

NINETY-EIGHTH DAY

St. Paul, Minnesota, Wednesday, March 6, 1974.

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

CALL OF THE SENATE

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

Arnold	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Lewis	Perpich, A. J.	Tennessen
Borden	Hanson, R.	Lord	Perpich, G.	Ueland
Coleman	Hughes	McCutcheon	Pillsbury	Wegener
Conzemius	Humphrey	North	Purfeerst	Willet
Davies	Keefe, S.	Novak	Renneke	
Doty	Kirchner	Olhoff	Schrom	
Frederick	Kowalczyk	Olson, A. G.	Spear	
Gearty	Larson	Olson, H. D.	Stassen	

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Ashbach, Bang and Sillers were excused from the Session of today. Mr. Bernhagen was excused from this afternoon's Session. Mr. Arnold was excused from the Session of today, be-

ginning at 11:45 o'clock a.m. Mr. Tennesen was excused from the Session of today, from 12 o'clock noon until 3:00 o'clock p.m. Mr. Kowalczyk was excused from the Session of today, beginning at 12 o'clock noon.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 5, 1974

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 190, An act relating to public health; prescribing registration fees for x-ray and radium sources of ionizing radiation; requiring periodic safety inspections of such sources; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

S. F. No. 283, An act relating to education; school board membership in certain associations; requiring filing of financial statements; amending Minnesota Statutes 1971, Section 123.33, Subdivision 10 and 14.

S. F. No. 534, An act relating to education; providing compensation for expenses for members of Minnesota education council; amending Minnesota Statutes 1971, Section 121.83.

S. F. No. 951, An act relating to food; providing for the regulation and control of its manufacture, distribution and sale; prescribing penalties; amending Minnesota Statutes 1971, Chapter 31, by adding sections; Sections 31.01, Subdivisions 2, 3, and 4, and by adding subdivisions; 31.02; 31.04; 31.05; 31.14; and 32.021, Subdivision 2; and repealing Minnesota Statutes 1971, Section 31.01, Subdivisions 5 and 19.

S. F. No. 980, An act relating to consumer protection; restricting door to door distribution of certain items; broadening enforcement powers; providing penalties; amending Minnesota Statutes 1971, Section 325.925.

S. F. No. 1138, An act relating to taxation; providing that county auditors shall furnish abstract of tax list to certain state officials; amending Minnesota Statutes 1971, Section 275.29.

S. F. No. 1213, An act relating to public museums, galleries, and schools of arts or crafts in cities of the first class; tax levy; amending Minnesota Statutes 1971, Section 450.25.

S. F. No. 1434, An act relating to holidays; regulating the date for celebration of Veterans Day; amending Minnesota Statutes 1971, Section 645.44, Subdivision 5.

S. F. No. 1712, An act relating to water resources in Chisago and Pine counties.

S. F. No. 1859, An act relating to courts; prescribing times for general terms of district court, fifth judicial district; amending Minnesota Statutes 1971, Section 484.13.

S. F. No. 2256, An act relating to the park board of the city of Minneapolis; authorizing municipalities, other than the city of Minneapolis, to levy special assessments on property within such municipalities which has been benefitted by public improvements made by the park board of the city of Minneapolis and to pay over such money to such park board.

S. F. No. 2370, An act relating to education; peddling and canvassing on school grounds; repealing Minnesota Statutes 1971, Section 126.19.

S. F. No. 2967, An act relating to the city of Ellendale; authorizing it to issue bonds.

Sincerely,

Wendell R. Anderson, Governor

INTRODUCTION OF BILLS

Messrs. Larson; Olson, J. L. and Berg introduced—

S. F. No. 3518: A bill for an act relating to taxation; exemptions from the motor vehicle excise tax; amending Minnesota Statutes 1971, Section 297B.03.

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

Messrs. Bang; Olson, J. L. and Hansen, Baldy introduced—

S. F. No. 3519: A bill for an act relating to insurance; surplus line carriers; amending Minnesota Statutes 1971, Section 60A.20.

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

Messrs. Stokowski, Ogdahl and Olhoft introduced—

S. F. No. 3520: A bill for an act relating to the organization and operation of state government; appropriating money for the bicentennial commission and a related project.

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

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

S. F. No. 3521: A bill for an act relating to taxation; real property; providing for a tax credit applied against the property tax for senior citizens; appropriating money; repealing Minnesota Statutes 1971, Sections 290.0601, as amended; 290.0602; 290.0603; 290.0604, as amended; 290.0605; 290.0606; 290.0608;

290.0609; 290.061, as amended; and Minnesota Statutes, 1973 Supplement, Section 290.0618.

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

Messrs. Stassen, Purfeerst and Kowalczyk introduced—

S. F. No. 3522: A bill for an act relating to the Minnesota-Wisconsin boundary compact commission; compensation and reimbursement for Minnesota legislative advisory committee members; amending Minnesota Statutes, 1973 Supplement, Section 1.36, Subdivision 1.

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

Messrs. Kleinbaum, Ueland and Laufenburger introduced—

S. F. No. 3523: A bill for an act relating to the state college board; appropriating money.

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

Mr. Hanson, R. introduced—

S. F. No. 3524: A bill for an act relating to legalizing proceedings heretofore adopted by the city council of the city of Lake Park in connection with the issuance of street, sewer, and water improvement bonds and authorizing the issuance of said bonds to finance such improvements.

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

Messrs. Bang, Lewis and Kowalczyk introduced—

S. F. No. 3525: A bill for an act relating to intoxicating liquor; days and hours of sale; amending Minnesota Statutes 1971, Section 340.14, Subdivision 1.

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

Mr. Thorup introduced—

S. F. No. 3526: A bill for an act relating to labor, public employment labor relations; rights and obligations of employees; contributions; temporary exemption from contribution by certain public employees; amending Minnesota Statutes, 1973 Supplement, Section 179.65, Subdivision 2.

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 House File, herewith transmitted: H. F. No. 2797.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 4, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2797: A bill for an act relating to energy conservation; providing for regulations to reduce wasteful and inefficient energy use; providing for energy conservation education; providing penalties.

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

REPORTS OF COMMITTEES

Mr. Davies moved that the Committee Reports at the Desk, with the exception of S. F. Nos. 3221, 2580, 3428, 2769, 1205, 3419, 1739, 2604 and 3434 be now adopted. The motion prevailed.

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

H. F. No. 2764: A bill for an act relating to private pensions; imposing an obligation upon certain employers who terminate pension plans; providing for the enforcement and method of payment of such obligations.

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

Page 2, line 10, after "employees." insert "Neither shall the term mean any cessation of operations by a single employer who participates in a pension plan to which more than one employer makes contributions if such cessation does not also entail the termination of the master pension plan."

Page 2, line 25, after "amended" and before the period, insert "but does not mean any plan established by collective bargaining agreement which is excluded from the coverage of 29 U.S.C. 186(c) (5) (B) by 29 U.S.C. 186(g) and for which the employer has no administrative responsibility and no responsibility for the establishment of the retirement benefit schedule"

Page 2, line 28, strike "exempt from taxation under" and insert "as defined by"

Page 3, line 2, after "means" insert "the larger of either the present value of the pension benefit which the employee has earned prior to cessation under the terms of the pension plan itself or"

Page 3, line 10, strike "actively participated" and insert "had in covered service"

Page 7, line 7, after "assets" strike the balance of the line

Page 7, strike lines 8 to 12

Page 7, line 13, strike "was imminent"

Page 7, line 18, strike "single premium" and insert "prepaid"

Page 7, line 23, after "amount." insert "In no event shall the amount of annuity to be distributed at normal retirement age exceed the amount of the accrued normal retirement benefit."

