

NINETY-FOURTH DAY

St. Paul, Minnesota, Friday, March 1, 1974.

The Senate met at 12:00 o'clock noon and was called to order by the President.

CALL OF THE SENATE

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

Arnold	Gearty	Lewis	Olson, J. L.	Spear
Ashbach	Hansen, Baldy	Lord	O'Neill	Stassen
Bernhagen	Hansen, Mel	McCutcheon	Patton	Stokowski
Brown	Hanson, R.	Milton	Perpich, A. J.	Tennessee
Coleman	Hughes	Moe	Perpich, G.	Thorup
Conzemius	Humphrey	Nelson	Pillsbury	Ueland
Davies	Keefe, S.	Novak	Purfeerst	Wegener
Doty	Kowalczyk	Olhoff	Schaaf	Willet
Fitzsimons	Larson	Olson, H. D.	Schrom	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Berg, Borden and Laufenburger were excused from the Session of today. Mr. Lord was excused from the Session of today beginning at 1:00 o'clock p.m. Mr. Kowalczyk was excused from the Session of today beginning at 1:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Martin O. Sabo

Speaker of the House of Representatives

The Honorable Alec G. Olson

President of the Senate

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

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	2812	78	February 27, 1974	February 27, 1974

Sincerely,

Arlen Erdahl, Secretary of State

INTRODUCTION OF BILLS

Messrs. Lewis, Conzemius and Knutson introduced—

S. F. No. 3433: A bill for an act relating to the board of pardons; the granting of a pardon extraordinary; authorizing application to a district court for an order setting aside the conviction and sealing the record; amending Minnesota Statutes 1971, Section 638.02, by adding subdivisions.

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

Messrs. Willet, Fitzsimons and Keefe, S. introduced—

S. F. No. 3434: A bill for an act relating to registration of voters; voter registration in political subdivisions without permanent registration as of July 1, 1973; registration cards; amending Minnesota Statutes, 1973 Supplement, Sections 201.061, by adding a subdivision; and 201.071, Subdivisions 1 and 3.

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

Mr. Schaaf introduced—

S. F. No. 3435: A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

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

Messrs. Lord and Renneke introduced—

S. F. No. 3436: A bill for an act relating to public welfare; medical assistance for needy persons; review by county before payment; providing for hearings pursuant to Minnesota Statutes, Chapter 15; amending Minnesota Statutes, 1973 Supplement, Section 256B.041, Subdivision 3; and Minnesota Statutes 1971, Section 256B.10.

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

Mr. Humphrey introduced—

S. F. No. 3437: A bill for an act relating to elections; providing that the statutory precinct caucuses be held in public places; providing that school facilities should be made available; amending Minnesota Statutes 1971, Section 202.23, by adding a subdivision.

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

Messrs. Knutson and Stassen introduced—

S. F. No. 3438: A bill for an act relating to elections; providing for the terms of officers elected after the adoption of the uniform municipal election day by a municipality; amending Minnesota Statutes 1971, Section 205.20, Subdivisions 3 and 4.

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

Mr. Milton introduced—

S. F. No. 3439: A bill for an act relating to highways; directing the department of highways to utilize a certain corridor in Washington county for the construction of interstate highway marked No. I 94.

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

Messrs. Milton, Ogdahl and Perpich, G. introduced—

S. F. No. 3440: A bill for an act relating to health; establishing the right of a patient and certain relatives to examine his medical records; amending Minnesota Statutes 1971, Chapter 144, by adding a section; amending Minnesota Statutes, 1973 Supplement, Section 144.651.

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

Messrs. Laufenburger, Fitzsimons and Olson, A. G. introduced—

S. F. No. 3441: A bill for an act relating to commerce; requiring fuel information reporting; providing penalties; amending Minnesota Statutes, 1973 Supplement, Sections 325.811, Subdivision 2, and by adding subdivisions; 325.812, and by adding subdivisions.

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

Messrs. Keefe, S. and Spear introduced—

S. F. No. 3442: A bill for an act relating to commerce; certain real estate transactions; disclosure of substantial defects at time of sale; providing civil liabilities; appropriating money; and prescribing penalties.

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

Messrs. Hansen, Mel; Hughes and O'Neill introduced—

S. F. No. 3443: A bill for an act relating to education; providing for pilot preschool assessment programs; appropriating money.

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

Mr. Spear introduced—

S. F. No. 3444: A bill for an act relating to the city of Minneapolis; providing residency requirements for employees thereof.

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

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

S. F. No. 3445: A bill for an act relating to elections; providing for a more certain identification of the parties of election judges;

amending Minnesota Statutes 1971, Section 203.21, Subdivision 1; repealing Minnesota Statutes 1971, Section 203.21, Subdivision 2.

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

Messrs. O'Neill, McCutcheon and Milton introduced—

S. F. No. 3446: A bill for an act relating to indigent patients; providing for medical treatment at St. Paul-Ramsey hospital or university of Minnesota hospitals; amending Minnesota Statutes 1971, Chapter 158, by adding a section.

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

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

S. F. No. 3447: A bill for an act relating to the Minnesota historical society; commissioning paintings, including one depicting Indian life; appropriating money.

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

Messrs. O'Neill, Novak and Knutson introduced—

S. F. No. 3448: A bill for an act relating to courts; jurisdiction and utilization of referees in the family court division of the district court in Ramsey county; amending Minnesota Statutes 1971, Section 484.64, Subdivision 2, and by adding subdivisions.

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

Mr. Arnold introduced—

S. F. No. 3449: A bill for an act relating to the organization and operation of state government; transferring administrative responsibility for the Iron Range Trail from the commissioner of natural resources to the commissioner of iron range resources and rehabilitation; amending Minnesota Statutes 1971, Section 93.45, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Section 298.22, by adding a subdivision.

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

Mr. Keefe, S. introduced—

S. F. No. 3450: A bill for an act relating to highway traffic regulations; allowing the transportation of hockey sticks on school

buses; amending Minnesota Statutes 1971, Section 169.44, by adding a subdivision.

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

Messrs. Kleinbaum and Hansen, Baldy introduced—

S. F. No. 3451: A bill for an act relating to the game of bingo; associations permitted to conduct the game of bingo; increasing the compensation of persons rendering service during bingo sessions; amending Minnesota Statutes 1971, Section 349.03, Subdivision 1.

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

Messrs. Conzemius, Kirchner and Lewis introduced—

S. F. No. 3452: A bill for an act relating to corrections; appropriating money for the conduct of a training program for certain positions within the department of corrections.

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

Mr. Arnold introduced—

S. F. No. 3453: A bill for an act relating to the fire department relief association of the city of Grand Rapids; amending Laws 1971, Chapter 233, Section 1.

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

Mr. Arnold introduced—

S. F. No. 3454: A bill for an act relating to Itasca county; proceeds from sale or rental of forfeited land; increasing the expenditure allowed for certain purposes; amending Laws 1965, Chapter 326, Section 1, Subdivision 5.

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

Mr. Arnold introduced—

S. F. No. 3455: A bill for an act relating to taxation; exemption of certain taconite plant construction materials from the sales tax; amending Minnesota Statutes 1971, Section 297A.251.

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

Messrs. Lewis and Keefe, J. introduced—

S. F. No. 3456: A bill for an act relating to open meetings of public bodies; amending Minnesota Statutes, 1973 Supplement, Section 471.705, by adding a subdivision.

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

Mr. Schrom introduced—

S. F. No. 3457: A bill for an act relating to the cities of Albany and Avon in the county of Stearns; authorizing an increase in the per capita expenditure for local government.

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

Mr. Stokowski introduced—

S. F. No. 3458: A bill for an act relating to valuation of property; amending Minnesota Statutes, 1973 Supplement, Section 273.11, Subdivision 2.

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

Mr. O'Neill introduced—

S. F. No. 3459: A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

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

Mr. O'Neill introduced—

S. F. No. 3460: A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

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

Mr. Borden introduced—

S. F. No. 3461: A bill for an act relating to appropriations; revenue department for development of computer assisted assessment methods to be available to political subdivisions; appropriating money.

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

Mr. Arnold introduced—

S. F. No. 3462: A bill for an act relating to game and fish; prohibiting certain restrictions on commercial fishing on Rainy lake.

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

Mr. Willet introduced—

S. F. No. 3463: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

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

Messrs. Olson, H. D.; Renneke and Moe introduced—

S. F. No. 3464: A bill for an act relating to natural resources; postponing promulgation and effective date of criteria relating to drainage systems; amending Minnesota Statutes, 1973 Supplement, Section 106.021, Subdivision 6.

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

Mr. Kleinbaum introduced—

S. F. No. 3465: A bill for an act relating to taxation; providing for retroactive classification of property purchased by a non-profit corporation; amending Minnesota Statutes, 1973 Supplement, Section 275.28, Subdivision 1.

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

Messrs. Thorup, Ogdahl and Bang introduced—

S. F. No. 3466: A bill for an act relating to savings and loan associations; records and investments; amending Minnesota Statutes 1971, Sections 51A.19, Subdivision 4; and 51A.35.

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

Mr. Doty introduced—

S. F. No. 3467: A bill for an act relating to independent school district No. 381; providing for a seventh school board member.

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

Mr. Keefe, S. introduced—

S. F. No. 3468: A bill for an act relating to commerce; real estate brokers and salesmen; licensure; trust account requirements; amending Minnesota Statutes, 1973 Supplement, Sections 82.18; 82.19, Subdivision 3; 82.24, by adding a subdivision; and 82.28.

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

Mr. Keefe, S. introduced—

S. F. No. 3469: A bill for an act relating to franchises; definitions; application for registration of certain franchises; amending Minnesota Statutes, 1973 Supplement, Sections 80C.01, Subdivision 4; and 80C.04, by adding a subdivision.

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

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

S. F. No. 3470: A bill for an act relating to civil defense; abolishing the civil defense advisory council; repealing Minnesota Statutes 1971, Section 12.12.

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

Mr. Dunn introduced—

S. F. No. 3471: A bill for an act authorizing the city of Elk River to issue general obligation bonds in the amount of \$260,000 for a municipal library.

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

Mr. Willet introduced—

S. F. No. 3472: A bill for an act relating to Beltrami county; veterans land purchases.

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

Mr. Perpich, A. J. introduced—

S. F. No. 3473: A bill for an act relating to taxation; providing for reduction of tax of certain homesteads; amending Minnesota Statutes 1971, Section 273.135, Subdivision 1.

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

Messrs. Ueland, Moe and Knutson introduced—

S. F. No. 3474: A resolution memorializing federal authorities to issue a Norwegian American 1975 Sesquicentennial Commemorative Postage Stamp.

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

Mr. Berg introduced—

S. F. No. 3475: A bill for an act relating to the city of Appleton; authorizing issuance of an on-sale intoxicating liquor license.

