subd. 2. The association shall have the right to exclude all applicants for membership who are not physically and mentally sound, so as to prevent unwarranted risks for the association; and additional requirements for the entrance fees and annual dues for membership in the association as may from time to time be prescribed in the bylaws of the association.

Subd. 3. Any active member who is granted a leave of absence, shall cease to be an active member as of the effective date of leave and thereafter shall not be entitled to any benefits unless benefits were granted or applied for prior to such leave. Any member who was on a leave of absence, may resume active membership, and shall be considered an active member from the time he is re-entered on the payrolls of the fire department, without medical examination provided his absence does not exceed 30 calendar days. In the event the absence of any member exceeds the 30 calendar days, the member must reapply for membership in accordance with the bylaws, unless such leave was granted due to the member serving with the armed forces of the United States.

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

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the terms defined in this section have the meanings ascribed to them:

Subd. 2. "Fire department" means the fire department of the city of St. Cloud.

Subd. 3. "Relief association" or "association" means the St. Cloud fire department relief association.

Subd. 4. "Fireman" means every person who is duly appointed and regularly entered on the payroll of the fire department and who is on active duty with that department. The term does not include emergency employees employed for less than 30 days or temporary employees employed for nine months consecutively in any 12 month period, with the exception of firemen in the association prior to the effective date of this act.

Subd. 5. "Member" means every fireman who has been admitted to membership in the relief association as hereinafter provided.

Subd. 6. "Unit" means a fractional part of the highest monthly base salary paid to any fireman as such salary is established from time to time by the city council. A unit shall never be less than 1/75 of such monthly salary.

Subd. 7. "Disability" means physical or mental incapacity, or a combination thereof, which renders a member unable to perform the duties of his position in the fire department.

Subd. 8. "Disability pensioner" means a person incapable of performing his duties by reason of sickness, or injury incurred while an active member.

Subd. 9. "Sick benefits" means such sum of money up to and including 36 units that may be advanced to a sick or injured member in lieu of disability benefits paid upon the recommendation of the relief committee, accompanied by the certificate of disability from one attending physician or surgeon, while the board of examiners is considering, but has not acted upon, the member's application for disability benefits.

Subd. 10. "Temporary disability" means any disability which renders an active member unfit to perform his duties as a fireman upon the member's application therefor in accordance with the procedures set forth in the bylaws and the board of examiners' determination thereof which has not been determined by the board of trustees to be permanent.

Subd. 11. "Permanent disability" means that the board of trustees has passed a resolution stating that a member is permanently disabled after the board of examiners has determined that the member was disabled and that the member is entitled to a disability pension.

Subd. 12. "Pensioner" means a member of the association who has qualified and is receiving a pension.

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

Page 1, line 12, strike "for such"

Page 1, line 13, strike "consideration to be agreed upon,"

Page 1, after line 22, add a new section as follows:

"Sec. 2. The consideration to be paid by Cambridge memorial hospital, Cambridge, to the state for the conveyance provided for herein shall not be less than the appraised value of such described property and the cost of the appraisal as provided in Minnesota Statutes, Section 94.10. The appraisals shall be in the manner prescribed by Minnesota Statutes, Section 94.10, but no survey of such described property is necessary."

Page 1, renumber "Sec. 2." as "Sec. 3."

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

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

S. F. No. 3054: A bill for an act relating to game and fish; taking fish from dark houses; amending Minnesota Statutes 1971, Section 101.42, Subdivision 16.

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

Page 2, lines 21 to 26, restore the stricken language and strike the new language

Page 2, line 22, strike "unlawful" and insert "lawful"

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. 2872: A bill for an act relating to environment; solid waste disposal; user fee; authorizing certain counties to exempt landfills and incinerators from the user fee under certain conditions; amending Minnesota Statutes, 1973 Supplement, Section 116F.07.

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, 1973 Supplement, Section 116F.07 is repealed.

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

Strike the title and insert in lieu thereof:

"A bill for an act relating to the environmental impact; reduction, reuse and recycling of solid waste; eliminating the user fee levied on solid waste disposal at certain disposal facilities; repealing Minnesota Statutes, 1973 Supplement, Section 116F.07."

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. 2264: A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

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

Page 1, strike lines 16 through 18

Page 4, strike lines 16 through 28.

Page 5, strike lines 1 through 28.

Page 6, strike lines 1 through 10 and insert the following:

"Subd. 11. Stewart and Little Stewart Rivers Trout Stream Improvement, Management, and Angling Easements: Strips of land lying in Gov't. Lot 2 and in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 29, T. 53 N., R. 10 W., and in W $\frac{1}{2}$ SW $\frac{1}{4}$ of S. 20, T. 53 N., R. 10 W., said strips described as follows: From the center line of the beds of the Stewart and the Little Stewart Rivers, extending to the right and to the left looking down stream, to the natural ordinary high water marks of said Stewart and Little Stewart Rivers. Also a strip of land 66 ft. in width lying to the right of said ordinary high water marks of said Rivers and a strip of land 66 ft. in width lying to the left of said ordinary high water marks of said Rivers.

Also easements for ingress and egress by employees and agents of the State for purpose of Fish Management to and from the Stewart and Little Stewart Rivers over and across Gov't. Lot 2, and the E $\frac{1}{2}$ NW $\frac{1}{4}$ of said S. 29 and over and across the S $\frac{1}{2}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said S. 20."

Page 7, line 10, delete "NW $\frac{1}{4}$ SW $\frac{1}{4}$ " and insert "NE $\frac{1}{4}$ SE $\frac{1}{4}$ "

Renumber the subdivisions in sequence

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

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

S. F. No. 2891: A bill for an act relating to the city of Minneapolis

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2638.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 11, 1974

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2027.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 12, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2638: A bill for an act relating to the city of International Falls; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

H. F. No. 2027: A bill for an act relating to natural resources, wild rice; providing for distinguishing labeling of naturally and commercially grown rice; providing a penalty.

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

REPORTS OF COMMITTEES

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

Mr. Arnold from the Committee on Natural Resources and Agriculture, to which were referred the following appointments:

**ENVIRONMENTAL QUALITY COUNCIL CITIZENS
ADVISORY COMMITTEE**

Fred Ewing, 4436 Fourth Avenue South, Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Charles Reinert, Garvin, Lyon County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Wesley C. Ohman, 1506 Hamline Avenue North, St. Paul, Ramsey County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

David L. Clark, 829 25th Avenue S.E., Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Subd. 4. When any active member of the association ceases for any cause to be a member of the fire department, his name shall be stricken from the list of active members of the association, and unless his retirement is caused by disability of such character as shall entitle him to a pension under the articles of incorporation or bylaws, or unless he shall subsequently be reinstated pursuant thereto, such retiring member shall thereafter not be entitled to any pecuniary benefit or aid from his membership herein.