Page 8, after line 11, add a new section to read:

"Sec. 18. After passage of this act, subcommittees of the House and Senate Governmental Operations Committees and any other appropriate committees shall meet jointly as necessary to examine pension termination protection programs with the intent to report to the legislature in January, 1975, with their recommendations for further action."

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

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

S. F. No. 2954: A bill for an act relating to the department of education; division of vocational rehabilitation; appropriation for purchase of cattle; authorizing a grant of the cattle; amending Laws 1973, Chapter 365, Section 2, Subdivision 1.

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

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

H. F. No. 2926: A bill for an act relating to taxation; prescribing eligibility for rent and property tax credits; amending Minnesota Statutes, 1973 Supplement, Sections 290.0601, Subdivisions 6 and 9; and 290.061.

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

Page 3, after line 2, add a section to read as follows:

"Sec. 4. This act is effective for taxable years beginning after December 31, 1972."

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

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

S. F. No. 428: A bill for an act relating to income taxation; providing a deduction for certain expenses incurred for trans-

portation of physically or mentally handicapped school children; amending Minnesota Statutes 1971, Section 290.09, Subdivision 22.

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

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

"Section 1. Minnesota Statutes 1971, Section 290.09, Subdivision 22, is amended to read:

Subd. 22. [TUITION AND TRANSPORTATION EXPENSE.] (a) The amount he has paid to others for tuition of each dependent and the cost of transportation of each dependent in attending an elementary or secondary school; provided that the deduction for each dependent shall not exceed \$200.

(b) *The amount he has paid to others for the cost of transportation of each physically or mentally handicapped dependent, as defined in Minnesota Statutes 1971, Section 120.03, but not limited to children, attending an elementary, middle, or secondary vocational center or area vocational-technical school or day care or day activity center located 25 miles or more away from the taxpayer's home. The deduction for each dependent shall not exceed \$600 in any year. Notwithstanding the provisions of Minnesota Statutes 1971, Section 290.087, Subdivision 1, the taxpayer may claim the deduction for transportation of handicapped dependents provided in clause (b) of this subdivision in addition to any deduction claimed pursuant to Minnesota Statutes 1971, Section 290.086.*

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

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

S. F. No. 3138: A bill for an act relating to taxes on and measured by net income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20, as amended.

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

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

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

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

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

S. F. No. 2853: A bill for an act relating to taxation; sales tax exemption for residential fuel oil; amending Minnesota Statutes, 1973 Supplement, Section 297A.25, Subdivision 1.

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

Page 1, line 19, after "products;" insert "*however, the gross receipts from the sale of carbonated soft drinks shall be subject to the taxes imposed by sections 297A.01 to 297A.44;*"

Page 8, line 27, strike "oil" and insert "*and electricity*"

Page 8, line 28, strike "*heating*"

Page 8, line 28, after "*purposes*" insert "*, purchased by and consumed by the purchaser in the principal place of residence*"

Further, amend the title as follows:

Page 1, line 3, strike "oil" and insert "*and electricity*"

Page 1, line 3, after ";;" insert "*repealing sales tax exemption for carbonated soft drinks;*"

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. 3221: A bill for an act relating to retirement; the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 352.01, Subdivision 17; 352.03, Subdivision 11; 352.113, Subdivisions 1, 5 and 12; 352.115, Subdivision 11; 352.12, Subdivisions 7, 8 and 11; 352.15; and 352.72, by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Sections 352.115, Subdivision 10; 352.12, Subdivisions 1, 2 and 6; 352.22, Subdivision 3; 352.72, Subdivision 2; and 352.93, Subdivision 1; repealing Minnesota Statutes 1971, Sections 352.28; 352.32; 352.38; and 352.715.

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

Page 1, following line 18, insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 3A.02, Subdivision 1, is amended to read:

3A.02 [RETIREMENT ALLOWANCE] Subdivision 1. [QUALIFICATIONS.] Any member of the legislature:

(1) Who has served at least eight years or who has served during all or part of four regular sessions as such member of the legislature, which service need not be continuous, but must have been after January 1, 1965 except as hereinafter provided; and

(2) Who attains the age of 60 years; and

(3) Who has retired as a member of the legislature; and

(4) Who has made all contributions provided for in sections 3A.01 to 3A.10, or who has made payments in lieu of all contributions provided for in sections 3A.01 to 3A.10 as provided for in subdivision 2; shall be entitled upon written application to the state auditor to receive a retirement allowance monthly of 40 percent of his average monthly salary during the period of his service as a member of the legislature since January 1, 1973, *including per diem allowances upon which deductions were taken*, beginning with the first day of the month of receipt of such application and for the remainder of his life, provided he is not serving as a member of the legislature or as a constitutional officer or commissioner.

In addition to the amount provided above, the retired member who meets the qualifications of paragraphs (1), (2), (3) and (4) of this subdivision shall receive for every year of service over 8 years a monthly allowance which equals two and one half percent of the average monthly salary determined pursuant to paragraph (4).

This subdivision is applicable to members of the legislature who retire after January 1, 1973, and to any widow or dependent child of any such member who retires after January 1, 1973.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 3A.02, Subdivision 4, is amended to read:
Subdivision 1, is amended to read:

Subd. 4. [DEFERRED ANNUITIES AUGMENTATION.] The deferred annuity of any ~~member of the legislature who retires after July 1, 1973,~~ legislator shall be computed in the manner provided in subdivision 1 and augmented as provided herein. The required ~~resources reserves~~ applicable to the deferred annuity, determined as of the date the benefit begins to accrue using an appropriate mortality table and an interest assumption of five percent, shall be augmented by interest at the rate of ~~three and one half five~~ percent per annum compounded annually from the date of ~~retirement termination of service, or July 1, 1973; whichever is later,~~ to the first day of the month in which the annuity begins to accrue.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 3A.03, Subdivision 1, is amended to read:

3A.03 [CONTRIBUTIONS.] Subdivision 1. [PERCENTAGE.] Every member of the legislature shall contribute eight percent of his total salary *plus eight percent of authorized per diem allowances received during a regular or special session of the legislature not exceeding an allowance of \$25.00 per day*, by payroll deduction, to be paid into the state treasury and deposited in the general fund. It shall be the duty of the ~~state treasurer~~ director to record the periodic contributions of each member of the legislature and credit such contribution to the member's account.

Sec. 4. Minnesota Statutes 1971, Chapter 3A, is amended by adding a section to read:

[3A.12] [COVERAGE BY MORE THAN ONE RETIREMENT SYSTEM OR ASSOCIATION.] *Subdivision 1. [ENTITLEMENT TO ANNUITY.] Any legislator who has at least eight years of legislative service and who has been an employee covered by the Minnesota state retirement system, or a member of the public employees retirement association including the public employees retirement association policemen and firemen fund, or the teachers retirement association, or the Minneapolis municipal employees retirement fund, or the highway patrolmen's retirement association, or any other public employee retirement system in the state of Minnesota having a like provision but excluding all other funds providing benefits for policemen or firemen, shall be entitled when qualified to an annuity from each fund if his total allowable service for which he has credit in all funds or in any two of these funds totals ten or more years, provided no portion of the allowable service upon which the retirement annuity from one fund is based is again used in the computation for benefits from another fund. The annuity from each fund shall be determined by the appropriate provisions of the law except that the requirement that a person must have at least ten years allowable service in the respective system or association shall not apply for the purposes of this section provided the combined service in two or more of these funds equals ten or more years. The augmentation of deferred annuities provided in Minnesota Statutes, 1973 Supplement, Section 3A.02, Subdivision 4, shall apply to the annuities accruing hereunder.*

Subd. 2. [REFUND REPAYMENT.] Any former legislator who has received a refund as provided in Minnesota Statutes, Section 3A.03, Subdivision 2, who is a currently contributing member of a retirement fund specified in Minnesota Statutes, 1973 Supplement, Section 3A.11, Subdivision 1, may repay the refund as provided in Minnesota Statutes, Section 3A.05, Subdivision 2. Any member of the legislature who has received a refund from any of the funds specified in subdivision 1, may repay the refund to the respective fund under such terms and conditions consistent with the law governing such fund if the law governing such fund permits the repayment of refunds."