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

Mr. Frederick introduced—

S. F. No. 3476: A bill for an act relating to the city of Stewartville; authorizing the issuance of two on-sale liquor licenses.

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

Messrs. Anderson; Keefe, J. and Blatz introduced—

S. F. No. 3477: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721,

Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

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

Mr. Arnold introduced—

S. F. No. 3478: A bill for an act relating to veterans; residency for purposes of entitlement to the Vietnam veterans bonus; amending Minnesota Statutes, 1973 Supplement, Section 197.971, Subdivision 9.

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

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

S. F. No. 3479: A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, reestablish the bracero program.

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

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

S. F. No. 3480: A bill for an act relating to local water and related land resources management; granting municipalities authority to construct flood prevention or control facilities on certain bodies of water; amending Minnesota Statutes, 1973 Supplement, Section 459.20.

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

Mr. Purfeerst introduced—

S. F. No. 3481: A bill for an act relating to public safety; defining peace officers; providing for a certificate of oath; amending Minnesota Statutes 1971, Sections 37.20; 38.01; 203.12; 203.42; 242.46, Subdivision 1; 260.311, Subdivision 3; 382.27; 398.35, Subdivision 2; 471.44; 493.01, Subdivision 2; 629.40; amending Minnesota Statutes, 1973 Supplement, Sections 176.011, Subdivision 9; 412.101; 352E.01, Subdivisions 2 and 4; 352E.02; 352E.04; 352E.05; repealing Minnesota Statutes 1971, Sections 169.123, Subdivisions 1, 4, 5, 6, 7, and 8; 200.02, Subdivision 13; 253A.02, Subdivision 15; 315.43; 340.91; 360.0751, Subdivision 1; 626.05, Subdivision 2; 626.76, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 169.123, Subdivisions 2 and 3.

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

Mr. Gearty introduced—

S. F. No. 3482: A bill for an act relating to energy conservation; providing for regulations to reduce wasteful and inefficient energy use; providing for energy conservation, education, and technical assistance; providing penalties.

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

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. Nos. 2718, 2682 and 2684.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 28, 1974

Mr. President:

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

S. F. No. 1858: A bill for an act relating to auxiliary forests; restricting the creation of new auxiliary forests and the extension of existing auxiliary forest contracts; amending Minnesota Statutes 1971, Chapter 88, by adding a section.

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

Prahl; Pavlak, R. and Anderson, I.

Senate File No. 1858 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned February 28, 1974

Mr. President:

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

S. F. No. 1530: A bill for an act relating to education; authorizing and prohibiting fees for public educations.

Senate File No. 1530 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned February 28, 1974

Mr. Doty moved that the Senate do not concur in the amendments by the House to S. F. No. 1530 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

H. F. Nos. 1421, 2703, 2762, 3125, 3009, 3142, 3245, 3248, 3293, 3356 and 3054.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 28, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 1421: A bill for an act relating to the University of Minnesota board of regents; providing for student or recent graduate members; amending Minnesota Statutes 1971, Chapter 137, by adding a section.

H. F. No. 2703: A bill for an act relating to the White Bear Lake conservation district; imposing additional duties on the board of the district; providing for means of funding; establishing certain lake regulatory powers; amending Laws 1971, Chapter 355, Sections 3 and 4.

H. F. No. 2762: A bill for an act relating to courts; terms of district courts in certain counties; amending Minnesota Statutes 1971, Section 484.11, Subdivisions 5, 10, and 12.

H. F. No. 3125: A bill for an act relating to education; general powers of independent school districts; empowering school boards to authorize superintendents and business managers to enter into certain transactions; amending Minnesota Statutes 1971, Section 123.37, by adding a subdivision.

H. F. No. 3009: A bill for an act relating to the city of Lake St. Croix Beach; authorizing the city to conduct a public or private sale of certain real property, whether or not dedicated to the public for park and recreational purposes, to use the net proceeds of such sale to pay existing debt service, and to acquire other real property for park and recreational purposes in substitution thereof.

H. F. No. 3142: A bill for an act relating to the city of Eden Prairie; authorizing the planning, construction and financing of a major center area ring road project.

H. F. No. 3245: 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 without an election except where required by the city charter to provide the local funds needed to match state, private, or federal grant funds.

H. F. No. 3248: A bill for an act relating to education; area vocational-technical schools; providing for traffic and parking regulation by the school boards or joint school boards.

H. F. No. 3293: A bill for an act relating to the Seaway Port Authority of Duluth; authorizing issuance of \$1,500,000 of bonds by Seaway Port Authority of Duluth for the purpose of constructing a facility for handling cargo containers; providing for the pledge of the full faith, credit and resources of the city of Duluth for the payment of interest and principal on said bonds.

H. F. No. 3356: A bill for an act authorizing the city of Mankato to establish and maintain a traffic and ordinance violation bureau.

H. F. No. 3054: A bill for an act relating to education; providing for free admission to age 18 and authorizing local boards of education to provide free admission for those between the ages of 18 and 21 years; amending Minnesota Statutes 1971, Sections 120.06, Subdivision 1; 120.08, Subdivision 1; 120.095, Subdivision 1.

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. The motion prevailed.

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

S. F. No. 2561: A bill for an act relating to state agencies; providing for payment of child care costs by the state for certain members of state boards and commissions.

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 15A.211 is amended to read:

15A.211 [TRAVEL EXPENSES AND CHILD CARE; BOARDS AND COMMISSIONS.] Notwithstanding the provi-

sions of any other law, the members and staff of all state boards, councils, and commissions in the executive branch, established by state law or otherwise, shall only be reimbursed for ~~travel~~ the following expenses:

(a) both in state and out-of-state *travel expenses* in accordance with the rules and regulations promulgated by the commissioner of ~~administration~~ *personnel* governing the travel of state officers and employees; ; and

(b) *reasonable expenses not to exceed \$20 per day actually incurred by members who are not public employees, for child care in accordance with the rules and regulations which shall be promulgated by the commissioner of personnel.*

Sec. 2. This act shall take effect the day following its enactment."

Further, amend by striking the title and inserting:

"A bill for an act relating to state agencies; providing for payment of child care costs by the state for members of state boards, councils and commissions; amending Minnesota Statutes, 1973 Supplement, Section 15A.211."

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

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

S. F. No. 2669: A bill for an act relating to the legislature; establishing the office of state demographer; appropriating money.

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

Strike everything after the enacting clause and insert:

"Section 1. [PURPOSE.] The legislature finds that competent demographic estimates and projections are basic tools for operating all units of government and planning for their future development. Therefore the effective operation of the state planning agency requires the appointment of a state demographer.

Sec. 2. Minnesota Statutes 1971, Section 4.11 is amended by adding a subdivision to read:

Subd. 8. Within the organization of the state planning agency, the position of state demographer shall be appointed by and serve under the supervision and control of the director of planning. The state demographer shall be professionally competent in the field of demography and shall possess demonstrated ability, based upon experience and past performance.

Sec. 3. Minnesota Statutes 1971, Section 4.12, is amended by adding subdivisions to read:

Subd. 6. The director of planning shall:

(1) *Employ personnel with qualifications as are needed to perform the duties prescribed in this section. To the greatest extent practicable, the director of planning shall limit the permanent demographic staff and shall contract for basic research, employ consultants, and use the existing facilities of state departments, other agencies, and the state educational institutions, and*

(2) *Utilize the computer facilities of the state or educational institutions for the research data necessary for periodic population projections.*

Subd. 7. The director of planning or his designee:

(1) *Shall continuously gather and develop demographic data within the state;*

(2) *Shall design and test methods of research and data collection;*

(3) *Shall have the power to call upon any agency of the state or political subdivision for data as may be available, and the agencies and political subdivisions shall cooperate to the fullest extent possible;*

(4) *Shall annually prepare population projections for designated regions and for the state and may periodically prepare projections for each county, or other political or geographic division;*

(5) *Shall review, comment, and prepare analysis of population estimates and projections made by state agencies, political subdivisions, other states, federal agencies or nongovernmental persons, institutions or commissions;*

(6) *Shall serve as the state representative to the federal bureau of census and shall coordinate his activities with federal demographic activities to the fullest extent possible;*

(7) *Shall compile an annual study of population estimates on the basis of county, regional or other political or geographic divisions as necessary to carry out the purposes of this act; and*

(8) *Shall, on or before January 1 of each year, issue a report to the legislature containing an analysis of the demographic implications of the annual population study and population projections.*

Sec. 4. *Each state agency shall submit to the director of planning for his comment all population estimates and projections prepared by it prior to:*

(a) *Submitting those estimates and projections to the state legislature or federal government to obtain appropriations or grants,*

(b) *The issuance of bonds based upon those estimates and projections, and*

(c) *Releasing any plan based upon those estimates and projection.*

Sec. 5. On or before March 1, 1975, the state demographer shall report to the legislature on his progress in carrying out the powers and duties enumerated in section 2 of this act.

Sec. 6. On or before January 1, 1976, the state demographer shall submit a report to the legislature on the feasibility and potential uses of a periodic official census, and of periodic population estimates and projections.

Sec. 7. The sum of \$. is appropriated to the state planning agency from the general fund for the purposes of this act. This appropriation shall expire June 30, 1975.

Sec. 8. This act is effective on the day following its final enactment."

Further, amend the title as follows:

Strike the title and insert in lieu thereof the following:

A bill for an act relating to the state planning agency; creating the position of state demographer; prescribing duties; appropriating moneys therefor; amending Minnesota Statutes 1971, Sections 4.11, by adding a subdivision; and 4.12, by adding subdivisions."

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

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

S. F. No. 3311: A bill for an act relating to the municipal housing and redevelopment act; authorizing a redevelopment company to be organized as a limited partnership; amending Minnesota Statutes 1971, Sections 462.421, Subdivision 20; and 462.605.

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

Page 2, after line 1, add a new section to read:

"Sec. 3. This act shall be effective on the day next following its final enactment."

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

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

H. F. No. 3047: A bill for an act relating to the city of Crystal; authorizing members of the city council to serve on the housing and redevelopment authority of the city.

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

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

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

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

Page 1, line 1, strike "four" and insert "three"

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

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

S. F. No. 2332: A bill for an act relating to intoxicating liquor; labeling required; providing a penalty; amending Minnesota Statutes 1971, Section 340.461, Subdivision 4, and by adding a subdivision.

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. 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.

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. [LEGISLATIVE PURPOSE.] The legislature finds and determines that it is in the best interest of the state to establish supplemental public transit aid and public transit demonstration programs. It is the purpose of these programs to preserve, improve and develop supplemental public transit operations throughout the state with financial aid. It is the goal of these programs to reduce energy consumption and afford the benefits of an effective public transit system to those persons who would not have available an alternative source of transportation. It is the intent of this legislation that the funds be used on a statewide basis, and that the relative financial needs of all potential recipients be considered.