Sec. 4. [SOURCES AND ADMINISTRATION OF FUNDS.]
Subdivision 1. Funds of the association shall be derived from the following sources:

- (a) Gifts made for such purposes;
- (b) Money received under the provisions of Minnesota Statutes, Sections 424.01 to 424.31;
- (c) Deductions from each member's salary to be made by the city treasurer, finance commissioner or other fiscal officer in an amount equal to six percent of the monthly salary of a first class fireman. Said sum shall be increased by one half of one percent effective January 1, 1975 and again in identical increments on the first day of January of each year thereafter until such time as the member's contribution equals eight percent of the monthly salary of a first class fireman;
- (d) Moneys now in the firemen's relief association treasury and all interest thereon or gains therefrom.
- (e) Any other income allowed by law.

Subd. 2. Any surplus remaining in these funds at the close of any fiscal year shall continue therein. Notwithstanding the provisions of subdivision 1, clause (d), the balance in the fund may be reduced proportionately as the number of members of the association and pensioners declines below the number of such members and pensioners on July 1, 1974. Any balance remaining in the fund upon the death of the last member of the association or spouse or eligible beneficiary thereof shall be turned over to the city treasury for general purposes.

Subd. 3. The board of trustees shall have exclusive control and management of all funds received by its treasurer under the provisions of Minnesota Statutes, Sections 424.30 and 424.31 and funds derived for the investment of these funds, and such funds when received, shall be kept in a special fund on the books of the secretary and treasurer of the association and never disbursed for any purpose except the following:

- (a) For the relief of sick, injured and disabled members;
- (b) For the payment of pensions to disabled firemen and their widows and orphans of firemen;
- (c) For the payment of pensions to retired firemen pursuant to the laws of the state and the bylaws of the association;
- (d) For the payment of such death or funeral benefits as may be from time to time stipulated in the bylaws of the association;

Page 3, line 19, strike "The"

Page 3, line 20, before "director" insert "Subd. 9. The"

Renumber the subdivisions in sequence

Page 3, line 21, after "utility" insert "petroleum supplier or coal supplier"

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

Page 6, line 17, after the semicolon insert "and"

Page 6, line 21, strike "; and" and insert in lieu thereof a period

Page 6, strike lines 22 and 23

Page 9, line 13, after "the" and before "and" strike "committee" and insert "commission"

Page 9, line 13, after "provide the" strike "committee" and insert "commission"

Page 14, line 18, strike "7" and insert "10"

Page 14, line 28, strike "10" and insert "13"

Page 17, line 23, after "facility." insert "Failure to act within six months after the submission of an application constitutes approval."

Page 19, line 5, strike "a"

Further amend the title as follows:

Page 1, line 13, strike "imposing an"

Page 1, line 14, strike "energy surcharge tax,"

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

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

S. F. No. 1665: A bill for an act relating to fire and police aid; providing state aid to municipalities contracting with counties for police protection services; amending Minnesota Statutes 1971, Sections 69.011, Subdivisions 2 and 4; and 69.021, Subdivision 7.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations. Report adopted.

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

S. F. No. 2345: A bill for an act relating to education; prescribing tax levies; and authorizing school districts to levy to offset certain real estate tax delinquencies; amending Minnesota Statutes 1971, Section 275.125, Subdivision 3.

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 275.125, Subdivision 3, is amended to read:

Subd. 3. In addition to the levy authorized by section 275.125, Subdivision 2a, a qualifying district may levy additional amounts as follows:

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

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

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

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

(5) A district which qualified for a levy under clause (3) above shall be allowed to levy that same amount per pupil unit in 1974

honorably discharged from military service and resumes membership in the association, the period that the applicant spends in military service shall be counted in computing the period of service required for benefits under this section. During a period of military service any such person is not considered a member of the association and is not entitled to any service pension, disability benefits, or deferred pensions as provided in clauses (a) and (b) above, unless previously earned. If the member does not return to employment of the fire department within one year from the cessation of war or the termination of the period of the emergency, the provisions of this subdivision shall not apply.

Subd. 3. Every member of the association who was retired on January 1, 1961, and was receiving a service pension on that date, or had attained a deferred pensioner status on that date, and who is eligible to receive a pension thereafter, shall receive a pension each month thereafter during the time he is so eligible to receive a service pension equal to not less than 32 units and not more than 35 units, as determined by a uniform rule established by the board of trustees.

Subd. 4. All members who retire after July 1, 1973 shall be eligible for the same group health insurance coverage as is provided by the city for active fire fighters. If such a retired member requests coverage under the group hospitalization insurance plan for city employees, the firemen's pension fund shall pay the city, on behalf of the retired member, an amount equal to the premium for the same coverage for an active fire fighter. Said premium payment shall be in addition to and not deducted from any other payments for which the individual is eligible from the association. In the event such a retired member is receiving deferred pension, he shall be eligible for such insurance, however, the premiums therefor shall be paid by the retired member until such member reaches the age of 50, at which time he shall become eligible to have said premiums paid by the association as specified above. A retired member shall also be eligible to apply for and receive coverage for his eligible dependents under said group plan, however the cost of such additional insurance shall be paid by the retired member. The benefits provided in this section shall cease when the individual receiving said benefits attains the age of 65.

Sec. 7. [ACTIONS; EXEMPTION FROM PROCESS.] Subdivision 1. No person shall bring an action to recover any benefits provided in sections 5 and 6, unless he shall post a bond in a sufficient amount to defray the cost of the governing board of defending said action. In the event the governing board is sustained the portion of the bond necessary to defray these costs shall be forfeited to the association.

Subd. 2. Any payment made by the association under any provision of this act is exempt from any legal process. No person entitled to any such payment may assign the same. The association shall not recognize any assignment or pay any sum on account thereof.

Sec. 8. [POWERS OF CITY OFFICIALS LIMITED.] Subdivision 1. When the governing board of the firemen's relief associa-

tion determines what is necessary to adequately protect, maintain, and administer the firemen's pension fund created by section 2, subdivision 1, neither the governing body of the city nor any official of the city may thereafter deny adequate representation therefor.

Subd. 2. Any duties performed by any member of such association under any provision of subdivision 1, are deemed to be fire duties.

Sec. 9. [P.E.R.A. MEMBERSHIP.] Subdivision 1. Notwithstanding any provisions of this act or any other general or special law to the contrary, all fire fighters first employed by the city on or after the effective date of this act shall be members of the public employees police and fire fund operated pursuant to Minnesota Statutes, Sections 353.63 to 353.68. Such persons shall not be members of the firemen's relief association and pension fund of the city continued and maintained pursuant to this act nor be subject to any of the laws related thereto.

Sec. 10. [GUIDELINES ACT NOT AFFECTED.] No provision of this act shall be construed as exempting, abridging, repealing, or amending compliance with the provisions of the police and firemen's relief association guidelines act of 1969, as amended, except as herein specifically provided. From and after the effective date of this act, Minnesota Statutes, Sections 424.01 to 424.31 shall not apply to the firemen's relief association of the city of St. Cloud, except as otherwise provided therein.

Sec. 11. This act is effective upon approval by the city council of the city of St. Cloud and upon compliance with Minnesota Statutes, Section 645.021."