Page 1, following line 26, insert:

"Sec. 6. Minnesota Statutes, 1973 Supplement, Section 352.03, Subdivision 4, is amended to read:

Subd. 4. [DUTIES AND POWERS OF BOARD OF DIRECTORS.] It is the duty of the board and it has power to:

- (1) Elect a chairman;
- (2) Appoint an executive director;
- (3) Fix the compensation of the executive director and the assistant executive director;
- ~~(3)~~ (4) Establish rules and regulations for the administration of the provisions of chapter 352 and transaction of the business of the system, all subject to the limitations of said chapter and the law;

(4) (5) Consider and dispose of, or take such other action as the board of directors deems appropriate concerning denials of applications for annuities or disability benefits under this chapter, and complaints of employees and others pertaining to the retirement of employees and the operation of the system;

(5) (6) Advise the director on any matters relating to the system and the carrying out of the functions and purposes of said chapter, which advice shall be controlling; and

The director and assistant director shall be in the unclassified service but appointees may be selected from civil service lists if it is desired to do so."

Page 13, following line 7, insert:

"Sec. 23. Minnesota Statutes 1971, Chapter 352B, is amended by adding a section to read:

[352B.262] [DISABILITY BENEFIT INCREASE.] *The disability benefits authorized and in effect on May 31, 1973, shall be increased by twenty-five percent. The increase shall apply to the accrual of such benefits commencing January 1, 1974."*

Sec. 24. Minnesota Statutes 1971, Chapter 352B, is amended by adding a section to read:

[352B.30] [COVERAGE BY MORE THAN ONE RETIREMENT SYSTEM OR ASSOCIATION.] *Subdivision 1. [ENTITLEMENT TO ANNUITY.] Any person who has been an employee covered by the Minnesota state retirement system, or a member of the public employees retirement association including the public employees retirement association policemen and firemen fund, or the teachers retirement association, or the highway patrolmen's retirement association, or any other public employee retirement system in the state of Minnesota having a like provision but excluding all other funds providing benefits for policemen or firemen shall be entitled when qualified to an annuity from each fund if his total allowable service in all funds or in any two of these funds totals ten or more years, provided no portion of the allowable service upon which the retirement annuity from one fund is based is again used in the computation for benefits from another fund and provided further that he has not taken a refundment from any one of these funds since his service entitling him to coverage under the system or his membership in any of the associations last terminated. The annuity from each fund shall be determined by the appropriate provisions of the law except that the requirement that a person must have at least ten years allowable service in the respective system or association shall not apply for the purposes of this section provided the combined service in two or more of these funds equals ten or more years.*

Subd. 2. [COMPUTATION OF DEFERRED ANNUITY.] Deferred annuities shall be computed in the manner provided by this chapter and acts amendatory thereof, on the basis of allowable service prior to termination of service and augmented as provided herein. The required reserves applicable to a deferred annuity

shall be augmented by interest compounded annually from the first day of the month following the month in which the member terminated service, or July 1, 1971, whichever is later, to the first day of the month in which the annuity begins to accrue. The rates of interest used for this purpose shall be five percent per annum compounded annually. The mortality table and interest assumption used to compute such annuity shall be those in effect at the time the member files application for annuity.

Subd. 3. [REFUND REPAYMENT.] Any person who has received a refund from the highway patrolmen's retirement fund who is a member of a public retirement system included in subdivision 1, may repay such refund with interest to the highway patrolmen's retirement fund as provided in Minnesota Statutes, 1973 Supplement, Section 352B.11, Subdivision 4.

Sec. 25. Minnesota Statutes, 1973 Supplement, Section 352D.02, Subdivision 1, is amended to read:

352D.02 [COVERAGE.] Subdivision 1. The following employees in the unclassified service of the state who are eligible for coverage under the Minnesota state retirement system shall be eligible for participation participate in the unclassified program; unless such employee gives notice to the executive director of the state retirement system within one year following commencement of his employment that he desires coverage under the regular employee plan. For the purposes of this chapter, an employee who does not file such notice with the executive director shall be deemed to have exercised his option to participate in the unclassified plan.

(1) Any employee in the office of the governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, revisor of statutes or the state board of investment;

(2) Any department, division, or agency head, assistant department head or deputy or any employee enumerated in sections 15A.081, subdivision 1 or 15A.083, subdivision 3, and

(3) Any permanent, full-time unclassified employee of the legislature or any commission or agency of the legislature or a part-time legislative employee having shares in the supplemental retirement fund whether or not eligible for coverage under the Minnesota state retirement system; provided he gives notice of his desire to participate to the executive director of the Minnesota state retirement system. In the case of a new or present employee in the unclassified service, notice shall be given within six months following commencement of his employment or July 1, 1973. In the case of a former employee with coverage in the regular fund, notice shall be given not less than six nor more than 12 months following commencement of his eligibility under this chapter.

Sec. 26. Minnesota Statutes, 1973 Supplement, Section 352D.02, Subdivision 3, is amended to read:

Subd. 3. An election to *not* participate is irrevocable during any period of covered employment. An employee on resuming unclassified service after separation from the unclassified service may

~~make an election under this section if his position is covered by the unclassified program. A participant in the unclassified program upon acquiring credit for 10 years of allowable service may, notwithstanding other provisions of this subdivision, elect to terminate his participation in the unclassified plan and be covered by the regular plan by filing such election with the executive director. The executive director shall thereupon redeem the employee's total shares and shall credit to the employee's account in the regular plan the amount of contributions that would have been so credited had the employee been covered by the regular plan during his entire covered employment. The balance of moneys so redeemed and not credited to the employee's account shall be transferred to the state contribution reserve of the state employees retirement fund.~~

Sec. 27. [DATA PROCESSING SERVICES.] Notwithstanding Minnesota Statutes, Chapter 16, or any law to the contrary, the board of trustees of the teachers retirement association and the executive director of the Minnesota state retirement system may use the services of the department of administration, information services division, for electronic data processing services or may contract for all or a portion of such services."