Sec. 2. [CITATION.] This act may be cited as the Minnesota Supplemental Transit Aid Program Act of 1974.

Sec. 3. [DEFINITIONS.] Subdivision 1. "Eligible recipients" means any legislatively established public transit commission or public transit authority, county, or municipality providing financial assistance to, or operating a public transit system or any combination of such units.

Subd. 2. "Total operating deficits" means the amount by which the total prudent operating expenses incurred in the operation of the public transit system exceeds the amount of operating revenue derived therefrom.

Subd. 3. "Public transit system" means a transit system, either publicly or privately owned, which provides to the public general or specific service on a regular and continuing basis.

Sec. 4. [SUPPLEMENTAL PUBLIC TRANSIT AID PROGRAM.] Subdivision 1. [CREATION.] A supplemental public transit aid program is hereby created to provide state financial assistance to eligible recipients.

Subd. 2. [PURPOSE.] The purpose of this program is to preserve and improve public transit operations in approved areas of the state.

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the supplemental public transit aid program include counties, municipalities, and legislatively established public transit authorities or commissions, or combinations of such units. Applications for financial assistance shall be made through the regional development commissions.

Subd. 4. [ORGANIZATION.] The state planning agency shall administer this supplemental public transit aid program in areas other than the metropolitan transit area and shall have all the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Receive applications for aid under this section and prescribe the form and nature and extent of the information which shall be contained in the application.

(c) Make and execute contracts with any eligible recipients to insure the continuance and improvement of public transit service at reasonable fares. Payments under such contracts to eligible recipients shall not exceed two-thirds of the total operating deficit of the public transit system involved. In allocating these funds, the state planning agency may consider population, transit ridership, relative need for public transit, new developments and other factors.

(d) Determine the operating deficit of any public transit system in accordance with the general accepted accounting principles and practices. In determining such total operating deficits, the agency shall consider all increases in expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow portions or all of any such increases or reductions. Where legislatively established public transit authorities or commissions do not exist, and if more than one county or municipality contributes assistance to the operation of a public transit system, the aid distributable under this

section shall be allocated among contributors in proportion to their contribution.

(e) Apply for, receive and accept federal funds made available for the purpose of this section, if requested, on behalf of eligible recipients.

Subd. 5. [APPROPRIATION.] There is hereby appropriated from the general fund the sum of \$5,500,000 to the state planning agency for the purposes of carrying out the provisions of this section. Four million five hundred thousand dollars of these funds shall be appropriated for use by the metropolitan transit commission to carry out the provisions of the commission's petroleum emergency program. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 5. [PUBLIC TRANSIT DEMONSTRATION PROGRAM.]
Subdivision 1. [CREATION.] A public transit demonstration program is hereby created which will provide state financial assistance to eligible recipients.

Subd. 2. [PURPOSE.] The purpose of this program is to demonstrate the effects of improving public transit service on reducing vehicular travel and meeting transportation needs at a minimal cost.

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the public transit demonstration program include counties, municipalities, legislatively established public transit authorities or commissions, or combinations of such units in areas other than the metropolitan transit area defined in Minnesota Statutes, Chapter 473A. Applications for financial assistance shall be made through the regional development commissions.

Subd. 4. [LIMITATIONS.] It is the intent of this legislation that the funds be used on a statewide basis. In order to carry out this policy, no more than 20 per cent of the funds appropriated in subdivision 6 shall be granted to any single recipient during the first six months of the program. At the end of the six-month period, unobligated funds shall be made available without such restriction.

Subd. 5. [ORGANIZATION.] The state planning agency shall administer the public transit demonstration program and shall have the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Insure that grant applications specify how the proposed project will result in improvements in accessibility for public transportation, improvements in the quality of public transit service to passengers, improvements in the economic performance of the public transit system and in reducing adverse impacts of vehicular transportation on the environment.

(c) Make and execute contracts with eligible recipients. Grants of up to 75 per cent of the cost of the public transit demonstration projects may be made.

Subd. 6. [APPROPRIATIONS.] There is hereby appropriated from the general fund to the state planning agency the sum of \$500,000 for the purpose of carrying out the provisions of this section. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 6. After 12 months from the date of final enactment, funds remaining unobligated under sections 4 and 5 may be allocated for either of the purposes described in sections 4 and 5.

Sec. 7. [ADMINISTRATIVE COST.] There is hereby appropriated from the general fund to the state planning agency the sum of \$75,000 for the purposes of administering the provisions of this act. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 8. [EFFECTIVE DATE.] This act shall take effect upon final enactment."

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

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

S. F. No. 3123: A bill for an act relating to health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

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. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 6, the terms defined in this section have the meanings given them.

Subd. 2. "Club" means any health club, social referral club or buying club.

Subd. 3. "Contract" means any agreement by which one becomes a member of a club.

Subd. 4. "Health club" means any corporation, partnership, unincorporated association or other business enterprise organized for profit having the primary purpose of engaging in instruction, training, encouragement or assistance in physical fitness, body building, exercising, reducing, figure development or any other such activities, or furnishing the use of facilities for such activities.

Subd. 5. "Social referral club" means any corporation, partnership, unincorporated association or other business enterprise or-

ganized for profit with the primary purpose of matching members of the opposite sex, by the use of computer or any other means, to facilitate dating or general social contact.

Subd. 6. "Buying club" means any corporation, partnership, unincorporated association or other business enterprise organized for profit with the primary purpose of providing benefits to members from the cooperative purchase of services or merchandise.

Subd. 7. "Member" means a status by which any natural person is entitled to any of the benefits of a club.

Subd. 8. "Prepayment" means any payment over \$25 for service or merchandise made before the service is rendered or the merchandise is received. It is not a prepayment if a payment for service is made on the same day the service is rendered.

Sec. 2. [RIGHT OF CANCELLATION.] Any person who has elected to become a member of a club may cancel such membership by giving written notice of cancellation any time before midnight of the third business day following the date on which membership was attained. Notice of cancellation may be given personally or by mail. If given by mail, the notice is effective upon deposit in a mailbox, properly addressed and postage prepaid. Notice of cancellation need not take a particular form and is sufficient if it indicates, by any form of written expression, the intention of the member not to be bound by the contract. Cancellation shall be without liability on the part of the member and the member shall be entitled to a refund, within ten days after notice of cancellation is given, of the entire consideration paid for the contract. Rights of cancellation may not be waived or otherwise surrendered.

Sec. 3. [NOTICE TO MEMBERS.] Subdivision 1. A copy of every contract shall be delivered to the member at the time the contract is signed. Every contract must be in writing, must be signed by the member, must designate the date on which the member signed the contract and must state, clearly and conspicuously in bo'd face type of a minimum size of fourteen points, the following:

"MEMBERS' RIGHT TO CANCEL"

"If you wish to cancel this contract, you may cancel by delivering or mailing a written notice to the club. The notice must say that you do not wish to be bound by the contract and must be delivered or mailed before midnight of the third business day after you sign this contract. The notice must be delivered or mailed to: *(insert name and mailing address of club)*. If you cancel, the club will return, within ten days of the date on which you give notice of cancellation, any payments you have made."

Subd. 2. Every contract which does not contain the notice specified in subdivision 1 may be cancelled by the member at any time by giving notice of cancellation by any means.

Sec. 4. [LIMITATION ON MEMBERSHIP PERIOD.] No contract shall be valid for a term longer than two years from the date upon which the contract is signed. However, a club may allow

a member to convert his contract into a contract for a period longer than two years after the member has been a member of the club for a period of at least six months. The duration of the contract shall be clearly and conspicuously disclosed in the contract in bold face type of a minimum size of 14 points.

Sec. 5. [BOND.] Subdivision 1. Every buying club shall maintain a bond issued by a surety company admitted to do business in this state the principal sum of which shall at all times be at least as great as the sum of (a) the total amount of prepayment received for all contracts of membership in force and (b) the total of all deposits being held on merchandise ordered or purchased through the club.

Subd. 2. Every health club or social referral club shall maintain a bond issued by a surety company admitted to do business in this state the principal sum of which shall be at all times at least as great as the total amount of prepayment received for all contracts of membership in force.

Subd. 3. In no event shall any bond required by this section be less than \$25,000.

Subd. 4. The bond required by this section shall be in favor of the state for the benefit of any person who, after entering into a contract with a club, is damaged by any illegal act or violation of contract. A copy of the bond shall be filed with the attorney general. Any person claiming against the bond may maintain an action at law against the club and the surety.

Subd. 5. The aggregate liability of the surety to all persons for all breaches of the conditions of the bonds provided herein shall in no event exceed the amount of the bond.

Subd. 6. This section does not apply to any club which files a declaration, executed under penalty of perjury by the owner or manager of such club, with the attorney general stating that the club does not require or in the ordinary course of business receive prepayment for services or merchandise.

Sec. 6. [DUTIES OF ATTORNEY GENERAL; PENALTIES; REMEDIES.] Subdivision 1. The attorney general shall investigate violations of sections 1 to 6, and when from information in his possession he has reasonable ground to believe that any person has violated or is about to violate any provision of sections 1 to 6, or that any club is insolvent, he shall be entitled on behalf of the state (a) to sue for and have injunctive relief in any court of competent jurisdiction against any such violation or threatened violation without abridging the penalties provided by law: (b) to sue for and recover for the state, from any person who is found to have violated any provision of sections 1 to 6, a civil penalty, in an amount to be determined by the court, not in excess of \$25,000; and in case the club has failed to maintain the bond required by sections 1 to 6, or is insolvent or in imminent danger of insolvency, to sue for and have an order appointing a receiver to wind up its affairs. All civil penalties recovered under this subdivision shall be deposited in the general fund of the state treasury.

Subd. 2. In addition to the remedies otherwise provided by law, any person injured by a violation of any of the provisions of sections 1 to 6, may bring a civil action and recover damages, together with costs and disbursements, including reasonable attorney's fees, and receive other equitable relief as determined by the court."

Further, amend the title as follows:

Page 1, line 2, after "relating to" insert "commerce; regulating".

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

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

S. F. No. 2850: A bill for an act relating to St. Louis county; authorizing issuance of additional seasonal on-sale intoxicating liquor licenses; amending Laws 1973, Chapter 663, Section 1.

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

Page 1, line 14, strike "additional"

Further, amend the title as follows:

Line 3, strike "additional"

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. 1382: A bill for an act relating to insurance; deposits by domestic insurance companies; defining the kind of securities which domestic insurance companies must keep on deposit for the protection of policyholders; requiring all securities to be deposited in a state or national bank in Minnesota; amending Minnesota Statutes 1971, Sections 60A.10, Subdivisions 1 and 4, and by adding a subdivision; 60A.19, Subdivision 5; 61A.41; 63.02; 65A.22; 66A.08, Subdivision 1; and 68A.01, Subdivision 3.