Further, delete the title and insert in lieu thereof:

"A bill for an act relating to the city of St. Cloud; contributions and benefits of members of the firemen's relief association."

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

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

S. F. No. 2582: A bill for an act relating to energy; establishing an intergovernmental agency on 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; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

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

(e) For the payment of all expenses of administering such fund, including the secretary's and treasurer's salaries, and including payments from the fund for the purchase of insurance to cover either the disability or death of a member declaring the special fund as beneficiary and including expenses in connection with the investment and protection of moneys in said fund;

(f) For the payment of premiums for health insurance policies.

Subd. 4. The money received from the various sources shall be kept in two separate and distinct funds, one to be designated as the association special fund and the other as its general fund. All money received from the state, the city of St. Cloud and from all payroll deductions shall be deposited in the special fund, and expended only for purposes hereinafter authorized. All money received from other sources shall be deposited in the general fund and may be expended for any purpose deemed proper by the association.

Sec 5. [FUNERAL AND DEATH BENEFITS.] Subdivision 1. Upon the death of any active member of this association in good standing, there shall be allowed and appropriated out of the special fund of the association a funeral benefit in the amount of \$200.

Subd. 2. Upon satisfactory proof of the death of an active member or permanent pensioner of the association, leaving a widow or a child or children who are entitled to a pension pursuant to the provisions of the articles of incorporation of the association, the board of trustees shall allow a pension to be paid out of the special fund of the association to any widow or to any child under 18 years of age of any member as follows:

(a) When a service pensioner, deferred pensioner, disability pensioner, or an active member of the relief association dies leaving a widow who was his legally married wife residing with him, and who was married while or prior to the time he was on the payroll of the fire department, and who, in case the deceased member was a service pensioner or a deferred pensioner, was legally married to the member at least one year before his retirement from the fire department, then to such widow a dependency pension of 18 units per month for her natural life, but, if she remarries, the pension shall cease as of the date of the remarriage.

(b) When a service pensioner, deferred pensioner, disability pensioner, or an active member of the relief association dies leaving a child or children who were living while the deceased was on the payroll of the fire department or born within ten months after the deceased was withdrawn from such payroll, then to each such child a dependency pension of six units per month until the child reaches 18 years.

(c) The total dependency pensions payable under paragraphs (a) and (b) above for the widow and children of a deceased member shall not exceed 36 units per month. The pension due to any minor child or children shall be paid to the legal guardian of such child or children.

Subd. 3. Upon the death of any active member, or permanent pensioner, leaving neither wife as beneficiary nor any child entitled to a pension as hereinafter provided, the board of trustees shall pay to the person or persons named as beneficiary in his certificate the sum of \$200 out of the special fund of the association as a funeral benefit. In the event the beneficiary named is not permitted under the articles or bylaws of the association to receive said sum, the board of trustees shall make payment to one of the following people in this order of preference: first, the widow, if any; second, the member's children, if any, in equal shares; third, the parents of the deceased member; and fourth, his brothers and sisters, in equal shares. If the member leaves a minor child or children surviving him, who are entitled to a pension, such child or children shall, upon arriving at the age of 18 years be paid the sum of \$200, mentioned in the benefit certificate, less amounts paid to such child or children as a pension in accordance with the provisions of this section; upon surrender of the certificate. If certificate is lost or illegible an affidavit shall be signed before benefits are granted. No benefit shall be paid out under the provisions of this section except to a child, parent, brother or sister. No payment shall be made pursuant to this section if the making of such payment would reduce the special fund balance below the sum of \$1,000.

Sec. 6. [BENEFITS.] Subdivision 1. Whenever any active member not eligible for a service pension from the association, in good standing, becomes incapacitated from performing his duties as an active fireman in the fire department, by reason of illness or bodily injuries, provided that the condition causing such disability did not result from an attempted suicide or otherwise due to intentional self-inflicted injuries, the member shall then be entitled to relief in the amount of 36 units paid monthly from the time the member is dropped from the payroll upon the expiration of his leave of absence with pay, provided that the member complies with the bylaws of the association governing such disability benefits.

Subd. 2. (a) Any member of the age of 50 years or more who performs the duties as a member of the fire department of the city for 20 years or more, upon his written application after retiring from such duties shall be paid monthly during his lifetime a pension equal to 35 units plus one additional unit for each year of service in excess of 20 years, not to exceed a maximum of 42 units.

(b) Any member who performs duty as a member of the fire department of the city for 20 years or more who retires from such duty before he attains the age of 50 years, upon his written application after reaching 50 years of age shall be paid monthly during his lifetime a pension equal to 35 units plus one additional unit for each year of such service in excess of 20 years, but not to exceed a maximum of 42 units. In the case of an applicant for a pension pursuant to clauses (a) and (b) above, who, following admission to membership in the association, has served in the military forces of the United States in any war or national emergency subsequent to January 1, 1940, and thereafter is

reduced by two and one-half percent. The per pupil amount of the reduction shall be rounded down to the dollar. Provided, however, that a district within a city of the first class which was affected by the limitation of an extra levy not to exceed 1.9 mills times the adjusted assessed valuation of the district shall be allowed to levy the 1.9 mills.

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

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

(B) If that part of the levy certified by the school district in 1970, received in 1971, plus so much of the levy, allowed under subdivisions 2 and 3, sections 1 to 5 of this act, to be certified in 1971, received in 1972, as will be received between July 1, 1971 and June 30, 1972, and when added to all other state aids, local funds available and net existing local debts, exclusive of bonded debt and existing capital loans will not be sufficient to allow a district to spend an amount per pupil unit sufficient to raise its 1970-1971 adjusted maintenance cost per pupil unit by \$42 it may petition the commissioner of education for authority to levy an additional levy. Before such a levy can be made, the commissioner must authorize such a levy. Such authorization shall specify the amount of the levy, provided that such levy may not exceed .5 mills in a city of the first class or 1.5 mills in any other district times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee.

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

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

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

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

(9) Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, shall reduce the permissible levies authorized by this subdivision by 25 percent in 1973, 50 percent in 1974, 75 percent in 1975, and 100 percent for each year thereafter of that portion of the previous year's payment not deducted from foundation aid on account of the payment, unless such a levy reduction is otherwise required by law. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies.

(10) The commissioner shall certify to the county auditors any errors made in 1971 and 1972 in general and special purpose levy amounts. The county auditor is authorized to adjust the 1973 levy to correct for the errors.

(11) *Any district whose total tax receipts, including homestead credit and delinquent tax receipts for any prior year, collected by the county auditor during the preceding year are less than 95 percent of the amount of the district levy spread by the county auditor for that year as a result of delinquent real estate taxes occurring in that year may make an additional levy equal to the amount by which such net receipts are less than 95 percent of the spread levy which produced such delinquency. The county treasurer shall certify to each district authorized to make such additional levy the amount of the delinquent real estate taxes which resulted from the district levy collected during the preceding year and the same shall be submitted by any district making the additional levy to the commissioner of education and the commissioner of taxation as provided in Minnesota Statutes, Section 275.125, Subdivision 7.*

Any district which makes the additional levy authorized by this clause shall deduct one-third of the amount of such additional levy from the levy spread by the county auditor in each of the succeeding three years.