Renumber the sections in sequence

Further, amend the title as follows:

Line 3, after "system;" insert "legislators retirement; and highway patrolmen retirement;"

Line 4, after "1971," insert "Chapter 3A, by adding a section; 352B, by adding sections;"

Line 11, after "Sections" insert "3A.02, Subdivisions 1 and 4; 3A.03, Subdivision 1; 352.03, Subdivision 4;"

Line 14, after "2;" delete "and"

Line 15, after "1;" insert "and 352D.02, Subdivisions 1 and 3;"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2580: A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

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

Page 1, line 13, strike "given" and insert "assigned"

Page 1, line 19, strike "means" and insert "shall include but not be limited to"

Page 1, line 26, strike "means" and insert "shall include but not be limited to"

Page 2, line 11, strike "120.10" and insert "120.05"

Page 2, line 18, after "plan" insert "and a provision for alternative programs where appropriate"

Page 2, line 20, after "conduct" insert "or incident of misconduct"

Page 2, line 20, strike "a" and insert "an immediate and"

Page 2, line 21, after "persons" insert "or property"

Page 3, line 16, after "pupil" insert ", except where the pupil will create an immediate and substantial danger to persons or property around him"

Page 3, line 18, strike "a list of the"

Page 3, line 19, strike "witnesses,"

Page 3, line 19, strike "their" and insert "the"

Page 3, line 22, strike "registered" and insert "certified"

Page 3, line 23, after the period insert "In the event a pupil is suspended without an informal administrative conference on the grounds that the pupil will create an immediate and substantial danger to persons or property around him, the written notice shall be served either personally or by certified mail upon the pupil and his parent or guardian within 48 hours of the suspension."

Page 3, line 24, strike "registered" and insert "certified"

Page 4, line 8, strike "registered" and insert "certified"

Page 4, line 9, after "facts" insert ", a list of the witnesses and a description of their testimony"

Page 6, line 7, strike "if the" and insert "and his"

Page 6, line 7, after "may" insert "not"

Page 6, line 25, after "The commissioner" insert "or his representative"

Page 7, line 25, strike "registered" and insert "certified"

Page 8, line 1, strike "to effect" and insert "in writing to effectuate"

Page 8, line 3, strike "insure" and insert "assure"

Page 8, line 11, strike "1971" and insert ", 1973 Supplement"

Page 8, line 12, strike ", as amended by Laws 1973,"

Page 8, line 13, strike "Chapter 729, Section 3"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 3428: A bill for an act relating to the city of St. Paul; authorizing housing and rehabilitation loan and grant programs; providing for the issuance of general obligation bonds.

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

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

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

Sec. 2. [CITY OF ST. PAUL; HOUSING REHABILITATION LOAN PROGRAM.] The city of Saint Paul is authorized to develop and administer a housing rehabilitation loan program with respect to property owned and occupied by persons of low and moderate income, located anywhere within its boundaries, on such terms and conditions as it determines; provided, that in approving applications for this program, the following factors shall be considered: (1) the availability of other governmental programs affordable by the applicant; (2) the availability and affordability of private market financing; (3) whether the housing is required, pursuant to an urban renewal program or a code enforcement program, to be repaired, improved, or rehabilitated; (4) whether the housing is required, pursuant to a court order issued under Minnesota Statutes, 1973 Supplement, Section 566.25 clauses (b), (c), (e), to be repaired, improved or rehabilitated; and (5) whether the housing has been determined to be uninsurable because of physical hazards after inspection pursuant to a statewide property insurance plan approved by the United States Department of Housing and Urban Development under Title XII of the National Housing Act; and further provided that all loans and grants shall be issued primarily for rehabilitating housing so that it meets applicable housing codes. Prior to making any rehabilitation loans, the city council or its designee shall adopt regulations which comply substantially with the provisions of section 312 of Title III of the Federal Housing Act of 1964 and acts supplemental thereto insofar as that section relates to the determinations to be made as a condition precedent to the making of rehabilitation loans under said act.

Sec. 3. [CITY OF SAINT PAUL; HOUSING REHABILITATION GRANT PROGRAM.] The city of Saint Paul is authorized to develop

and administer a housing rehabilitation grant program with respect to property within its boundaries, on such terms and conditions as it determines, provided that; in approving applications for this program, all of the considerations and limitations enumerated in section 2 of this act for loans must be considered in making grants under this program, and the following factors must also be considered: (1) whether the housing unit is a single family dwelling or homesteaded unit and (2) whether the applicant is a person of low income; and further provided that: the city council of the city of Saint Paul shall by ordinance set forth the regulations for this grant program, and further provided that: the dollar value of grants made shall not exceed five percent of the total value of the bonds issued for the loan and grant program together.

Sec. 4. [ISSUANCE OF BONDS.] To finance the programs authorized in sections 2 and 3 of this act, the council of the city of Saint Paul, by resolution or resolutions, may from time to time authorize, issue and sell general obligation bonds of the city of Saint Paul, without a vote of the electorate, in accordance with the provisions of Minnesota Statutes, Chapter 475, notwithstanding any other provision of law or of the city charter or ordinance. The total amount of bonds authorized to be issued for the purposes described in this act shall not exceed the aggregate of \$3,000,000. The amount of bonds issued pursuant to this authority shall be excluded in the computation of the net debt of the city as defined by statute or charter. The council of the city of Saint Paul is authorized to levy and collect taxes to repay such obligations issued pursuant to the authority contained herein, and this authority is not subject to any tax or appropriation or expenditure limit otherwise imposed by any law or charter provision.

Sec. 5. Laws 1971, Chapter 773, Section 1, is amended to read:

Section 1. [ST. PAUL, CITY OF; CAPITAL IMPROVEMENTS PROGRAM.] *Subdivision 1.* Notwithstanding any provision of the charter of the city of St. Paul, the council of said city shall have power by a resolution adopted by five affirmative votes of all its members to authorize the issuance and sale of general obligation bonds of the city in an amount of \$4,500,000 for each calendar year for a four year period commencing with the year 1972, for the payment of which the full faith and credit of the city is irrevocably pledged.

Subd. 2. [EXCEPTION.] During the calendar year 1975, the council of said city shall have the power by a resolution adopted by five affirmative votes of all its members, to authorize the issuance and sale of general obligation bonds of the city for an additional amount up to \$2,000,000, over and above the \$4,500,000 specified heretofore. The additional revenue shall be used exclusively for the improvement of Phalen Park.

Sec. 6. [EFFECTIVE DATE.] This act shall become effective only after its approval by a majority of the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Page 1, line 6, after "bonds" insert "for such programs and for park improvement; amending Laws 1971, Chapter 773, Section 1"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

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

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

Page 1, lines 12, 13 and 14, restore the stricken language.

Page 1, line 14, after "election" insert "*except that if sufficient judges are available to provide counting teams of four or more judges evenly divided between the political parties for each box, an additional box or boxes may be opened and counted*"

Pages 1 and 2, strike all of Sec. 2 and insert in lieu thereof:

"Sec. 2. [EFFECTIVE DATE.] This act shall take effect the day following final enactment."

Further amend the title as follows:

Page 1, line 5, strike "Sections" and insert "Section"

Page 1, line 5, strike ";" and insert a period

Page 1, strike all of line 6

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1205: A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

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

Page 1, line 32, strike "includes" and insert "means"

Page 2, line 5, strike "includes" and insert "means"

Page 2, line 8, strike "includes" and insert "means"

Page 3, line 1, strike "and includes"

Page 3, line 8, strike "and includes"

Page 3, line 12, strike "shall refer to and mean" and insert "means"

Page 3, line 15, strike "shall refer to and mean" and insert "means"

Page 3, line 18, strike ", and any village or borough"

Page 4, line 7, strike "such" and insert "the"

Page 4, line 18, strike "such" and insert "the"

Page 4, line 27, before "schedules" strike "such" and insert "the"

Page 4, line 27, after "under" strike "such"

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

Page 5, line 6, strike "such" and insert "the"

Page 5, line 7, strike "then" and insert "when"

Page 5, line 10, strike "such" and insert "the"

Page 6, line 12, strike "such" and insert "the"

Page 6, line 14, strike "such" and insert "the"

Page 7, line 17, strike "such" and insert "the"

Page 7, line 19, strike "such" and insert "the"

Page 7, line 24, strike "such" and insert "these"