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

Page 2, after line 7, insert:

"(3) No judgment creditor or other claimant may levy upon any securities held on deposit with, or for the account of, the commissioner. Upon the entry of an order by a court of competent jurisdiction for the rehabilitation, liquidation or conservation of any depositing company as provided in Minnesota Statutes, Chapter 60B, that company's deposit together with any accrued income thereon shall be transferred to the commissioner as rehabilitator, liquidator, or conservator."

Page 2, line 15, strike "*After July 1, 1974*" and insert "*No later than 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. 2685: A bill for an act relating to the administration of criminal justice; establishing the Minnesota commission on criminal justice; and appropriating money.

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

Page 1, line 22, after "crime" insert "and members from the various regional development districts"

Page 3, after line 6, insert:

"Subd. 6. If any of the appointment procedures of this section are held invalid for any reason the governor shall make subsequent appointments to and fill vacancies in the positions affected by the holding of invalidity in the manner prescribed by this section for gubernatorial appointments."

Page 3, line 17, after "for" insert "necessary and reasonable"

Page 3, line 18, after "duties" insert "in the same manner and amount as state employees"

Page 3, line 21, after "members" insert "of the whole commission"

Page 4, line 12, after "and" insert "to assist"

Page 5, strike lines 6 to 9 and insert:

"Sec. 9. The unencumbered balance of all funds appropriated to the criminal justice contingent account by Laws 1973, Chapter 720, Section 2, Subdivision 12, and of all funds appropriated to the governor's commission on crime prevention and control by Laws 1973, Chapter 720, Section 5, are hereby transferred and reappropriated to the Minnesota criminal justice commission for the purposes of this act. Notwithstanding any other law this appropriation shall lapse and the funds so appropriated shall revert to the general fund of the state treasury on February 1, 1975, unless the governor by executive order, on or before that date designates the Minnesota criminal justice commission as the state planning agency for the purposes of the omnibus crime control act of 1968, 82 Stat. 197 and acts amendatory thereto."

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. 2759: A bill for an act relating to public employees; authorizing participation in the state deferred compensation plan; amending Minnesota Statutes 1971, Section 16.027, by adding a subdivision.

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, 1973 Supplement, Section 16.027, Subdivision 8, is amended to read:

Subd. 8. (1) At the request of an officer or employee of the state of Minnesota *or any political subdivision thereof*, the appointing authority shall, by payroll deduction, defer the payment of such part of the compensation of the officer or employee as provided in a written agreement between the officer or employee and the state of Minnesota *or political subdivision* in such a manner as will qualify the deferred amount for benefits afforded under federal and state tax laws, regulations, and rulings.

(2) The amount of compensation so deferred shall be used to purchase shares in the Minnesota supplemental retirement fund established in section 11.18. The shares so purchased shall stand in the name of the state of Minnesota for the officer or employee whose deferred compensation purchased said shares until distributed to said officer or employee in a manner agreed upon by the appointing authority and the employee. Nothing in this subdivision shall be construed as to authorize an employer contribution, nor shall the state be responsible for any loss which may result from investment of the deferred compensation.

(3) The provisions of this subdivision, except clause (2), shall be administered by the Minnesota state retirement system pursuant to the provisions of clause (4).

(4) The commissioner of administration shall establish rules, regulations, and procedures to carry out the provisions of this subdivision including allocation of administrative costs against the assets accumulated under this subdivision. Funds to pay such costs are hereby appropriated from the fund or account in which the assets accumulated under this subdivision are placed.

Sec. 2. This act shall take effect on the day following its enactment."

Further, amend the title in line 5 by striking "1971" and inserting "1973 Supplement" and by striking line 6 and inserting "Subdivision 8."

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2781: A bill for an act relating to the office of the dis-

strict court administrator, fourth judicial district, Hennepin county, state of Minnesota; and relating to the statutory duties of the clerk of district court.

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

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

S. F. No. 2161: A bill for an act relating to mobile homes; establishing a section on mobile homes; providing for licensing of certain activities relating to mobile homes; providing penalties; appropriating money.

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. Minnesota Statutes 1971, Section 327.31, Subdivision 3, is amended to read:

Subd. 3. "Code" means the standards code promulgated by the American National Standards Institute and identified as ANSI A119.1, including all revisions thereof in effect on May 21, 1971, and the provisions of the National Fire Protection Association and identified as NFPA 501B, and further revisions adopted by the commissioner.

Sec. 2. Minnesota Statutes 1971, Section 327.31, is amended by adding subdivisions to read:

Subd. 9. "Support system" means any device placed beneath a mobile home at the site of occupancy for the purpose of providing support.

Subd. 10. "Ground anchoring system" is any device connected to a mobile home and designed for the purpose of securing the mobile home to the ground.

Subd. 11. "Mobile home installer" means any person who, within any consecutive twelve month period, installs for others three mobile homes at site of occupancy by making necessary service connections or attaching support systems or ground anchoring systems.

Subd. 12. "Installation seal" means a device or insignia issued by the commissioner to be displayed on the mobile home to evidence compliance with the commissioner's rules and regulations pertaining to support systems and ground anchoring systems.

Sec. 3. Minnesota Statutes 1971, Section 327.32, Subdivision 5, is amended to read:

Subd. 5. No mobile home which bears a seal as provided herein shall be required by any agency or political subdivision of this state to comply with any other building, plumbing, heating, or

electrical code or any construction standards other than the code as defined in sections 327.31 to 327.34 nor be subject to any other state or local building inspection, except as the commissioner shall, by rule, provide in the case of alterations. *No mobile home which bears an installation seal as provided herein shall be required by any agency or political subdivision of this state to comply with any other mobile home installation code other than a code promulgated by the commissioner.*

Sec. 4. Minnesota Statutes 1971, Section 327.32, is amended by adding a subdivision to read:

Sub. 6. After September 1, 1974, no person shall install or connect to any mobile home a support system or ground anchoring system which is in violation of any rules and regulations promulgated by the commissioner which pertain to support systems and ground anchoring systems. The commissioner shall issue installation seals to any dealer or mobile home installer upon application supported by such evidence as the commissioner deems necessary to establish that the seals will be affixed only to those mobile homes where the support system and ground anchoring system comply with the commissioner's rules and regulations.

Sec. 5. Minnesota Statutes 1971, Section 327.33, Subdivision 2, is amended to read:

Subd. 2. The commissioner shall by rule establish reasonable fees for seals, ~~or installation seals and inspection or both~~ which are sufficient to cover all costs incurred in the administration of sections 327.31 to 327.34. All fees received by the commissioner shall be deposited in the state treasury and credited to the general fund.

Sec. 6. Minnesota Statutes 1971, Section 327.34, Subdivision 1, is amended to read:

327.34 [PENALTIES.] Subdivision 1. It shall be a misdemeanor for any person,

(a) to sell, or offer to sell, any mobile home manufactured after July 1, 1972 which does not comply with the code or if manufactured after July 1, 1972 which does not bear a seal as required by sections 327.31 to 327.34;

(b) to affix a seal *or installation seal*, or cause a seal *or installation seal* to be affixed, to any mobile home which does not comply with the code *or the commissioner's rules and regulations pertaining to support systems and ground anchoring systems*;

(c) to alter a mobile home in a manner prohibited by sections 327.31 to 327.34;

(d) to fail to correct a code violation in a mobile home owned, manufactured, or sold by him within 90 days of being ordered to do so in writing by an authorized representative of the commissioner; or

(e) to interfere with, obstruct, or hinder any authorized representative of the commissioner in the performance of his duties ; ;
or

(f) to fail to correct a violation in installation of a support system or ground anchoring system in a mobile home owned, manufactured, or sold by him within 90 days of being ordered to do so in writing by an authorized representative of the commissioner.

Sec. 7. Minnesota Statutes 1971, Section 327.34, Subdivision 3, is amended to read:

Subd. 3. *Seals and installation seals* remain the property of the department of administration and may be removed by the commissioner from any mobile home which is in violation of the code.

Sec. 8. Minnesota Statutes 1971, Section 327.34, is amended by adding a subdivision to read:

Subd. 4. *It shall be a misdemeanor for any manufacturer, dealer or mobile home installer to install in any mobile home at the site of occupancy a support system or ground anchoring system after September 1, 1974, which does not comply with the commissioner's rules and regulations or to install a support system or ground anchoring system without affixing an installation seal to the mobile home immediately upon completion of installation.*

Sec. 9. Minnesota Statutes 1971, Section 168.011, Subdivision 4, is amended to read:

Subd. 4. "Motor vehicle" means any self-propelled vehicle not operated exclusively upon railroad tracks and any vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys which are propelled by electric power obtained from overhead trolley wires but not operated upon rails, except snowmobiles and mobile homes.

Sec. 10. Minnesota Statutes 1971, Section 168.27, Subdivision 1, is amended to read:

168.27 [MANUFACTURERS AND DEALERS.] Subdivision 1. [LICENSE.] No person, copartnership or corporation shall engage in the business, either exclusively or in addition to any other occupation, of selling motor vehicles or mobile homes, new or used, or shall offer to sell, solicit or advertise the sale of motor vehicles or mobile homes, new or used, without first having acquired a license therefor as hereinafter provided. Application for such license and renewal thereof, shall be made to the registrar of motor vehicles, shall be in writing, and duly verified by oath. The applicant shall submit such information as the registrar may require, upon blanks provided by the registrar for such purpose. No application shall be granted nor a license issued to anyone, until and unless the applicant shall furnish proof satisfactory to the registrar of the following:

(1) That the applicant has an established place of business; an established place of business when used in this section, means a permanent enclosed building or structure either owned in fee or leased at which a permanent business of bartering, trading and selling of motor vehicles or mobile homes will be carried on as such in good faith and not for the purpose of evading this section, and

at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business at such place and shall not mean residence, tents, temporary stands, or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement;

(2) That if the applicant desires to sell, solicit or advertise the sale of both new and used motor vehicles ~~or mobile homes~~, he must have a bona fide contract or franchise in effect with a manufacturer or distributor of the new motor vehicle ~~or mobile home~~, or new motor vehicles ~~or mobile homes~~, he proposes to deal in; he shall also have adequate space in the building or structure wherein his business is conducted for the display of motor vehicles, not including house trailers and ~~mobile homes~~, and, unless he proposes to engage only in the sale of house trailers ~~or mobile homes~~, shall also provide for the repair and servicing of motor vehicles and the storage of parts and accessories in the city or village where his business is located and conducted, such service may be provided through contract with bona fide operators actually engaged in such service. But nothing herein contained shall require an applicant for a dealer's license who proposes to deal in new and unused motor vehicle bodies to have a bona fide contract or franchise in effect with the manufacturer or distributor of any motor vehicle chassis upon which the new and unused motor vehicle body is mounted;

(3) That if the applicant desires only to sell, solicit or advertise the sale of used motor vehicles, he shall have adequate space for the display of motor vehicles either in the building or structure wherein his business is conducted or on a lot adjacent thereto. The registrar in his discretion may authorize the use of a building or lot for display purposes not adjacent to but in close proximity to the building wherein the business is conducted if such use is made in good faith and not for the purpose of evading the requirements of this section.