Any district which makes such an additional levy is authorized to make the levy permitted by this clause in any subsequent year provided that the 95 percent factor shall apply to the amount of

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

S. F. No. 3003: A bill for an act relating to the trunk highway system; discontinuing and removing a route from the trunk highway system.

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

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

S. F. No. 3004: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

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

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

S. F. No. 2952: A bill for an act relating to motor vehicles; authorizing passenger automobiles furnished by a dealer or manufacturer without charge to delegates and guests of the 1974 Midwest Governors' Conference to operate such passenger automobile on the streets and highways between certain dates without payment of the motor vehicle registration tax.

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

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

S. F. No. 3017: A bill for an act relating to the trunk highway system; adding a new route in substitution of an existing route.

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

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

S. F. No. 3030: A bill for an act relating to highway traffic regulations; weight limitations; weight increases authorized for haulers of raw and unfinished forest products in certain zones during certain periods of the year; amending Minnesota Statutes, 1973 Supplement, Section 169.83, Subdivision 1.

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

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

S. F. No. 3032: A bill for an act authorizing the annexation of certain state owned land by the city of Breckenridge.

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. 2977: A bill for an act relating to the city of Minneapolis; authorizing housing and rehabilitation loan and grant program; providing for the issuance of general obligation bonds.

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

Strike everything after the enacting clause and insert the following:

"Section 1. [PURPOSE.] The legislature of the state of Minnesota finds that preservation of the quality of life in a major metropolitan city is dependent upon the preservation of adequate housing, that many houses in the city of Minneapolis do not meet the applicable housing code, that there is a need for a comprehensive housing rehabilitation program in the city of Minneapolis which will complement any statewide housing rehabilitation program, that some home owners are unable to afford any rehabilitation expenses, that many home owners are unable to afford housing rehabilitation loans at market rate of interest, and that because the availability of mortgage credit for housing rehabilitation is limited some home owners cannot obtain such credit.

Sec. 2. [CITY OF MINNEAPOLIS; HOUSING REHABILITATION LOAN PROGRAM.] The city of Minneapolis is authorized to develop and administer a housing rehabilitation loan program with respect to property located anywhere within its boundaries on such terms and conditions as it determines; provided that in approving applications for this program, the following factors shall be considered:

(1) The availability of other governmental programs affordable by the applicant,

(2) The availability and affordability of private market financing,

(3) Whether the housing is required, pursuant to an urban renewal program or a code enforcement program, to be repaired, improved, or rehabilitated,

(4) Whether the housing is required, pursuant to a court order issued under Minnesota Statutes, 1973 Supplement, Section 566.25, clauses (b), (c), and (e), to be repaired, improved, or rehabilitated,

(5) Whether the housing has been determined to be uninsur-

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

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

S. F. No. 2823: A bill for an act relating to the city of Minneapolis; disability, retirement, and survivor benefits for city employees; providing for adjustments in cost, benefits and contributions; amending Laws 1973, Chapter 133, Sections 8, Subdivision 2, as amended; 10, Subdivision 1; and 15, Subdivision 1, as amended.

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

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

H. F. No. 713: A bill for an act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary apprenticeship in the department of labor and industry and prescribing its powers and duties; authorizing the commissioner of labor and industry to promulgate rules and regulations relating to voluntary apprenticeship; amending Minnesota Statutes 1971, Sections 178.01; 178.02; 178.03; 178.05; 178.06; 178.07; 178.08; 178.09; and Chapter 178 by adding a section; and repealing Minnesota Statutes 1971, Section 178.04.

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

Page 2, line 21, after "day" reinstate the stricken language

Page 2, line 22, reinstate "meetings of the council"

Page 2, line 25, strike "*or part thereof necessarily spent in the discharge of his duties*"

Page 2, line 27, strike "*of days*" and after "12" strike "*days*"

Page 4, line 2, after the period, strike the remainder of the line and insert in lieu thereof: "*The director shall have the authority to make wage determinations applicable to the graduated schedule of wages and journeyman wage rate for apprenticeship agreements, giving consideration to the existing wage rates prevailing throughout the state, except that no wage determination by the director shall alter an existing wage provision for apprentices or journeymen that is contained in a bargaining agreement in effect between an employer and an organization of employees, nor shall the director make any determination for the beginning rate for an apprentice that is below the wage minimum established by federal or state law.*"

Page 4, strike line 3

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

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

S. F. No. 2571: A bill for an act relating to highway traffic regulations; special permits for oversize and overweight vehicles; state-ments required for issuance of such permits to move oversize mobile homes; amending Minnesota Statutes 1971, Section 169.86, Subdivision 1, as amended.

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

Page 1, strike lines 10 through 12 and insert the following:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 169.-86, Subdivision 1, is amended to read:"

Page 2, line 4, after "telephone" insert a period and strike the rest of the line.

Page 2, strike lines 5 through 9 and insert: "*If the statement is obtained by telephone, the permit shall contain the date and time of the telephone call and the names of the persons in the auditor's office and treasurer's office who verified that all personal and real property taxes had been paid.*"

Further amend the title in line 7, strike "1971" and insert ", 1973 Supplement"

Line 8, strike ", as amended"

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

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

S. F. No. 3029: A bill for an act relating to highways; state-aid system of highways; research accounts set aside from the county state-aid highway fund and municipal state-aid street fund; purposes; amending Minnesota Statutes 1971, Sections 162.06, Sub-division 4; and 162.12, Subdivision 4.

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

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

S. F. No. 2393: A bill for an act relating to highway traffic reg-ulations; vehicle lighting; time of display of lighted lamps; amend-ing Minnesota Statutes 1971, Section 169.48.

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

the district levy spread by the county auditor exclusive of additions to or deductions from spread levies authorized by this clause.

The additions and deductions authorized by this section shall not be adjusted by the county auditor in spreading the levy.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 275.51, is amended by adding a subdivision to read:

Subd. 5. Any governmental subdivision whose total tax receipts, including homestead credit and delinquent tax receipts for any prior year, collected by the county auditor during the preceding year are less than 95 percent of the amount of the governmental subdivision's levy spread by the county auditor for that year as a result of delinquent real estate taxes occurring in that year may make an additional levy equal to the amount by which such net receipts are less than 95 percent of the spread levy which produced such delinquency. The county treasurer shall certify to each governmental subdivision authorized to make such additional levy the amount of the delinquent real estate taxes which resulted from the governmental subdivision's levy collected during the preceding year and the same shall be submitted by any governmental subdivision making the additional levy to the commissioner of taxation.

Any governmental subdivision which makes the additional levy authorized by this clause shall deduct one-third of the amount of such additional levy from the levy spread by the county auditor in each of the succeeding three years.