Page 7, line 27, after "in" strike "such" and insert "the"

Page 7, line 27, strike "of such"

Page 8, line 3, strike "such" and insert "the"

Page 8, line 8, strike "such" and insert "the"

Page 8, line 15, after "includes" insert "a"

Page 9, line 3, strike "such" and insert "the"

Page 9, line 6, after "of" strike "such" and insert "the"

Page 9, line 6, after the period strike "Such" and insert "The"

Page 9, line 7, strike "such" and insert "the"

Page 9, line 13, after "includes" insert "a"

Page 9, line 17, strike "such" and insert "a"

Page 9, line 27, after "includes" insert "a"

Page 10, line 4, strike "such" and insert "the"

Page 10, line 7, after "the" insert "affected"

- Page 10, line 7, after "parties" strike "affected thereby"
- Page 10, line 11, strike "such" and insert "any"
- Page 10, line 18, strike "such" and insert "the"
- Page 10, line 19, strike "such"
- Page 11, line 8, strike "rate"
- Page 11, line 9, strike "or"
- Page 11, line 14, strike "enter upon" and insert "conduct"
- Page 11, line 14, strike "such" and insert "the"
- Page 11, line 15, strike "such" and insert "the"
- Page 11, line 17, strike "such" and insert "the"
- Page 11, line 17, strike "rate or"
- Page 11, line 17, after "the" insert "affected"
- Page 11, line 18, strike "affected thereby"
- Page 11, line 20, strike "such schedule of rate or rates" and insert "the schedule"
- Page 11, line 25, strike "such" and insert "the"
- Page 12, line 6, strike "such" and insert "the"
- Page 12, line 11, strike "in" and insert "on"
- Page 12, line 22, strike "said" and insert "the"
- Page 12, line 25, strike "any such" and insert "the"
- Page 12, line 28, strike "such" and insert "the"
- Page 13, line 1, strike "any such rate or" and insert "the"
- Page 13, line 5, strike "such" and insert "the"
- Page 13, line 7, strike "such" and insert "the"
- Page 13, line 15, strike "such" and insert "the"
- Page 14, line 7, after "utility" insert a comma
- Page 14, line 23, strike "such" and insert "the"
- Page 14, line 25, strike "hereinafter"
- Page 14, line 26, before the period insert "in this section"
- Page 15, line 1, after "where" strike "such" and insert "the"
- Page 15, line 6, strike "such" and insert "any"
- Page 15, line 7, strike "as"
- Page 15, line 15, strike "such" and insert "the"
- Page 15, line 17, strike "such" and insert "the"
- Page 15, line 28, after "of" insert "other"

Page 16, line 2, strike "such" and insert "other"

Page 16, line 7, strike "such"

Page 16, line 7, strike "as"

Page 16, line 9, strike "shall" and insert "has reason to"

Page 16, line 16, strike "such" and insert "the"

Page 16, line 21, strike "such" and insert "the"

Page 16, line 22, strike "section" and insert "sections 17 and"

Page 17, line 15, after "make" strike "such" and insert "any"

Page 17, line 15, after "respecting" strike "such" and insert "the"

Page 17, line 18, strike "such" and insert "the"

Page 17, line 24, strike "shall mean" and insert "means"

Page 18, line 7, strike "such"

Page 18, line 9, after "within" strike "such" and insert "the"

Page 18, line 9, after "in" strike "such" and insert "the"

Page 18, line 12, strike "4" and insert "3"

Page 18, line 27, strike "the same" and insert "it"

Page 19, line 2, strike "such" and insert "the"

Page 19, line 4, strike "same" and insert "order"

Page 19, line 9, strike "such" and insert "the"

Page 19, line 11, strike "said" and insert "the"

Page 19, line 12, strike "such" and insert "a"

Page 19, line 13, strike "said" and insert "the"

Page 19, line 13, strike "such" and insert "any"

Page 19, line 14, strike "such" and insert "the"

Page 19, line 17, strike "ground or"

Page 19, line 18, strike "said" and insert "the"

Page 19, line 18, strike "to be" and insert "is"

Page 19, line 23, strike "such" and insert "the"

Page 19, line 24, strike "said" and insert "the"

Page 19, line 26, strike "such" and insert "the"

Page 19, line 28, strike "said" and insert "the"

Page 20, line 3, strike "such"

Page 20, line 3, strike "as" and insert "which"

Page 20, line 4, strike "thereupon"

Page 20, line 7, strike "such" and insert "the"

Page 20, line 11, strike "same" and insert "original action"

Page 20, line 12, strike "such" and insert "the"

Page 20, line 19, strike "shall be" and insert "is"

Page 20, line 20, strike "such" and insert "the"

Page 20, line 25, strike "may be taken" and insert "shall be deemed"

Page 20, line 26, strike "to be"

Page 21, line 4, strike "such" and insert "the"

Page 22, line 1, strike "such" and insert "the"

Page 23, line 9, strike "such"

Page 23, line 19, strike "such" and insert "the"

Page 24, line 2, strike "such" and insert "the"

Page 24, line 3, after "municipality" strike the comma

Page 24, line 4, strike "home rule or statutory,"

Page 24, line 8, strike "such" and insert "the"

Page 24, line 9, strike "such" and insert "the"

Page 24, line 10, strike "such" and insert "the"

Page 24, line 11, strike "such" and insert "the"

Page 25, line 2, strike "Such" and insert "The"

Page 25, line 5, after "of" strike "Laws" and insert "Minnesota Statutes, 1973 Supplement, Chapter 80C"

Page 25, strike line 6

Page 25, line 15, strike "will" and insert "shall"

Page 26, line 14, strike "such"

Page 26, line 17, strike "hereof" and insert "of this act"

Page 26, line 18, strike "shall mean and include" and insert "means"

Page 26, line 19, strike ", and any village or borough"

Page 26, line 21, strike "act" and insert "section"

Page 26, line 23, strike "such" and insert "and at a"

Page 27, line 3, strike "such"

Page 27, line 5, strike "such" and insert "the"

Page 27, line 27, strike "section 17" and insert "sections 17 and 18"

Page 28, line 3, strike "such" and insert "the"

Page 28, line 6, strike "such"

Page 28, line 20, strike "such" and insert "the"

Page 28, line 21, strike "such franchises" and insert "a franchise"

Page 29, line 10, before "Each" insert "Except as provided in section 41,"

Page 29, line 16, strike "said" and insert "the"

Page 29, line 17, strike "except as provided in section 41"

Page 29, line 19, strike "such an" and insert "the"

Page 29, line 20, strike "such" and insert "the"

Page 29, line 28, strike "such" and insert "the"

Page 30, line 2, strike "such parts" and insert "any part"

Page 30, line 4, strike "such" and insert "the"

Page 30, line 13, strike "such" and insert "the"

Page 31, line 7, strike "such" and insert "the"

Page 31, line 12, strike "40 through 42 sections 37 and 38" and insert "37 through 41"

Page 31, line 15, strike "such" and insert "the"

Page 31, line 22, strike "such" and insert "the"

Page 32, line 24, strike "such" and insert "the"

Page 33, line 2, after "in" strike "such" and insert "the"

Page 33, line 4, strike "such" and insert "the"

Page 33, line 22, strike "hereinafter"

Page 33, line 22, after "in" insert "section 51 of"

Page 34, line 1, strike "37" and insert "44"

Page 34, line 2, strike "such" and insert "the"

Page 34, line 4, strike "Such" and insert "The"

Page 34, line 9, strike "such" and insert "the"

Page 34, line 20, strike "and includes"