Sec. 11. Minnesota Statutes 1971, Chapter 327, is amended by adding a section to read:

[327.181] [MANUFACTURERS AND DEALERS.] *Subdivision 1. [LICENSE.] No person, copartnership or corporation shall engage in the business, either exclusively or in addition to any other occupation, of selling or manufacturing mobile homes, new or used, or shall offer to sell, solicit or advertise the sale of mobile homes, new or used, without first having acquired a license therefor as hereinafter provided. Application for such license and renewal thereof, shall be made to the commissioner, shall be in writing, and duly verified by oath. The applicant shall submit such information as the commissioner may require, upon blanks provided by the commissioner for such purpose. No application shall be granted nor a license issued to anyone, until and unless the applicant shall furnish proof satisfactory to the commissioner of the following:*

(1) *That the applicant has an established place of business; an established place of business when used in this section, means a*

permanent enclosed building or structure either owned in fee or leased at which a permanent business of bartering, trading and selling of mobile homes will be carried on as such in good faith and not for the purpose of evading this section, and at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business at such place and shall not mean residence, tents, temporary stands, or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement;

(2) That if the applicant desires to sell, solicit or advertise the sale of both new and used mobile homes, he must have a bona fide contract or franchise in effect with a manufacturer or distributor of the new mobile home, or mobile homes, he proposes to deal in; he shall also have adequate space in the building or structure wherein trailers and mobile homes are sold, and, unless he proposes to engage only in the sale of mobile homes, shall also provide for the repair and servicing of mobile homes and the storage of parts and accessories in the city or village where his business is located and conducted, such service may be provided through contract with bona fide operators actually engaged in such services. But nothing herein contained shall require an applicant for a dealer's license who proposes to deal in new and unused mobile home bodies to have a bona fide contract or franchise in effect with the manufacturer or distributor of any mobile home chassis upon which the new and unused mobile home body is mounted;

(3) That the applicant has secured a surety bond executed by the applicant as principal and issued by a surety company admitted to do business in this state, which shall be in the amount of \$10,000, and be conditioned upon the faithful compliance by the applicant with all of the laws and rules and regulations of this state pertaining to such business. Any third party sustaining injuries within the terms of the bond may proceed against the principal and surety without making the state a party to such proceedings. Provided, however, that the aggregate liability of the surety to all such persons for all such losses or damages shall in no event exceed the amount of such bond.

Subd. 2. [PREMISES FOR DISPLAY OF MOBILE HOMES.]

If a license is granted, the licensee may be permitted to use unimproved lots and premises for sale, storage, and display of mobile homes.

If the licensee desires to remove from the established place of business occupied when the license is granted, to a new location, he shall first secure from the commissioner permission to do so. He shall be required to furnish proof satisfactory to the commissioner that the premises to which he proposes to remove conform to the requirements of subdivision 1.

Subd. 3. [LICENSES, WHEN GRANTED.] The commissioner shall grant or deny the application for such license within 60 days after the filing of the application. If the application is granted, the commissioner shall license the applicant as a mobile home dealer for the remainder of the calendar year, and issue a certificate of

license therefor as the commissioner may provide upon which shall be placed a distinguishing number of identification of such dealer. Each application for such license, and application for the renewal thereof, shall be accompanied by the sum of \$44, which shall be paid into the state treasury and credited to the general fund. Such license, unless sooner revoked, as hereinafter provided, shall, upon the furnishing of proof as in the initial application herein provided for, satisfactory to the commissioner, be renewed by the commissioner annually upon application by the dealer and upon the making of all listings, registrations, notices, and reports required by the commissioner, and upon the payment of all taxes, fees, and arrears due from such dealer.

Subd. 4. [LICENSES; REVOCATION.] Such license may be revoked by the commissioner upon proof satisfactory to him of either of the following:

- (1) Violations of any of the provisions of this chapter;
- (2) Violation of or refusal to comply with the requests and order of the commissioner;
- (3) Failure to make or provide to the commissioner all listings, notices, and reports required by him;
- (4) Failure to pay to the commissioner all taxes, fees, and arrears due from and by such dealer;
- (5) Failure to duly apply for renewal of license provided for herein;
- (6) Revocation of previous license, of which the records of the commissioner relating thereto shall be prima facie evidence of such previous revocation;
- (7) Failure of continued occupancy of an established place of business;
- (8) Sale of a new and unused current model mobile home other than the make of mobile home described in the franchise or contract filed with the original application or renewal thereof without permission from the commissioner;
- (9) Sale of a new and unused current model mobile home to anyone except for consumer use, or to a dealer duly licensed to sell the same make of mobile home; or
- (10) Material misstatement or misrepresentation in application for license or renewal thereof.

Subd. 5. [REVOCATION; HEARING.] The commissioner, upon his own motion or upon the complaint of another, shall prepare and cause to be served upon the licensee complained of, a written notice or complaint setting forth, in substance, the violations charged, and shall require the licensee to appear at the time and place fixed therein before the commissioner or authorized deputy, and show cause why his license should not be revoked.

The commissioner shall, at the time and place fixed in the notice, proceed to hear and determine the matter on its merits. If

the commissioner shall find the existence of any of the causes for revocation as set forth in subdivision 4 and determine that the licensee's license should be revoked, he shall make a written order to that effect, and a copy of such order shall be served upon such licensee in the manner provided by law for the service of summons in a civil action. Upon such revocation, if it be a mobile home dealer, he shall immediately return to the commissioner all number plates, including any "in transit" plates, in his possession.

Subd. 6. The provisions of Minnesota Statutes, Chapter 15, shall apply to appeals from an order by the commissioner.

Sec. 12. The provisions of this act shall be effective January 1, 1975."

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

"A bill for an act relating to mobile homes; providing for licensing and bonding of manufacturers and dealers and requirements for installation of mobile homes; providing penalties; amending Minnesota Statutes 1971, Sections 327.31, Subdivision 3, and by adding subdivisions; 327.32, Subdivision 5, and by adding a subdivision; 327.33, Subdivision 2; 327.34, Subdivisions 1 and 3, and by adding a subdivision; 168.011, Subdivision 4; 168.27, Subdivision 1; amending Minnesota Statutes 1971, Chapter 327 by adding a section."

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3039: A bill for an act relating to courts; prescribing requirements for decisions of courts of record; prescribing penalties; amending Minnesota Statutes 1971, Section 546.27.

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

Page 1, line 14, after "judge" insert "*of district, county, probate or municipal court*"

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2740: A bill for an act relating to county courts; terms of judges in certain counties.

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

Page 1, line 5, after "judges" insert "*holding office by appointment pursuant to Minnesota Statutes, Section 487.01, Subdivision 9 (2),*"

Page 1, strike line 8

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2814: A bill for an act relating to courts; establishing a contingency fund for district court, fourth judicial district; appropriating money.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2639: A bill for an act relating to courts; allowance of certain costs and disbursements in district court; amending Minnesota Statutes 1971, Sections 549.02; and 549.04.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 3038: A bill for an act relating to the commission on judicial standards; providing that certain members of the commission receive a per diem compensation; amending Minnesota Statutes, 1973 Supplement, Section 490.15.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2918: A bill for an act relating to courts; civil procedure; eliminating certain statutory provisions which conflict with the rules of civil appellate procedure and the rules of civil procedure for the district courts; amending Minnesota Statutes 1971, Sections 50.12; 357.021, Subdivision 2; 357.08; 365.40; 373.07; 485.02; 540.12; 544.15; 546.25; 546.27; and 546.33; repealing Minnesota Statutes 1971, Sections 540.01; 540.02; 540.04; 540.06; 540.10; 540.16; 541.12; 543.01 to 543.07; 543.09 to 543.18; 544.01 to 544.04; 544.05 to 544.14; 544.16 to 544.20; 544.23 to 544.35; 546.01 to 546.06; 546.095; 546.14; 546.20; 546.21; 546.26; 546.29; 546.30; 546.34; 546.36; 546.38 to 546.41; 548.01 to 548.03; 549.10; 557.04; 576.02; 595.03; 595.05; and Chapters 545; 547; 585; 587; 596; 597; 598; 603; 605; and 607.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2640: A bill for an act relating to courts; allowance of costs and disbursements in the supreme court; amending Minnesota Statutes 1971, Section 607.01, Subdivision 1.

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

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

"Section 1. Notwithstanding any rule promulgated by the supreme court to the contrary, the supreme court shall allow costs and disbursements in any appeal to the supreme court to any public employee who prevails in an action for wrongfully denied or withheld employment benefits or rights in the same manner as the court allows costs and disbursements to any prevailing party."

Further, amend the title as follows:

Line 3, strike the semicolon and insert in lieu thereof a period

Strike lines 4 and 5

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

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

S. F. No. 1048: A bill for an act creating the office of ombudsman and prescribing the powers and duties thereof; prescribing the duties of other state agencies in connection with the office of ombudsman; appropriating money.

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. [CITATION.] This act may be cited as "the ombudsman act."

Sec. 2. [PURPOSE.] Continuous legislative review of the effect of delegations of authority to agencies, and public funding and licensure of agencies required in the public interest to enable the enactment of appropriate legislation.

Sec. 3. [DEFINITIONS.] Subdivision 1. "Administrative action" means every act, omission, decision, recommendation, practice, procedure or program of an agency.

Subd. 2. "Agency" means (a) any permanent governmental agency, department, organization, board or institution, and any officer, employee, or member thereof acting or purporting to act in the exercise of his official duties, and (b) any private agency, department, organization, board or institution which

receives any public funds, and any officer, employee, or member thereof acting or purporting to act in the exercise of his duties.

Subd. 3. "Commission" means the ombudsman supervisory commission established by this act.

Subd. 4. "Ombudsman" means any member of the office of ombudsman established by this act.

Sec. 4. [OMBUDSMAN SUPERVISORY COMMISSION ESTABLISHED.] Subdivision 1. A legislative commission to be known as the ombudsman supervisory commission is hereby established. The commission shall consist of four senators, two to be appointed by the majority leader of the senate and two to be appointed by the minority leader of the senate, and four members of the house of representatives, two to be appointed by the speaker of the house of representatives and two to be appointed by the minority leader of the house of representatives. The members of the commission shall serve for a term commencing upon appointment and expiring at the opening of the next regular session of the legislature in the off numbered year and until a successor is appointed. A vacancy in the membership of the commission shall be filled for the unexpired term in such a manner as to preserve the representation established by this subdivision.