Any governmental subdivision which makes such an additional levy is authorized to make the levy permitted by this subdivision in any subsequent year provided that the 95 percent factor shall apply to the amount of the governmental subdivision's levy spread by the county auditor.

Sec. 3. This act is effective for taxable years commencing after December 31, 1973."

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

"A bill for an act relating to education; prescribing tax levies; and authorizing school districts to levy to offset certain real estate tax delinquencies; amending Minnesota Statutes, 1973 Supplement, Sections 275.125, Subdivision 3, and 275.51, by adding a subdivision."

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. 2939: A bill for an act relating to taxation; providing an income tax credit for persons with small incomes; amending Minnesota Statutes 1971, Section 290.06, Subdivision 2c, and by adding a subdivision.

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

Page 2, line 8, strike "workmen's compensation"

Page 2, line 15, strike "2b" and insert "2c"

Page 3, line 12, strike "*There may be only one claimant for each household.*"

Page 3, line 21, strike "1971" and insert "1973"

Page 4, line 9, reinstate the stricken language and strike "*fifteen*"

Page 4, line 10, reinstate the stricken language and strike "*sixteen*"

Page 4, line 22, strike "1974" and insert "1973"

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. 2676: A bill for an act relating to agriculture; abolishing certain agricultural statistical and informational returns; repealing Minnesota Statutes 1971, Section 17.03, Subdivision 2.

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

Page 1, after line 9, add the following:

"Sec. 2. This act is effective July 1, 1975."

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. 2921: A bill for an act relating to the city of Minneapolis; retirement; disability, retirement and survivor benefits for city employees; amending Laws 1973, Chapter 133, Sections 6, Subdivisions 1, 3, 5 as amended, 6, and by adding a subdivision; 9, Subdivision 2 as amended, and 3; 11, Subdivision 1; 12, Subdivision 2; 16, Subdivisions 1, and 8; 18, Subdivision 1; and 23, Subdivision 1; repealing Laws 1973, Chapter 133, Section 25.

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

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

S. F. No. 2892: A bill for an act relating to the city of Minneapolis; retirement; survivors benefits for dependents of city employees; amending Laws 1973, Chapter 133, Section 23, Subdivisions 2, 3, and 9.

able because of physical hazards after inspection pursuant to a statewide property insurance plan approved by the United States Department of Housing and Urban Development under title XII of the National Housing Act; and further provided that all loans and grants shall be issued primarily for rehabilitating housing so that it meets applicable housing codes.

Sec. 3. [CITY OF MINNEAPOLIS; HOUSING REHABILITATION GRANT PROGRAM.] The city of Minneapolis is authorized to develop and administer a housing rehabilitation grant program with respect to property within its boundaries, on such terms and conditions as it determines; provided that in approving applications for this program, all of the considerations and limitations enumerated in section 2 for loans must be considered in making grants under this program, and the following factors must also be considered:

(1) Whether the housing unit is a single family dwelling or homesteaded unit and

(2) Whether the applicant is a person of low income; and further provided that the city council of the city of Minneapolis shall by ordinance set forth the regulations for this grant program; and further provided that the dollar value of grants made shall not exceed five percent of the total value of the bonds issued for the loan and grant program together.

Sec. 4. [ISSUANCE OF BONDS.] To finance the programs authorized in sections 2 and 3 of this act, the governing body of the city of Minneapolis may by resolution authorize, issue, and sell general obligation bonds of the city of Minneapolis in accordance with the provisions of Minnesota Statutes, Chapter 475. The total amount of all bonds outstanding for the programs shall not exceed \$10,000,000. The amount of all bonds issued shall be included in the net indebtedness of the city for the purpose of any charter or statutory debt limitation.

Sec. 5. This act takes effect when approved by a majority of the city council of the city of Minneapolis, and upon compliance with Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Line 5, after "of" insert "limited"

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. 2889: A bill for an act providing for certain positions to be in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivisions 1 as amended, 2, and 3, and by adding subdivisions.

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

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

H. F. No. 2043: A bill for an act relating to the operation of state government; updating statutory references to printing; providing for more complete advance payments to state employees for travel expenses; clarifying the commissioner of administration's responsibility to supervise and control all state telecommunication facilities; enabling the commissioner of administration to dispose of lost or abandoned property in alternate ways; eliminating the requirement for contractor's bonds or security for negotiated state public work contracts; specifying certain services to be performed by the commissioner for other state departments or agencies; clarifying the state record disposition and record management functions; clarifying procedures for extending social security benefits to certain governmental entities; amending Minnesota Statutes 1971, Sections 3.21; 15.181; 16.02, by adding a subdivision; 16.022; 16.0231; 16.07, Subdivision 11; 94.10, Subdivision 1; 138.17, Subdivisions 1 and 7; 138.19; 138.20; 138.21; 331.09; and 355.17.

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

Page 2, line 19, strike "administration" and insert "personnel"

Page 3, line 28, after "administration" strike the remainder of the line and insert the following:

"may survey such lands, and if the value thereof is estimated to be \$5000 or less, may have such lands appraised. He shall have the lands appraised if the estimated value is in excess of \$5000. The appraisal shall be made"

Page 3, strike line 29

Page 3, line 30, strike "appraisal necessary,"

Page 4, line 10, strike "public examiner" and insert "legislative auditor"

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 the following appointment:

LEVY LIMITATION REVIEW BOARD

William R. Tysseling, 2632 Bittersweet Lane, North St. Paul, Ramsey County, appointed effective August 15, 1973, for a term expiring February 15, 1975.

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

Mr. Perpich, A. J. moved that the foregoing report be laid on the table. The motion prevailed.

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

Lines 8 and 9, strike “; and 124.17, Subdivision 2”

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. 3016: A bill for an act relating to taxation; providing for and confirming recreational levies in certain cities and towns; amending Minnesota Statutes 1971, Chapter 471, by adding a section.

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

Page 1, line 19, after “*limitation*” insert “, *except the limitation imposed in Minnesota Statutes, Sections 275.50 to 275.59,*”

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. 2449: A bill for an act relating to hospitalization and commitment; requiring review of admission and retention of patients in federal mental hospitals; amending Minnesota Statutes 1971, Section 253A.16, Subdivisions 1, 2, 3 and 4.

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 253A.08, Subdivision 2, is amended to read:

Subd. 2. Any person, when admitted to an institution of the veterans administration or other federal agency within or without this state, shall be subject to the rules and regulations of the veterans administration or other federal agency , *except that nothing in this section shall deprive any such person of rights secured to patients of state mental hospitals by Section 253A.16.*”

Amend the title as follows:

Page 1, line 3, strike “requiring review of” and insert “securing equal rights of administrative review for patients in federal hospitals;”

Page 1, strike lines 4 to 7 and insert “amending Minnesota Statutes 1971, Section 253A.08, Subdivision 2.”

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. 2948: A bill for an act relating to the department of corrections; parole and probation; amending Minnesota Statutes, 1973 Supplement, Sections 241.045, Subdivision 7; and 242.10; repealing Minnesota Statutes 1971, Section 242.03, as amended.