Page 35, line 13, strike "such" and insert "the"

Page 35, line 15, before "public" strike "such" and insert "the"

Page 35, line 15, after "of" strike "such" and insert "the"

Page 35, line 21, strike "such" and insert "the"

Page 35, line 22, strike "such" and insert "the"

Page 35, line 27, strike "such"

Page 35, line 28, strike "such" and insert "the"

Page 36, line 7, strike "Provided, however, that in subdivision 1 of"

Page 36, line 8, strike "this section"

Page 36, line 8, after "person" insert "as used in subdivision 1 of this section"

Page 36, line 21, strike "such" and insert "the"

Page 36, line 24, strike "any such" and insert "the"

Page 36, line 25, strike "any such" and insert "the"

Page 36, line 26, strike "such" and insert "the"

Page 36, line 28, strike "said" and insert "the effective"

Page 36, line 28, after "date" insert "of this act"

Page 37, line 1, strike "such" and insert "the"

Page 37, line 2, strike "said" and insert "that"

Page 37, line 5, strike "such"

Page 37, line 11, strike the parenthesis

Page 37, line 12, strike the parenthesis

Page 37, line 13, strike "such" and insert "an"

Page 37, line 14, strike "thereof"

Page 37, line 14, strike "taken therefrom"

Page 37, line 17, strike "such" and insert "the"

Page 37, line 18, strike "such"

Page 37, line 20, strike "any such" and insert "the"

Page 38, line 8, strike "such" and insert "the"

Page 38, line 9, strike "such" and insert "the"

Page 38, line 14, strike "such" and insert "the"

Page 38, line 18, after "with" strike "such" and insert "the"

Page 38, line 18, after "unless" strike "such" and insert "the"

Page 38, line 19, strike "such" and insert "the"

Page 38, line 22, strike "such" and insert "the"

Page 39, line 10, strike "Laws 1973, Chapter 612" and insert "Minnesota Statutes, 1973 Supplement, Chapter 80C"

Page 39, line 21, strike the semicolon and insert a comma

Page 39, line 22, strike "such a" and insert "an oil, gas, or mining"

Page 40, line 11, strike "said" and insert "the"

Page 40, line 28, strike "such" and insert "the"

Page 41, line 11, strike "Chapter 451 of the Laws of Minnesota," and insert "Minnesota Statutes, 1973 Supplement, Chapter 80A"

Page 41, line 12, strike "1973"

Page 41, line 24, strike "the same"

Page 41, line 25, after "hearing" and before "upon" insert a comma

Page 42, line 12, strike "Laws 1973, Chapter 331" and insert "Minnesota Statutes, 1973 Supplement, Chapter 80B"

Page 42, line 22, strike "Laws 1973, Chapter 331" and insert "Minnesota Statutes, 1973 Supplement, Chapter 80B"

Page 42, line 25, strike "such" and insert "a"

Page 42, line 27, strike "Such" and insert "The"

Page 43, line 2, strike "such" and insert "the"

Page 43, line 9, strike "such" and insert "the"

Page 43, line 10, strike "any such" and insert "the"

Page 43, line 26, after "shall" insert ", within 20 days after the service of the notice,"

Page 43, line 27, strike ", within 20 days after the service of the notice"

Page 43, line 28, strike "upon such person,"

Page 44, line 2, strike "Such" and insert "The"

Page 44, line 6, strike "thereof"

Page 44, line 7, strike "such"

Page 44, line 8, strike "such" and insert "the"

Page 44, line 9, strike "such"

Page 44, line 9, strike "as" and insert "who"

Page 44, line 11, strike "said" and insert "the"

Page 44, line 11, strike "thereto"

Page 44, line 14, strike "such" and insert "a"

Page 44, line 19, strike ", therein"

Page 44, line 21, strike "thereof"

Page 44, line 23, strike "thereon"

Page 45, line 8, strike "Such" and insert "The"

Page 45, line 16, strike "such" and insert "the"

Page 45, line 18, strike "such"

Page 45, line 18, strike "as"

Page 45, line 20, strike "such"

Page 45, line 26, strike "such" and insert "the"

Page 46, line 11, strike "such" and insert "the"

Page 46, line 14, strike "such"

Page 46, line 15, strike "as"

Page 46, line 15, strike "may"

Page 46, line 15, strike "deem" and insert "deems"

Page 46, line 28, strike "such" and insert "the"

Page 47, line 1, strike "such" and insert "the"

Page 47, line 2, strike "such" and insert "the"

Page 47, line 8, strike "said" and insert "the"

Page 47, line 11, strike "Such" and insert "The"

Page 47, line 15, strike "any such" and insert "the"

Page 47, line 17, strike "such" and insert "a"

Page 47, line 18, strike "as" and insert "which"

Page 48, line 17, strike "such" and insert "that"

Page 49, line 14, strike "Such" and insert "The"

Page 49, line 25, strike "such" and insert "the"

Page 49, line 27, strike "such" and insert "the"

Page 49, line 28, strike "such" and insert "the"

Page 50, line 4, strike "said" and insert "the"

Page 50, line 4, after "and" insert "a"

Page 50, line 4, after "demand" strike "of" and insert "for"

Page 50, line 5, strike "thereof"

Page 50, line 5, strike "such" and insert "the"

Page 50, line 10, strike "such" and insert "that"

Page 50, line 13, strike "such" and insert "the"

Page 50, line 16, strike "such" and insert "the"

Page 50, line 24, strike "the" and insert "this"

Page 50, line 24, strike "set herein"

Page 51, line 6, strike "Such" and insert "The"

Page 51, line 9, strike "said" and insert "the"

Page 51, line 13, strike "such" and insert "the"

Page 51, line 18, strike "said" and insert "the"

Page 51, line 23, strike "Such" and insert "The"

Page 51, line 28, after "to" strike "such" and insert "this"

Page 51, line 28, after "in" strike "such" and insert "the"

Page 52, line 2, strike "such" and insert "the"

Page 52, line 10, strike "same" and insert "assessment,"

Page 52, line 11, strike "such" and insert "the"

Page 52, line 18, strike "hereof" and insert "of this act"

Page 52, line 19, strike "such" and insert "all"

Page 53, after line 22, insert the following:

"Sec. 65. Minnesota Statutes 1971, Chapter 216A is amended by adding a section to read:

[216A.035.] [CONFLICT OF INTEREST.] *No person during his term of membership on the public service commission shall receive any significant portion of his income directly or indirectly from any public utility. No person shall be eligible to be appointed as a member of the public service commission unless and until he divests himself of any significant interest or abandons any employment with a utility.*

No person who is an employee of the public service commission shall participate in any manner in any decision or action of the commission where he has a direct or indirect financial interest."

Page 53, line 24, strike "such"

Page 53, line 26, strike "as"

Page 54, line 2, strike "such" and insert "any"

Page 54, line 4, strike "thereof"

Page 54, line 4, strike "such" and insert "the"

Page 54, line 21, strike "hereto" and insert "to this act"

Page 54, line 26, strike "and section 54" and insert "sections 61 through 63, and section 68"

Page 54, line 26, strike "upon its" and insert "on the day following final enactment."

Page 54, strike line 27

Further, amend the title as follows:

Line 6, after "commission" insert "; prohibiting conflicts of interest on the public service commission"

Line 10, before the period, insert "; and Chapter 216A by adding a section"

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

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 3419: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes, 1973 Supplement, Sections 490.121, Subdivisions 2, 4, and 17; 490.124, Subdivisions 1, 2, 3, 6, 9, and 10; 490.125, Subdivision 2; and 490.128, by adding subdivisions.