Subd. 2. The commission shall elect its chairman and such other officers as it may determine necessary. It shall meet at the call of the chairman or at the call of its executive secretary. The members of the commission shall serve without additional compensation but shall be reimbursed for their reasonable expenses as members of the legislature. The commission may exercise the powers prescribed by section 3.153.

Sec. 5. [OMBUDSMAN; OFFICE ESTABLISHED; APPOINTMENT.] Subdivision 1. The office of ombudsman is established in the legislative branch.

Subd. 2. The office of ombudsman shall be under the jurisdiction and control of the ombudsman supervisory commission of the legislature, and the commission shall appoint the ombudsman. The ombudsman shall serve for a term of six years, and may be reappointed but may not serve for more than three terms. The commission may remove or suspend the ombudsman from office, but only for malfeasance, misfeasance or nonfeasance of duty. The ombudsman shall serve as the executive secretary of the commission.

Subd. 3. No person may serve as the ombudsman while he is a candidate for or holds any other state office or employment, or while he is engaged in any other occupation for reward or profit.

Subd. 4. The compensation of the ombudsman shall be fixed by the legislature. The compensation of the ombudsman shall not be diminished during his term of office, unless by general law applying to all salaried officers of the state.

Sec. 6. [ORGANIZATION; ASSISTANT; STAFF; DELEGATION.] The ombudsman pursuant to regulation of the commission may appoint and fix the salary of a first assistant, and such

other officers and employees as may be necessary to carry out this act. Such employees shall serve in the unclassified service. The ombudsman and his full time staff shall be members of the state employees retirement association. The ombudsman may delegate to his appointees any of his duties except those specified in sections 14 and 15.

Sec. 7. [PROCEDURE.] The ombudsman shall establish procedures for receiving and processing complaints, conducting investigations, and reporting his findings. No fees shall be charged for the submission or investigation of complaints. The commission may promulgate such rules and regulations as are necessary to carry out the purposes of this act.

Sec. 8. [JURISDICTION.] The ombudsman has jurisdiction to investigate administrative actions and may exercise his powers without regard to the finality of any administrative action.

Sec. 9. [INVESTIGATION OF COMPLAINTS.] The ombudsman shall investigate any complaint from any resident of this state or nonresident visitor to this state, whether made on his own behalf or on behalf of another which the ombudsman determines to be an appropriate subject for investigation under section 11. The ombudsman may investigate on his own motion if he reasonably believes that an appropriate subject for investigation under section 11 exists.

Sec. 10. [NOTICE TO COMPLAINANT AND AGENCY.] If the ombudsman decides not to investigate, he shall inform the complainant of that decision and shall state his reasons. If the ombudsman decides to investigate, he shall notify the complainant, the affected agency, and all other interested parties of his decision.

Sec. 11. [APPROPRIATE SUBJECTS FOR INVESTIGATION.] Subdivision 1. An appropriate subject for investigation is an administrative action which may:

- (a) Be contrary to law;
- (b) Be unreasonable, unfair, oppressive, or unnecessarily discriminatory, even though in accordance with law;
- (c) Be based on a mistake of fact;
- (d) Be based on improper or irrelevant grounds;
- (e) Be unaccompanied by an adequate statement of reasons;
- (f) Be performed in an inefficient manner;
- (g) Involve unnecessary duplication or repetition;
- (h) Cause children and youth to be unable to benefit from administrative remedies for a problem, as afforded to any adult citizen of the state;
- (i) Result in an inappropriate placement of a person in any state institution;
- (j) Be otherwise inappropriate for a person of the class to whom the action applies;
- (k) Result in a lack of coordination of services;

- (l) Result in a lack of continuity of care;
- (m) Result in an omission of services; or
- (n) Be otherwise erroneous.

Subd. 2. The ombudsman may decline to entertain a complaint or undertake an investigation if in his opinion:

- (a) There is presently available an adequate remedy for the grievance stated in the complaint;
- (b) Further investigation of the facts is unnecessary;
- (c) The complaint is trivial, frivolous, not made in good faith, or made for purposes of harrassment;
- (d) The matter is outside the ombudsman's jurisdiction and power;
- (e) The ombudsman's resources are insufficient for investigation; or
- (f) The complaint has been too long delayed to justify present examination of its merits.

Sec. 12. [INVESTIGATION PROCEDURES.] Subdivision 1. In an investigation, the ombudsman may make inquiries and obtain information as he thinks fit; arrive without prior notice during public hours or at any other reasonable time to inspect the premises of an agency; and notwithstanding any law to the contrary may hold private hearings where the constitutional rights of the individual are in jeopardy, where charges are being made but have not yet been established as fact, or where the person making the complaint requests privacy in the initial stages.

Subd. 2. The ombudsman may maintain secrecy in respect to all matters relating to complaints and investigations and to the identities of the complainants or witnesses coming before him or other persons involved except so far as disclosures to an affected agency may be necessary to enable him to carry out his duties and to support his recommendations and except as otherwise provided in this act.

Sec. 13. [POWERS.] Subject to the privileges which witnesses have in the courts of this state, the ombudsman may:

- (a) Require at a specified time and place, by a subpoena, the appearance and sworn testimony of any person who he reasonably believes may be able to give information relating to a matter under investigation;
- (b) Require any person to produce documents, papers, or objects which he reasonably believes may relate to a matter under investigation;
- (c) Bring suit in an appropriate state court to enforce these powers.

Sec. 14. [CONSULTATION WITH AGENCY.] Before making public disclosure of opinions or recommendations critical of an agency, the ombudsman shall inform and consult with that agency.

Sec. 15. [PROCEDURE AFTER INVESTIGATION.] If, after investigation, the ombudsman finds that:

- (1) A matter should be further considered by the agency;
- (2) An administrative action should be modified or cancelled;
- (3) A statute or regulation on which an administrative action is based should be altered;
- (4) Reasons should be given for an administrative action; or
- (5) Any other administrative action should be taken by the agency; he shall report his opinion and recommendations to the agency. He may request the agency to notify him, within a specified time, of any action taken on his recommendations.

Sec. 16. [PUBLICATION OF RECOMMENDATIONS.] After a reasonable time has elapsed, the ombudsman may present his opinion and recommendations to the governor, the commission, the legislature, and the public. The ombudsman shall include with this opinion any reply made by the agency. A summary of each complaint, the investigation process and the recommendations or the reason for not investigating shall be open to the public.

Sec. 17. [NOTICE TO THE COMPLAINANT.] After 30 days have elapsed, and monthly until the case is considered closed, the ombudsman shall notify the complainant of the actions taken by him and by the agency.

Sec. 18. [MISCONDUCT BY AGENCY PERSONNEL.] If the ombudsman believes there has been a breach of duty or misconduct by any officer or employee of an agency, he shall refer the matter to the appropriate authorities.

Sec. 19. [ANNUAL REPORT.] The ombudsman shall submit to the governor, the commission, the legislature, and the public an annual report discussing his activities under this act with particular concern for making recommendations as to how statutes, regulations and procedures might be altered or strengthened to improve services, care or treatment provided by agencies within his area of responsibility.

Sec. 20. [IMMUNITY.] The ombudsman has the same immunities from liability as a judge of this state.

Sec. 21. [AGENCIES MAY NOT OPEN LETTERS TO OMBUDSMAN.] A letter to the ombudsman from an inmate of a state institution shall be forwarded immediately, unopened, to the ombudsman.

Sec. 22. [PENALTY FOR OBSTRUCTION.] A person who willfully hinders the lawful actions of the ombudsman or his staff, or willfully refuses to comply with their lawful demands, shall be fined not more than \$1,000.

Sec. 23. [REMEDIES CUMULATIVE.] The provisions of this act are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. Nothing in this act shall be construed to limit or affect any other remedy or right of appeal or objection nor shall it be deemed part of an exclusionary process.

Sec. 24. [TRANSFER OF FUNCTIONS; PERSONNEL.] Subdivision 1. The office of ombudsman for the Minnesota state department of corrections established by Laws 1972, Chapter 553, is hereby abolished. The ombudsman for the Minnesota state department of corrections shall transfer and deliver to the ombudsman all books, records, documents, equipment and property which relate to functions previously performed by the ombudsman for the Minnesota state department of corrections and now included within the scope of the powers, duties and functions granted to the ombudsman by this act.

Subd. 2. The ombudsman for the Minnesota state department of corrections is hereby transferred from the executive branch of state government to the office of ombudsman in the legislative branch and shall no longer be accountable to the governor but shall serve at the pleasure of the ombudsman supervisory commission. All personnel employed by the ombudsman for the Minnesota state department of corrections are transferred to the office of the ombudsman. Such employees shall remain in the unclassified service of the state and shall remain members of the Minnesota state retirement association.

Subd. 3. With respect to all matters previously within the jurisdiction of the ombudsman for the Minnesota state department of corrections, the office of the ombudsman may complete any proceeding, court action, investigation or other business commenced prior to the enactment of this act as if it had been commenced by him. The office of the ombudsman with respect to matters previously within the jurisdiction of the ombudsman for the Minnesota state department of corrections shall be deemed a successor of that ombudsman and not a new authority.

Sec. 25. [GRANTS; TRANSFER.] The unexpended and unencumbered balance of any grants within the possession of the ombudsman for the Minnesota state department of corrections are hereby transferred to the office of the ombudsman. Such grants, however, shall be used only for matters related to correctional clients and agencies as those terms were defined in Laws 1973, Chapter 553, Section 2 and shall remain subject to any other limitation originally placed upon their use by the grantors. The office of the ombudsman may hereafter do all things necessary to qualify for, apply for, receive and disburse any grants from any public or private source.