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

Page 1, strike lines 27 to 31

Page 2, strike lines 1 to 4 and insert:

"(2) The chairman of the Minnesota corrections authority may, with the approval of the commissioner of the department of corrections, appoint an officer of the department of corrections as deputy chairman to sit as a voting member of the authority at any regularly scheduled hearing and to perform such administrative and ministerial duties as may be assigned him by the chairman. Provided, however, that the deputy chairman shall not sit on the same unit with the chairman of the authority."

Page 3, after line 1, insert:

"Sec. 3, Minnesota Statutes, 1973 Supplement, Section 241.045, Subdivision 6, is amended to read:

Subd. 6. [QUORUM.] Except for the parole of persons serving life sentences under the provisions of section 609.185, persons serving extended terms of imprisonment as dangerous offenders under section 609.16, a transfer of a person in the care and custody of the authority under the provisions of section 242.27, or the discharge of such person pursuant to section 242.31, the authority may sit in units of ~~two or~~ three as designated by the chairman under rules prescribed by the authority, and such a unit shall constitute a quorum."

Renumber subsequent sections.

Page 3, line 2, strike "1971" and insert ", 1973 Supplement"

Page 3, line 2, strike "as" and insert "is amended to read:"

Page 3, strike lines 3 and 4 and insert

"242.03 [POLICY.] The ~~chairman of the Minnesota corrections authority shall be responsible~~ may make advisory recommendations to the commissioner of corrections for the development of the policy pertaining to the care, treatment, and disposition of persons committed to the authority."

Further amend the title as follows:

Page 1, line 6, strike "Subdivision" and insert "Subdivisions 6 and"

Page 1, line 6, after "7;" insert "242.03;"

Page 1, line 6, after "242.10" strike the semicolon and insert a period

Page 1, line 6, strike "repealing"

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

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

Page 1, line 12, after "*and*" insert "*public utilities*"

Page 1, line 15, after "Silver Bay" strike "." and insert "*exclusive of scheduled council and commission meetings.*"

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. 2586: A bill for an act relating to Clay county; authorizing expenditure of federal revenue sharing funds for certain purposes.

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

Page 1, line 11, after "departments" strike "." and insert "or other community projects. These grants may terminate upon expiration of said federal act."

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

Mr. Hughes from the Committee on Education, to which were referred the following appointments:

STATE BOARD OF EDUCATION

Henry Tweten, East Grand Forks, Polk County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

Dorothea Chelgren, 89 West Hawthorne Avenue, St. Paul, Ramsey County, appointed effective July 1, 1973, for a term expiring July 1, 1979.

STATE BOARD OF COMMUNITY COLLEGES

Douglas Alan Bruce, 2108 Laurel Avenue West, Minneapolis, Hennepin County, appointed effective July 1, 1973, for a term expiring July 1, 1980.

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

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

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

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.

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

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

S. F. No. 2128: A bill for an act relating to education; providing school bus transportation for pupils in shared time programs, and to non-public schools in adjacent districts; amending Minnesota Statutes 1971, Sections 120.10, Subdivision 3; 123.78, by adding a subdivision; and 124.17, Subdivision 2.

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

Pages 1 and 2, strike all of Section 1

Renumber Section 2 as Section 1

Page 2, line 21, after "DISTRICT.]" insert "(a)"

Page 2, line 22, after "*transportation*" insert "*to the district boundary*"

Page 2, line 23, strike "to" and insert "*and attending*"

Page 2, line 24, strike "*or to the district boundary on*" and insert "*, whether or not there is another nonpublic school within the transporting district, if the transportation is to schools maintaining grades or departments not maintained in the district or if the attendance of such children at school can more safely, economically, or conveniently be provided for by such means*"

Page 2, line 25, strike "*the bus route*"

Page 2, line 25, after the period insert

"(b) The school board of any local district may provide school bus transportation to a nonpublic school in an adjacent contiguous district for school children residing in the district and attending that school, whether or not there is another nonpublic school within the transporting district, if the transportation is to schools maintaining grades or departments not maintained in the district or if the attendance of such children at school can more safely, economically, or conveniently be provided for by such means."

Pages 3 and 4, strike all of Section 3

Further, amend the title as follows:

Lines 3 and 4, strike "in shared time programs, and"

Line 6, strike "Sections" and insert "Section"

Line 7, strike "120.10, Subdivision 3;"

S. F. No. 967: A bill for an act relating to taxation; reducing the tax on oleomargarine; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1.

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

Page 1, line 22, strike "1974" and insert "1975"

Page 1, line 23, strike "1975" and insert "1976"

Page 1, line 24, strike "1976" and insert "1977"

Page 1, line 24, after "*pound in*" strike "1977" and insert "1978"

Page 1, line 24, after "*and in*" strike "1978" and insert "1979"

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 re-referred

H. F. No. 995: A bill for an act relating to taxation; income tax exemption for volunteer fireman pensions; amending Minnesota Statutes 1971, Section 290.08, Subdivision 6.

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

Page 1, line 1, strike "1971" and insert ", 1973 Supplement"

Page 1, line 4, after "subdivisions" insert "or from any other state or its political or governmental subdivisions"

Page 1, line 8, strike "1973" and insert "1974"

Further, amend the title as follows:

On the second line, strike "1971" and insert ", 1973 Supplement"

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. 2950: A bill for an act relating to the Dover, Eyota and St. Charles sanitary district; extending the time for payment of certain state money; amending Laws 1973, Chapter 595, Sections 1 and 2.

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

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

S. F. No. 3002: A bill for an act relating to Lake county; consolidating the offices of treasurer and auditor.

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

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

H. F. No. 2150: A bill for an act relating to the athletic commission; amending Minnesota Statutes 1971, Section 341.07.

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

Amend the title as follows:

Line 2, strike "athletic" and insert "boxing"

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. 2970: A bill for an act relating to the government of cities without home rule charters; providing for a code of statutes relating to cities without home rule charters; amending Minnesota Statutes 1971, Sections 205.05; 205.06, Subdivision 1; 205.08; 412.021, by adding a subdivision; 412.581; 412.631; 412.731; 412.751; 412.871; Chapter 205, by adding a section; Minnesota Statutes, 1973 Supplement, Sections 205.07, Subdivision 1; 412.02, Subdivision 1; 412.021, Subdivision 2; 412.023, Subdivisions 1, 2, and 4; and 465.56, Subdivision 2; repealing Minnesota Statutes, 1973 Supplement, Sections 205.041, and 465.57.

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

Page 6, strike lines 13 through 17

Page 7, line 8, after "~~treasurer,~~" insert "constable"

Page 7, line 10, after "~~clerk~~" insert "; constable"

Page 13, lines 27 and 28, reinstate the stricken language and strike the new language.

Page 14, line 28, strike "Sections" and insert "Section" and strike ", and 465.57, are repealed" and insert "is repealed"

Further, amend the title as follows:

Page 1, line 17, strike "Sections" and insert "Section" and strike "; and" and insert a period.