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

Page 5, after line 1, add a new Section 8 to read:

"Sec. 8. Minnesota Statutes, 1973 Supplement, Section 490.124, Subdivision 8, is amended to read:

Subd. 8. [EXCLUSIVE NORMAL RETIREMENT BENEFITS.] Any judge who retires after December 31, 1973, shall be entitled to a retirement pension, retirement compensation or other retirement payment under statutes applicable solely to judges pursuant to this section only, except that any such judge in office prior to January 1, 1974, who retires at or after normal retirement age may then elect to receive during his lifetime a normal retirement annuity computed on the basis of retirement compensation provided for such judge under statutes in effect on December 31, 1973, in lieu of the amount of normal retirement annuity otherwise computed under sections 490.121 to 490.132, *except that the provisions of Minnesota Statutes 1971, Section 490.12, Subdivision 5, shall not apply.*"

Renumber sections in sequence

Page 8, line 18, strike "*director of the Minnesota state retirement*" and insert "*employer*"

Page 8, line 19, strike "*system*" and in the same line strike "*out of the judges' retirement fund*"

Page 8, strike lines 26, 27 and 28

Page 9, line 1, strike "*subdivisions*" and insert "*subdivision*"

Page 9, line 1, strike "*and*"

Page 9, line 2, strike "*14*"

Further, amend the title as follows:

Page 1, line 7, after "*6,*" insert "*8,*"

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 1739: A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the

Interstate Civil Defense and Disaster Compact; providing penalties; repealing Minnesota Statutes 1971, Chapter 12, and Laws 1951, Chapter 669.

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 shall be known and may be cited as the Minnesota Disaster Act of 1974.

Sec. 2. [PURPOSES.] Subdivision 1. The purposes of this act are to:

(a) Reduce vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from disasters and emergencies, riots, or hostile military or paramilitary action;

(b) Prepare for prompt and efficient rescue, care, and treatment of persons victimized by disasters or threatened by emergencies;

(c) Provide effective and efficient restoration and rehabilitation of persons and property affected by disasters;

(d) Clarify and strengthen the roles of the governor, state agencies, and local governments in prevention of, preparation for, and response to and recovery from disasters and emergencies;

(e) Authorize and provide for coordination and cooperation between state government, its political subdivision and foreign governments, in disaster prevention, preparedness, response, and recovery;

(f) Provide a plan which will set forth all the guidelines of emergency and disaster preparedness and response;

(g) Assist in prevention of disasters caused or aggravated by inadequate planning for and regulation of public and private facilities and land use; and

(h) Provide plans to deal with monitoring and distribution of emergency supplies.

Sec. 3. [LIMITATIONS.] Nothing in this act shall be construed to:

(a) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this act or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health;

(b) Interfere with dissemination of news or comment on public affairs; but any communications facility or organization, including but not limited to radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with disasters and emergencies;

(c) Affect the jurisdiction or responsibilities of police forces, fire fighting forces, units of the armed forces of the United States, or of any personnel thereof, when on active duty; but state, local, and interjurisdictional emergency plans shall place reliance upon the forces available for performance of functions related to emergencies and disasters; or

(d) Limit, modify, or abridge the authority of the governor to proclaim martial law or exercise any other powers vested in him under the constitution, statutes, or common law of this state independent of, or in conjunction with, any provisions of this act.

Sec. 4. [DEFINITIONS.] Subdivision 1. For the purposes of this act each term defined in this section has the meaning ascribed to it.

Subd. 2. "Disaster" means the occurrence of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, wind, storm, wave action, oil spill, or other water contamination requiring immediate action to avert danger or damage, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, or shortages of crucial materials such as fuel and energy.

Subd. 3. "Emergency" means an unforeseen combination of circumstances which calls for immediate action to protect life and property and to prevent a disaster from occurring. Such action shall include but not be limited to the management of resources when necessary to prevent a disaster.

Subd. 4. "Emergency plan" means the operating procedure to be used in the event of an emergency or disaster.

Subd. 5. "Emergency services" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other enemy hostile action, or from fire, flood, tornado, blizzards, earthquake, or other natural or man-made causes. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.

Subd. 6. "Federal government" means the government of the United States of America.

Subd. 7. "Interjurisdictional" means the cooperation between two or more political subdivisions of this state or between one or more political subdivisions of this state and a foreign state, political subdivision thereof or country.

Subd. 8. "Local organization for emergency services" means an organization created in accordance with the provisions of this chapter by the state or a political subdivision to perform local emergency services functions.

Subd. 9. "Mobile support units" means an organization for emergency services created in accordance with the provisions of this chapter by the state or a political subdivision to be dispatched by the governor to supplement local organizations for emergency services in a stricken area.

Subd. 10. "Organizational equipment" means equipment and supplies essential for emergency services in excess of equipment and supplies provided for normal operation of the state or a political subdivision to the acquisition of which the federal government will contribute.

Subd. 11. "Political subdivision" means a county, city, town, or a public corporation created and operating under Minnesota Statutes, Sections 360.101 to 360.133.

Subd. 12. "Available personnel" means all able-bodied persons.

Sec. 5. [EMERGENCIES; THE GOVERNOR AND EXECUTIVE COUNCIL.] Subdivision 1. The provisions of this section are subject to the provisions of Minnesota Statutes, Chapter 9.

Subd. 2. The governor may appoint an emergency service advisory council. Such a council shall consist of not less than five nor more than 15 members. The size of the council shall be determined within the above limits by the governor. The members of the council shall serve at the pleasure of the governor without compensation, but shall be reimbursed in the same manner and amount as state employees. The council shall advise the governor and the state director on all matters pertaining to emergency services.

Subd. 3. When a war or the imminence of a war threatens the people of this state, the governor shall:

(a) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or property;

(b) Prescribe routes, modes of transportation, and destinations in connection with evacuation;

(c) Control ingress and egress to and from a stricken or threatened area, the movement of persons within the area, and the occupancy of premises therein;

(d) Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives, and combustibles; and

(e) Make provisions for the availability and use of temporary housing.

Sec. 6. [DIVISION OF EMERGENCY SERVICES.] Subdivision 1. The division of civil defense in the department of public safety established by Laws 1969, Chapter 1129, Article 1, Section 14, is hereby renamed the division of emergency services. It shall remain under the supervision and control of the state director whose position was established by Laws 1969, Chapter 1129, Article 1, Section 14 and as there provided he shall serve at the pleasure of the commissioner in the unclassified service of the state and shall hold no other state office. The relationship between the state director and the commissioner of public safety shall be governed by the provisions of Laws 1969, Chapter 1129, Article 1, Section 14.

(a) Such professional, technical, secretarial and clerical employees as are necessary for the performance of the division's functions shall be employed in the manner provided by law.

(b) The state director and other personnel of the division of emergency services shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as provided for personnel of other state agencies.

Subd. 2. The division of emergency services shall prepare and maintain a state emergency plan and keep it current, the plan shall include:

(a) Guidelines and standards for the prevention and minimization of injury and damage caused by disaster;

(b) Measures outlining prompt and effective response to disasters and emergencies;

(c) Programs for disaster relief;

(d) Identification of areas particularly vulnerable to disasters and emergencies;

(e) Recommendations for zoning, building, use of land, and safety measures for securing mobile homes;

(f) Guidelines which will assist local officials in designing local emergency plans;

(g) Recommendations for the construction of temporary works designed to prevent loss of life and property from flood, conflagration, or other disaster;

(h) Guidelines for the preparation of catalogues containing federal, state and private assistance programs and distribution of these to the appropriate state and local officials;

(i) Provisions for the organization and use of available personnel and chains of command;

(j) Provisions for the coordination of the state and local emergency plans with the emergency plans of the federal government; and

(k) Other necessary matters to carry out this act.