Sec. 26. Minnesota Statutes, 1973 Supplement, Section 595.02, is amended to read:

595.02 [COMPETENCY OF WITNESSES.] Every person of sufficient understanding, including a party, may testify in any action or proceeding, civil or criminal, in court or before any person who has authority to receive evidence, except as follows:

(1) A husband cannot be examined for or against his wife without her consent, nor a wife for or against her husband without his consent, nor can either, during the marriage or afterwards, without the consent of the other, be examined as to any communication made by one to the other during the marriage. This exception does not

apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other or against a child of either, nor to a criminal action or proceeding in which one is charged with homicide or an attempt to commit homicide and the date of the marriage of the defendant is subsequent to the date of the offense, nor to an action or proceeding for non-support, neglect, dependency, or termination of parental rights;

(2) An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him or his advice given thereon in the course of professional duty; nor can any employee of such attorney be examined as to such communication or advice, without the client's consent;

(3) A clergyman or other minister of any religion shall not, without consent of the party making the confession, be allowed to disclose a confession made to him in his professional character, in the course of discipline enjoined by the rules or practice of the religious body to which he belongs; nor shall a clergyman or other minister of any religion be examined as to any communication made to him by any person seeking religious or spiritual advice, aid, or comfort or his advice given thereon in the course of his professional character, without the consent of such person;

(4) A licensed physician or surgeon, dentist, or chiropractor shall not, without the consent of his patient, be allowed to disclose any information or any opinion based thereon which he acquired in attending the patient in a professional capacity, and which was necessary to enable him to act in that capacity; after the decease of such patient, in an action to recover insurance benefits, where the insurance has been in existence two years or more, the beneficiaries shall be deemed to be the personal representatives of such deceased person for the purpose of waiving the privilege hereinbefore created, and no oral or written waiver of the privilege hereinbefore created shall have any binding force or effect except that the same be made upon the trial or examination where the evidence is offered or received;

(5) A public officer shall not be allowed to disclose communications made to him in official confidence when the public interest would suffer by the disclosure;

(6) Persons of unsound mind; persons intoxicated at the time of their production for examination, and children under ten years of age, who appear incapable of receiving just impressions of the facts respecting which they are examined, or of relating them truly, are not competent witnesses;

(7) A psychologist or consulting psychologist shall not, without the consent of his client, be allowed to disclose any information or opinion based thereon which he acquired in attending the client in a professional capacity, and which was necessary to enable him to act in that capacity;

(8) *The ombudsman or member on ombudsman's staff shall not, without the consent of the complainant, be allowed to disclose any*

information or opinion based thereon which he acquired from a complaint or in conducting an investigation pursuant to this act.

Sec. 27. [APPROPRIATION.] The unencumbered and unexpended balance of all funds appropriated to the ombudsman for the Minnesota state department of corrections by Laws 1973, Chapter 765, Section 7, is hereby transferred and reappropriated to the office of the ombudsman to carry out the purposes of this act. There is appropriated from the general fund to the ombudsman \$. to carry out the purposes of this act.

Sec. 28. [REPEALER.] Minnesota Statutes, 1973 Supplement, Sections 241.407, 241.42, 241.43, 241.44, and 241.45 are repealed.

Sec. 29. [EFFECTIVE DATE.] This act is effective July 1, 1974.

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

Further, amend the title as follows:

Line 2, after "ombudsman" insert "and an ombudsman supervisory commission"

Line 6, after "ombudsman;" insert "providing a penalty;"

Line 7, after "money" insert "; amending Minnesota Statutes, 1973 Supplement, Section 595.02; repealing Minnesota Statutes, 1973 Supplement, Sections 241.407; 241.42; 241.43; 241.44; and 241.45"

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2739: A bill for an act relating to hazardous and substandard buildings; expenses of repairing or removing such buildings; including attorney fees in such expenses; amending Minnesota Statutes 1971, Section 463.22.

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

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

S. F. No. 2902: A bill for an act relating to education; appropriating money to the state college board maintenance and equipment account.

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

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

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

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2518: A bill for an act relating to courts; providing for the reimbursement of attorneys fees in certain actions for wages; amending Minnesota Statutes 1971, Section 549.03.

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

Page 1, line 19, after "municipal" insert "*or county*"

Page 1, line 20, strike "municipal"

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 1482: A bill for an act relating to limitation of action for damages based on errors in the survey of land, services or construction to improve real property; amending Minnesota Statutes 1971, Section 541.051, Subdivision 1.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2688: A bill for an act relating to referees in certain probate courts; granting additional powers; amending Minnesota Statutes, 1973 Supplement, Section 525.10.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 780: A bill for an act relating to eminent domain; possession; filing of final certificate; amending Minnesota Statutes 1971, Sections 117.042; and 117.205.

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

Mr. Davies from the Committee on Judiciary, to which was referred

S. F. No. 2741: A bill for an act relating to courts; terms of district courts in certain counties; amending Minnesota Statutes 1971, Section 484.11, Subdivisions 5, 10, and 12.

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

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 973, pursuant to the request of the Senate:

Messrs. Borden, Brown, Stokowski.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1060, pursuant to the request of the Senate:

Messrs. Purfeerst; Hansen, Baldy; Josefson.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 892, pursuant to the request of the House:

Messrs. Frederick, Patton, Laufenburger.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 2908, 3003 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.
2908	2786	3003	2997		

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 H. F. Nos. 2148, 2182, 2876, 2909 and 3119 for comparison to companion Senate Files reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2148	2220	3119	3025		
2182	2345				
2876	2858				
2909	2851				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2148 be amended as follows:

Page 1, delete lines 23 through 27

And when so amended, H. F. No. 2148 will be identical to S. F. No. 2220 and further recommends that H. F. No. 2148 be given its second reading and substituted for S. F. No. 2220 and S. F. No. 2220 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2182 be amended as follows:

Page 7, after line 11, insert the following language:

"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."

Renumber the remaining section

Further, amend the title in line 7, after "3" and before the period by inserting "; and 275.51, by adding a subdivision"

And when so amended, H. F. No. 2182 will be identical to S. F. No. 2345 and further recommends that H. F. No. 2182 be given its second reading and substituted for S. F. No. 2345 and S. F. No. 2345 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2876 be amended as follows:

Page 1, line 17, delete "*a graduate*" and insert in lieu thereof "*have graduated from*"

Page 1, line 18, delete "*of*"

And when so amended, H. F. No. 2876 will be identical to S. F. No. 2858 and further recommends that H. F. No. 2876 be given its second reading and substituted for S. F. No. 2858 and S. F. No. 2858 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 2909 be amended as follows:

Page 1, line 21, delete "*Notwithstanding any law to the contrary*"

Page 1, line 22, after "*charitable*" delete "*organization*"

Page 1, line 22, after "*religious*" delete "*organization*" and insert in lieu thereof a comma

And when so amended, H. F. No. 2909 will be identical to S. F. No. 2851 and further recommends that H. F. No. 2909 be given its second reading and substituted for S. F. No. 2851 and S. F. No. 2851 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3119 be amended as follows:

Page 1, strike lines 15 through 18 and insert in lieu thereof the following:

"of Minneapolis ; provided that the portion of the costs assessable against nongovernmental real property exempt from ad valorem taxation may be levied as a special assessment against the property."

And when so amended, H. F. No. 3119 will be identical to S. F. No. 3025 and further recommends that H. F. No. 3119 be given its second reading and substituted for S. F. No. 3025 and S. F. No. 3025 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. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 3125, 3054, 3009, 3142 and 3248 for comparison to companion Senate Files, reports the following

House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. Nos. 3125, 3054 and 3248 to the Committee on Education.

H. F. Nos. 3009 and 3142 to the Committee on Metropolitan and Urban Affairs.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 3311, 2332, 3190, 3123, 2850, 2685, 2759, 2781, 3039, 2740, 2814, 2639, 2918, 2640, 2739, 2518, 1482, 2688, 780 and 2741 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3047, 2605, 1382, 3003, 2908, 2148, 2182, 2876, 2909 and 3119 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Bernhagen moved that S. F. No. 3395 be withdrawn from the Committee on Labor and Commerce and re-referred to the Committee on Education. The motion prevailed.

Mr. Lord moved that S. F. No. 2872, No. 103 on General Orders, be stricken and returned to its author. The motion prevailed.

Mr. Schaaf moved that the name of Mr. Coleman be added as co-author to S. F. No. 2798. The motion prevailed.

Mr. Schaaf moved that his name be stricken and the name of Mr. McCutcheon be added as chief author to S. F. No. 2683. The motion prevailed.

Mr. Bernhagen moved that the name of Mr. Hanson, R. be added as co-author to S. F. No. 3395.

Mr. Perpich, A. J. moved that the report from the Committee on Taxes and Tax Laws, reported February 13, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Perpich, A. J. moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Perpich, A. J. moved that in accordance with the report from the Committee on Taxes and Tax Laws, reported February 13, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

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.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 35 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Doty moved that his name be stricken as co-author to S. F. No. 3185. The motion prevailed.

Mr. Arnold moved that the report from the Committee on Natural Resources and Agriculture, reported February 13, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 13, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

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.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the report from the Committee on Natural Resources and Agriculture, reported February 27, 1974, per-

taining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 27, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

MINNESOTA WATER RESOURCES BOARD

Bruce Fleming, 3680 Centerwood Road, Lexington Village, Anoka, Anoka County, appointed effective October 1, 1973, for the term expiring October 5, 1977.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the report from the Committee on Natural Resources and Agriculture, reported February 13, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 13, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

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.

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.

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

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the report from the Committee on Na-

tural Resources and Agriculture reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 27, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

ENVIRONMENTAL QUALITY COUNCIL CITIZENS ADVISORY COMMITTEE

Kenneth RockVam, 315 South Pearl Street, Mankato, Blue Earth County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Charles Dayton, 11947 Hilloway Road, Minnetonka, Hennepin County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

Lyman L. Huntley, 803 Second Ave. NW, Grand Rapids, Itasca County, appointed effective January 23, 1974, for a term expiring December 31, 1974.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that the report from the Committee on Natural Resources and Agriculture, reported February 18, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Arnold moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Arnold moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported February 18, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

ENVIRONMENTAL QUALITY COUNCIL CITIZENS ADVISORY COMMITTEE

Richard H. Magnuson, 2141 Doswell Avenue, St. Paul, Ramsey County, appointed effective August 1, 1973, for a term expiring December 31, 1974.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 32 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Fitzsimons	Kirchner	Ogdahl	Renneke
Bang	Frederick	Knutson	Olson, H. D.	Sillers
Bernhagen	Hansen, Mel	Kowalczyk	Olson, J. L.	Stassen
Blatz	Hanson, R.	Krieger	O'Neill	Ueland
Brown	Jensen	Larson	Patton	
Dunn	Keefe, J.	Nelson	Pillsbury	

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Baldy moved that the report from the Committee on Labor and Commerce, reported February 22, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hansen, Baldy moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Hansen, Baldy moved that in accordance with the report from the Committee on Labor and Commerce, reported February 22, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

DIRECTOR OF THE PUBLIC SERVICE DEPARTMENT

Lawrence J. Anderson, 4905 Elliott Avenue, Minneapolis, Hennepin County, appointed effective August 1, 1973, for a term expiring the first Monday of January, 1975.

COMMISSIONER OF THE BANKING DIVISION DEPARTMENT OF COMMERCE

Robert A. Mampel, 5650 Westbrook Road, Golden Valley, Hennepin County, appointed effective September 4, 1973, for a term expiring September 4, 1979.

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

J. Martell Rud, Manager, Northtown Shopping Center, 398 N.E. Northtown Drive, Edina, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

Earl Gustafson, 700 First American National Bank Building, Duluth, St. Louis County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Dan Gustafson, Minneapolis Building Trades and Construction Trades Council, Room 400, 117 4th Street S. E., Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1979.

OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD

Paul Larimore, Mayor, Albert Lea, Freeborn County, City Cen-

ter, Albert Lea, appointed effective August 29, 1973, for a term expiring August 29, 1974.

Alfred Erickson, Ellerbe Architects, 333 Sibley, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

James Miley, 60 East Fourth Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

Leonard LaShomb, Minnesota AFL-CIO, 414 Auditorium Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

John Hauenstein, Peerliss Chain Company, Winona, Winona County, appointed effective August 29, 1973, for a term expiring August 29, 1975.

William Westerberg, Continental Safety Equipment, 917 Grand Avenue, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Harvey Paulson, State Building and Trades, 404 East Main, Albert Lea, Freeborn County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Hugh Gallagher, Communications Workers of America, Meadowbrook Building, W-315, 6490 Excelsior Boulevard, Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1976.

Helen Bender, G-25A, Highway Building, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Victor Lowe, Minnesota Compensation Rating Bureau, 523 Marquette Avenue, Minneapolis, Hennepin County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

Robert McElroy, Minnesota Mining, 900 Bush, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1977.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Baldy moved that the report from the Committee on Labor and Commerce, reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hansen, Baldy moved that the foregoing report be now adopted. The motion prevailed.

CONFIRMATION

Mr. Hansen, Baldy moved that in accordance with the report from the Committee on Labor and Commerce, reported February 27, 1974, the Senate, having advised with, do now consent to and confirm the appointment of:

OCCUPATIONAL SAFETY AND HEALTH ADVISORY BOARD

Jack West, S. J. Grove and Sons, 1972 Malvern Street, St. Paul, Ramsey County, appointed effective August 29, 1973, for a term expiring August 29, 1974.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Baldy moved that the report from the Committee on Labor and Commerce, including the Minority Report, reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hansen, Baldy moved that the foregoing report be now adopted.

Mr. Davies moved that the Minority Report be substituted for the Majority Report. The motion prevailed.

CALL OF THE SENATE

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

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

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

Mr. Davies moved that the Minority Report be adopted. The motion prevailed.

CONFIRMATION

Mr. Davies moved that the Senate, having advised with, do now consent to and confirm the appointment of:

WORKMEN'S COMPENSATION COMMISSIONER

Charles C. Reischel, 1711 Fremont Avenue, St. Paul, Ramsey County, appointed effective November 8, 1973, for a term expiring September 14, 1979.

The question being taken on the adoption of the motion,

Mr. Hansen, Baldy moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	McCutcheon	O'Neill	Spear
Arnold	Hughes	Milton	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Moe	Perpich, G.	Tennessee
Chmielewski	Keefe, S.	North	Purfeerst	Thorup
Coleman	Kleinbaum	Novak	Schaaf	Wege-
Davies	Lewis	Olhoft	Schrom	Willet
Doty	Lord	Olson, A. G.	Sillers	

Those who voted in the negative were:

Ashbach	Dunn	Josefson	Larson	Pillsbury
Bang	Fitzsimons	Keefe, J.	Nelson	Renneke
Bernhagen	Frederick	Kirchner	Ogdahl	Solon
Blatz	Hansen, Baldy	Knutson	Olson, H. D.	Stassen
Brown	Hansen, Mel	Kowalczyk	Olson, J. L.	Ueland
Conzemius	Hanson, R.	Krieger	Patton	

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chmielewski moved that the name of Mr. Josefson be added as co-author to S. F. No. 3365. The motion prevailed.

Mr. Purfeerst moved that S. F. No. 2881, No. 37 on General Orders, be stricken and returned to the Committee on Taxes and Tax Laws. The motion prevailed.

CALL OF THE SENATE

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

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Jensen moved that the name of Mr. Olson, H. D. be added as co-author to S. F. No. 3345. The motion prevailed.

THIRD READING OF SENATE BILLS

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

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2916: A bill for an act relating to elections; registration of voters; amending Minnesota Statutes, 1973 Supplement, Section 201.061, Subdivisions 1 and 3.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Blatz	Coleman	Dunn	Hansen, Mel
Arnold	Brown	Conzemius	Fitzsimons	Hanson, R.
Ashbach	Chenoweth	Davies	Frederick	Hughes
Bernhagen	Chmielewski	Doty	Gearty	Humphrey

Jensen	Lewis	Olhoft	Purfeerst	Tennessen
Josefson	Lord	Olson, A. G.	Renneke	Thorup
Keefe, J.	McCutcheon	Olson, H. D.	Schaaf	Ueland
Keefe, S.	Milton	Olson, J. L.	Schrom	Wegener
Kirchner	Moe	O'Neill	Sillers	Willet
Kleinbaum	Nelson	Patton	Solon	
Knutson	North	Perpich, A. J.	Spear	
Krieger	Novak	Perpich, G.	Stassen	
Larson	Ogdahl	Pillsbury	Stokowski	

So the bill passed and its title was agreed to.

CALL OF THE SENATE

Mr. Olson, A. G. imposed a call of the Senate. The following Senators answered to their names:

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

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

THIRD READING OF SENATE BILLS—CONTINUED

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.

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 38 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lord	Olson, H. D.	Spear
Arnold	Gearity	McCutcheon	Perpich, A. J.	Stokowski
Ashbach	Hughes	Milton	Perpich, G.	Tennessen
Chenoweth	Humphrey	Moe	Pillsbury	Thorup
Chmielewski	Keefe, S.	North	Purfeerst	Wegener
Coleman	Kleinbaum	Novak	Schaaf	Willet
Conzemius	Krieger	Olhoft	Sillers	
Davies	Lewis	Olson, A. G.	Solon	

Those who voted in the negative were:

Bang	Fitzsimons	Jensen	Ogdahl	Schrom
Bernhagen	Frederick	Josefson	Olson, J. L.	Stassen
Blatz	Hansen, Baldy	Kirchner	O'Neill	Ueland
Brown	Hansen, Mel	Knutson	Patton	
Dunn	Hanson, R.	Larson	Renneke	

So the bill passed and its title was agreed to.

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

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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 limited general obligation bonds.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 967: A bill for an act relating to taxation; tax on oleomargarine; amending Minnesota Statutes 1971, Section 33.171; repealing Minnesota Statutes 1971, Sections 33.10; 33.11; 33.12 to 33.17; and 270.051, Subdivision 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Sillers
Arnold	Fitzsimons	Kirchner	Novak	Solon
Ashbach	Frederick	Knutson	Ogdahl	Spear
Bang	Gearty	Krieger	Olson, J. L.	Stassen
Bernhagen	Hansen, Baldy	Larson	O'Neill	Stokowski
Blatz	Hansen, Mel	Lewis	Patton	Tennessee
Brown	Hanson, R.	Lord	Perpich, A. J.	Thorup
Chenoweth	Hughes	McCutcheon	Perpich, G.	Ueland
Chmielewski	Jensen	Milton	Purfeerst	
Conzemius	Josefson	Moe	Renneke	
Davies	Keefe, J.	Nelson	Schaaf	

Those who voted in the negative were:

Coleman	Humphrey	Olhoft	Olson, H. D.	Wegener
Dunn	Kleinbaum	Olson, A. G.	Schrom	Willet

So the bill passed and its title was agreed to.

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, Section 205.041.

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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2128: A bill for an act relating to education; providing school bus transportation for pupils to non-public schools in adjacent districts; amending Minnesota Statutes 1971, Section 123.78, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2449: A bill for an act relating to hospitalization and commitment; securing equal rights of administrative review for patients in federal hospitals; amending Minnesota Statutes 1971, Section 253A.08, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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, Subdivisions 6 and 7; 242.03; and 242.10.

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

So the bill passed and its title was agreed to.

S. F. No. 2957: A bill for an act relating to Ramsey county; providing for a park and open space system and recreational program; conferring power on the Ramsey county board to acquire land and personal property, to provide by regulation and ordinance for the governance of park, open space and recreational areas and to provide penalties for violation thereof, to preserve the natural drainage within the county, to make appropriations, levy taxes, borrow money and issue bonds therefor, and to expend funds for a park, open space and recreational system within or without Ramsey county; amending Laws 1971, Chapter 950, Section 1, Subdivisions 1 and 4.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2885: A bill for an act relating to metropolitan transportation; directing the metropolitan transit commission to promote the use of car pools and employer vans; requiring freeways constructed after a certain date to include provision for exclusive lanes for vans and other multipassenger vehicles; authorizing tax levies.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 11, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kirchner	Ogdahl	Schaaf
Bang	Gearty	Kleinbaum	Olhoff	Solon
Brown	Hansen, Baldy	Knutson	Olson, A. G.	Spear
Chenoweth	Hansen, Mel	Lewis	Olson, H. D.	Stokowski
Chmielewski	Hanson, R.	McCutcheon	Olson, J. L.	Tennessen
Coleman	Hughes	Milton	O'Neill	Thorup
Conzemius	Humphrey	Moe	Patton	Willet
Davies	Jensen	Nelson	Perpich, A. J.	
Doty	Keefe, J.	North	Perpich, G.	
Dunn	Keefe, S.	Novak	Purfeerst	

Those who voted in the negative were:

Bernhagen	Josefson	Pillsbury	Schrom	Stassen
Blatz	Krieger	Renneke	Sillers	Ueland
Frederick				

So the bill passed and its title was agreed to.

S. F. No. 1713: A bill for an act proposing an amendment to the Minnesota Constitution in all its articles; reforming its structure, style and form.

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 60 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Brown and Schrom voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1759: A bill for an act relating to outdoor recreation, providing for a regional recreation open space system; establishing a metropolitan parks and open space commission; authorizing the issuance of bonds and the levy of taxes; authorizing grants to park districts, counties and municipalities for acquisition and development of the system; and appropriating money therefor.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Novak	Schaaf
Arnold	Fitzsimons	Kleinbaum	Ogdahl	Solon
Ashbach	Gearty	Larson	Olhoft	Spear
Bang	Hansen, Mel	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hanson, R.	McCutcheon	O'Neill	Tennessen
Coleman	Hughes	Milton	Perpich, A. J.	Thorup
Conzemius	Humphrey	Moe	Perpich, G.	Wegener
Davies	Keefe, J.	Nelson	Pillsbury	
Doty	Keefe, S.	North	Purfeerst	

Those who voted in the negative were:

Bernhagen	Frederick	Knutson	Patton	Stassen
Blatz	Hansen, Baldy	Krieger	Renneke	Ueland
Brown	Jensen	Olson, H. D.	Schrom	Willet
Chmielewski	Josefson	Olson, J. L.	Sillers	

So the bill passed and its title was agreed to.

NOTICE OF RECONSIDERATION

Mr. Chmielewski gave notice of intention to move for reconsideration of S. F. No. 967.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Saturday, March 2, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.