Page 1, strike line 18

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

Page 1, strike lines 7 and 8

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 re-referred

H. F. No. 1989: A bill for an act relating to workmen's compensation; providing judicial relief for employees who have been thwarted in, or discriminated against for, the exercise of their lawful rights; providing penalties.

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

Page 2, strike lines 2 through 16 and insert:

"Subd. 2. [PROHIBITED ACTIVITIES.] It is unlawful to restrain or interfere with a person with regard to the exercise of any of his rights under the workmen's compensation law. It is unlawful to discharge or otherwise penalize or discriminate against an employee who has exercised any right authorized by the provisions of the workmen's compensation law.

Subd. 3. [CIVIL ACTION.] Any person who has been aggrieved by a violation of subdivision 2 may within one year of the violation bring an action for treble damages and equitable relief in the district court in the county in which the violation occurred or in a county in which the defendant resides or transacts business. A showing by the plaintiff that he has been discharged or otherwise penalized or discriminated against after having exercised any of his rights under the workmen's compensation law shall create a presumption that he has been aggrieved by a violation of subdivision 2. This presumption may be rebutted only by clear and convincing evidence to the contrary. Upon a finding for the plaintiff, the court shall grant appropriate equitable relief, and award an amount equal to three times the amount of the damages sustained together with costs and disbursements including reasonable attorneys fees."

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

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

S. F. No. 2731: A bill for an act relating to employment services; unemployment compensation; benefits; excluding from the term "employment" services performed by certain employees and appointees of political subdivisions; amending Minnesota Statutes, 1973 Supplement, Section 268.04, Subdivision 12.

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

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

S. F. No. 2379: A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

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

Page 1, line 12, strike "village, borough,"

Page 1, line 15, strike "effective"

Page 1, lines 17 and 18, strike "are given the force and effect of law" and insert in lieu thereof: "shall become effective"

Page 2, line 1, strike "effective"

Page 2, lines 3 and 4, strike "are given the force and effect of law" and insert in lieu thereof: "shall become effective"

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. 2964: A bill for an act relating to welfare; alcohol and drug abuse; establishing an office of native American programs within the state authority on alcohol and drug abuse; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 254A.03.

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

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

H. F. Nos. 2638 and 2027 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 2638 to the Committee on Labor and Commerce.

H. F. No. 2027 to the Committee on Natural Resources and Agriculture.

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 were referred

H. F. Nos. 2822 and 2856 for comparison to companion Senate Files, reports the following House Files were found identical and

recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2822	2681	2856	2733		

and that the above Senate Files be indefinitely postponed.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred appointments submitted to the Senate by His Excellency, Governor Wendell R. Anderson for confirmation and to be found in the Journal for the 82nd day, reports the same back with the recommendation that said appointments be re-referred to the Committee on Governmental Operations.

STATE BOARD OF ELECTRICITY

Walter Passe, Wabasha, Wabasha County, appointed effective January 1, 1974, for a term expiring January 1, 1979.

Allan A. Hill, Bean & Hill, Professional Engineers, 2002 London Road, Duluth, St. Louis County, appointed effective January 1, 1974, for a term expiring January 1, 1979. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred appointments submitted to the Senate by His Excellency, Governor Wendell R. Anderson for confirmation and to be found in the Journal for the 83rd day, reports the same back with the recommendation that said appointments be re-referred to the standing committees of the Senate as follows:

CITIZENS ADVISORY COMMITTEE TO THE ENVIRONMENTAL QUALITY COUNCIL

Lyman L. Huntley, 803 2nd Avenue N. W., Grand Rapids, Itasca County, appointed effective January 28, 1974, for a term expiring December 31, 1974; to the Committee on Natural Resources and Agriculture.

STATE BOARD OF HEALTH

Roberta Williamson, 2021 Bluestone Lane, Eagan, Dakota County, appointed effective February 6, 1974, for a term expiring January 1, 1978.

Dr. Maurice McCollar, 3563 White Bear Avenue, White Bear Lake, Ramsey County, appointed effective January 1, 1974, for a term expiring January 1, 1978; to the Committee on Health, Welfare and Corrections. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 2944, 2631, 2860, 3054, 2264, 2891, 3006, 2638, 1679, 2582, 2345, 2939, 2676, 2921, 2892, 2823, 2571, 3029, 2393, 3003, 3004, 2952, 3017, 3030, 3032, 2977, 967, 2950, 3002, 2970, 2805, 2586, 2128, 3016, 2449, 2948, 2731 and 2379 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 713, 2889, 2043, 995, 2150, 2822 and 2856 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Olhoft moved that S. F. No. 2954 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Mr. Kleinbaum moved that S. F. No. 2981 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. Milton moved that S. F. No. 2161 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Hansen, Baldy moved that S. F. No. 2388 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Lord moved that S. F. No. 2415 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Borden moved that S. F. No. 2301 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Gearty moved that S. F. No. 2439 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Gearty moved that H. F. No. 1907 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Labor and Commerce. The motion prevailed.

Mr. Gearty moved that the name of Mr. Tennesen be added as chief author and the name of Mr. Gearty be stricken as chief author to S. F. No. 1339. The motion prevailed.

Mr. Keefe, S. moved that the name of Mr. Keefe, J. be added as co-author to S. F. No. 3141. The motion prevailed.

Mr. Ashbach moved that the name of Mr. Hughes be added as co-author to S. F. No. 3134. The motion prevailed.

Mr. Hansen, Baldy moved that S. F. No. 1856 be withdrawn

from the Committee on Labor and Commerce and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Milton moved that S. F. No. 3165 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Health, Welfare and Corrections. The motion prevailed.

Mr. Olhoft moved that S. F. No. 2976 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

Mr. Novak moved that S. F. No. 3205 be withdrawn from the Committee on Finance and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Coleman moved that his name be stricken and the name of Mr. North be added as chief author to S. F. No. 2427. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 2136: A bill for an act relating to counties; providing standards for redistricting of county boards, and the appointment of redistricting commissions; amending Minnesota Statutes 1971, Chapter 375, by adding a section; repealing Minnesota Statutes 1971, Section 375.02.

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 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berg	Hansen, Baldy	Olson, H. D.	Purfeerst	Schrom
Fitzsimons	Josefson	Olson, J. L.		

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

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.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Sillers reported that the committee had considered S. F. No. 2644, which the committee recommends to pass.

S. F. No. 2447, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Page 3, line 8, strike "may" and insert in lieu thereof "*shall*"

Page 3, line 11, strike "and only one" and insert in lieu thereof "*or more*"

Page 3, line 12, strike "supervisor" and insert in lieu thereof "*supervisors*"

H. F. No. 636, which the committee recommends to pass with the following amendments offered by Messrs. North and Brown:

Mr. North moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 18, line 14, after "*reviewed by the council.*" insert "*The regulations shall take effect on July 1, 1975.*"

Mr. Brown moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 2, line 12, after "*including*" insert "*only*"

Mr. Hansen, Mel moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 4, line 12, after the period, insert "*No more than five of these members shall be from any one political party.*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Olson, J. L.	Stassen
Berg	Fitzsimons	Knutson	Patton	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	Pillsbury	
Blatz	Hanson, R.	Larson	Renneke	
Brown	Jensen	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Davies	Kirchner	Moe	Schaaf
Arnold	Doty	Kleinbaum	Novak	Schrom
Borden	Gearty	Laufenburger	Olhoft	Spear
Chenoweth	Hansen, Baldy	Lewis	Olson, A. G.	Stokowski
Coleman	Hughes	Lord	Perpich, A. J.	Thorup
Conzemius	Humphrey	Milton	Purfeerst	Wegener

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

Mr. Knutson moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 19, strike lines 25 to 28

Re-number the clauses in sequence

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 20 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Josefson	Nelson	Renneke
Bernhagen	Hansen, Mel	Knutson	Olson, J. L.	Sillers
Blatz	Hanson, R.	Kowalczyk	Patton	Stassen
Brown	Jensen	Larson	Pillsbury	Ueland

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	North	Schaaf
Arnold	Doty	Laufenburger	Novak	Schroon
Borden	Dunn	Lewis	Ogdahl	Spear
Chenoweth	Hansen, Baldy	Lord	Olhoft	Stokowski
Chmielewski	Hughes	McCutcheon	Olson, A. G.	Wegener
Coleman	Humphrey	Milton	O'Neill	Willet
Conzemius	Kirchner	Moe	Purfeerst	

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

Mr. Brown moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 4, line 12, after "senate." insert:

"The governor shall appoint each member from a list of five nominees submitted by the members of the senate and house of representatives representing the precinct."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Conzemius	Jensen	Nelson	Pillsbury
Berg	Dunn	Josefson	Ogdahl	Renneke
Bernhagen	Fitzsimons	Knutson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Kowalczyk	O'Neill	Ueland
Brown	Hanson, R.	Larson	Patton	

Those who voted in the negative were:

Arnold	Doty	Lewis	Olhoft	Solon
Borden	Gearty	Lord	Olson, H. D.	Spear
Chenoweth	Hansen, Baldy	Milton	Purfeerst	Stokowski
Chmielewski	Hughes	Moe	Schaaf	Thorup
Coleman	Humphrey	North	Schroon	Wegener
Davies	Laufenburger	Novak	Sillers	

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

Mr. Renneke moved to amend H. F. No. 636, the unofficial engrossment, as follows:

Page 5, line 21, after "office." insert:

"The governor shall give consideration to the appointment of members of the governing bodies of municipalities and counties to the commissions."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 25 and nays 26, as follows:

Those who voted in the affirmative were:

Berg	Conzemius	Josefson	Lord	Pillsbury
Bernhagen	Dunn	Kirchner	Nelson	Renneke
Blatz	Hansen, Mel	Knutson	Olson, H. D.	Sillers
Brown	Hanson, R.	Kowalczyk	Olson, J. L.	Stassen
Chmielewski	Jensen	Larson	Patton	Ueland

Those who voted in the negative were:

Arnold	Humphrey	Moe	O'Neill	Spear
Chenoweth	Kleinbaum	North	Perpich, A. J.	Stokowski
Coleman	Laufenburger	Novak	Purfeerst	
Davies	Lewis	Ogdahl	Schaaf	
Gearty	McCutcheon	Olhoft	Schrom	
Hughes	Milton	Olson, A. G.	Solon	

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

RECESS

Mr. Coleman moved that the committee do now recess until 1:00 o'clock p.m. The motion prevailed.

The hour of 1:00 o'clock p.m. having arrived, the Chairman called the committee to order.

S. F. No. 498, which the committee recommends to pass with the following amendments offered by Messrs. Thorup and Lewis:

Mr. Thorup moved to amend S. F. No. 498, as follows:

Page 2, line 13, strike "by means of a surgical procedure involving the" and insert "after the first trimester"

Page 2, line 14, strike "use of any instrument"

Page 2, line 21, strike "non compos mentis except if necessary to" and insert "unconscious except if the woman has been rendered unconscious for the purpose of having an abortion or if the abortion is necessary to save the life of the woman."

Page 2, strike lines 22 and 23

Mr. Lewis moved to amend S. F. No. 498 as follows:

Page 2, line 7, after "to" insert "wilfully"

Mr. Conzemius moved that S. F. No. 498 be stricken from General Orders and re-referred to the Committee on Judiciary.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 13 and nays 47, as follows:

Those who voted in the affirmative were:

Ashbach	Humphrey	North	Perpich, G.	Spear
Bang	Lewis	Ogdahl	Pillsbury	
Conzemius	Nelson	Perpich, A. J.	Schaaf	

Those who voted in the negative were:

Anderson	Doty	Kleinbaum	Olson, A. G.	Stassen
Arnold	Dunn	Knutson	Olson, H. D.	Stokowski
Berg	Fitzsimons	Kowalczyk	Olson, J. L.	Tennessen
Bernhagen	Gearty	Larson	O'Neill	Thorup
Blatz	Hansen, Baldy	Lord	Patton	Ueland
Borden	Hansen, Mel	McCutcheon	Purfeerst	Wegener
Brown	Hanson, R.	Milton	Renneke	Willet
Chenoweth	Hughes	Moe	Schrom	
Chmielewski	Jensen	Novak	Sillers	
Coleman	Kirchner	Olhoft	Solon	

The motion did not prevail.

The question being taken on the committee recommendation to pass S. F. No. 498,

And the roll being called, there were yeas 51 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olhoft	Stassen
Arnold	Dunn	Knutson	Olson, A. G.	Stokowski
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Tennessen
Bernhagen	Gearty	Larson	Olson, J. L.	Thorup
Blatz	Hansen, Baldy	Laufenburger	O'Neill	Ueland
Borden	Hansen, Mel	Lord	Patton	Wegener
Brown	Hanson, R.	McCutcheon	Purfeerst	Willet
Chenoweth	Hughes	Milton	Renneke	
Chmielewski	Humphrey	Moe	Schrom	
Coleman	Jensen	Nelson	Sillers	
Conzemius	Josefson	Novak	Solon	

Those who voted in the negative were:

Lewis	Ogdahl	Pillsbury	Schaaf	Spear
North				

So the committee recommended S. F. No. 498 to pass.

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

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

MOTIONS AND RESOLUTIONS—CONTINUED

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

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Jean Zak, Clerk Typist II, effective February 18, 1974.

Rev. Reuben Groehler, Chaplain, effective February 4, 1974.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed.

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: H. F. Nos. 1829 and 2652, S. F. Nos. 2718, 2537, 2600, 2605, 2398, and 2822. The motion prevailed.

Mr. Doty moved that S. F. No. 3184 be withdrawn from the Committee on Rules and Administration and returned to its author. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Monday, February 18, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.