Subd. 3. The division of emergency services shall participate in the development and revision of local and interjurisdictional emergency plans prepared under section 8. The division may employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to political subdivisions, and carrying out their emergency plans. This personnel shall consult with political subdivisions and shall make field examinations of the areas, circumstances, and conditions to which particular emergency plans are intended to apply, and may suggest revisions to the emergency plans. Any such revisions to the plan are subject to the approval of the division.

(a) In preparing and revising the state emergency plan, the division of emergency services shall seek the advice and assistance of local governmental, business, labor, industrial, agricultural, civic, and volunteer organizations and community leaders. The division shall encourage the political subdivisions to seek advice from these sources in developing their emergency plans.

(b) The division of emergency services shall:

(1) Determine requirements of the state and its political subdivisions for food, clothing, and other necessities in event of an emergency or disaster;

(2) Procure supplies, medicines, materials, and equipment and position them such that in the event of an emergency or disaster they are readily available;

(3) Promulgate minimum standards to be incorporated in the emergency plans of political subdivisions;

(4) Periodically review the emergency plans of the political subdivision to assure that minimum standards are met;

(5) Provide for the mobile support units necessary to adequately assist the political subdivisions during emergencies and disasters;

(6) Shall provide assistance to political subdivisions in the establishment and operation of training programs and programs for dissemination of public information;

(7) Make surveys of industries, resources, and facilities within the state, both public and private, to ascertain the availability of materials for use in an emergency or disaster;

(8) Make arrangements for the use of materials determined to be available for emergencies and disasters;

(9) Establish a register of persons with types of training and skills important in emergencies and disasters;

(10) Suggest and submit to the governor, or executive council, orders, proclamations, and regulations as necessary or appropriate in coping with disasters or emergencies;

(11) Cooperate, when possible, with the federal government and any public or private agency or person in achieving the purpose of this act and in developing and implementing emergency plans;

(12) Perform all other necessary duties, incidental, or appropriate for the implementation of this act.

Sec. 7. [FINANCE, ASSISTANCE, ACCEPTANCE; RULES BY GOVERNOR.] Subdivision 1. Where an emergency or disaster exists the executive council shall expend the funds appropriated to it pursuant to Minnesota Statutes, Section 9.061, for the purposes of this act as for the purposes specified in that section.

Subd. 2. Whenever the federal government or any agency or officer thereof shall offer to the state, or through the state to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant or loan, for the purposes of emergency services, the state, acting through the governor, or such political subdivision, acting with the consent of the governor and through its governing body, may accept such offer and upon such acceptance the governor of the state or governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer, but no moneys or other funds shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Subd. 3. Whenever any person, firm or corporation shall offer to the state or to any political subdivision thereof, services, equipment, supplies, materials, real property, or funds by the way of gift, grant or loan, for purposes of emergency services, the state, acting through the governor, or such political subdivision, acting through its governing body, may accept such offer and upon such acceptance the governor of the state or the governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, real property, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer, but no moneys or other funds shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law. Real property so accepted shall be treated as, and subject to the same immunities during time of emergencies and disasters as real property owned by the state.

Subd. 4. The governor shall have authority to establish rules and regulations in accordance with the law for the proper and efficient operation and administration of the emergency services program including methods relating to the establishment and maintenance of personnel standards on a merit basis for all employees of local emergency services agencies, provided, however, that the governor shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods.

The governor may, by rule or regulation, cooperate with the federal government in any manner as may be necessary to qualify for federal aid to carry out the provisions herein expressed. The governor may, by rule or regulation, also cooperate with other political units or sub-

divisions in establishing and maintaining personnel standards on a merit basis.

In carrying out the provisions of this act, the governor and the governing bodies of the political subdivisions of the state are directed to utilize the services, equipment, supplies and facilities of existing departments, offices, and agencies of the state and of the political subdivisions thereof to the maximum extent practicable, and the officers and personnel of all such departments, offices, and agencies are directed to cooperate with and extend such services and facilities to the governor and to the emergency services organizations of the state upon request.

Subd. 5. Where the governor or his duly authorized representatives find it necessary to send an employee of the division of emergency services or a volunteer designated by the division, to any school training or indoctrination program, or place for training or indoctrination in a matter legitimately connected with emergency services, the division shall compensate that person at the rate of \$35 per day for the time that he remains where he has been sent plus reasonable and necessary expenses in the same manner and amount as state employees.

Subd. 6. Nothing contained in this section shall be construed to limit the governor's authority to apply for, administer, and expend grants, gifts, or payment in aid of disaster prevention, preparedness, response, or recovery.

Sec. 8. [LOCAL ORGANIZATIONS.] Subdivision 1. Each political subdivision of this state shall establish a local organization for emergency services in accordance with the state emergency plan and program, but no town shall establish a local organization for emergency services without approval of the state director. Each local organization for emergency services shall have a director who shall be appointed forthwith in a city, by the mayor thereof, in a town by the town board, and for a public corporation created and operating under Minnesota Statutes, Sections 360.101 to 360.133 by its governing body who shall have direct responsibility for the organization, administration, and operation of such local organization for emergency services, subject to the direction and control of such governing body.

Subd. 2. Each county emergency services organization shall have a director and one or more deputy directors. They shall be appointed by the county board. A county organization for emergency services shall have jurisdiction throughout the county outside of any city, or of a town which has a local emergency services organization. In addition to the other powers granted by this subdivision, such county organizations shall coordinate the activities of and may assist in the training of emergency services organizations of political subdivisions within the county, plan for the continuity of county government in cooperation with the county attorney who is authorized and directed to give legal advice to the county organization, acquire equipment necessary in connection therewith, and expend funds provided by the county board out of general revenue funds for such purposes.

Subd. 3. Each local and county organization for emergency services shall perform emergency functions within the territorial

limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this act or any other applicable provisions of law.

Subd. 4. The county emergency services director shall promote a community first aid and blood bank committee for each hospital within the county other than any owned and operated by the state or federal governments. This committee, in cooperation with the committee on emergency services and disaster blood program, the medical and administrative staff of the hospital and other local and state agencies, shall develop blood banks and donor lists in accordance with the provisions of this act.

Subd. 5. With approval of the governor, two or more political subdivisions may enter into agreements determining the boundaries of the geographic areas of their respective emergency responsibilities or providing for a common emergency services organization which, for the purposes of this act shall be a local emergency services organization.

Subd. 6. Each political subdivision either alone or in conjunction with another political subdivision shall prepare and keep current an emergency plan for its area.

Subd. 7. The political subdivision's organization of emergency service shall prepare and distribute to all appropriate persons in written form a clear and complete statement of the emergency responsibilities of local agencies and persons.

Subd. 8. To provide moneys for emergency services purposes authorized by this chapter, a political subdivision is empowered to levy annually upon all taxable property in the political subdivision, except as provided in subdivision 11, a tax in excess of and over and above all taxing limitations, except a limitation established pursuant to sections 275.50 to 275.56, in such amount as may be necessary to pay such expenditures. The total amount of a tax levied under authority of this section except when levied by a county shall not exceed 40 cents per capita based on the last federal regular or special census, except in a political subdivision in which such tax will not produce a total amount of \$1,000 in which event a tax sufficient to produce \$1,000 or so much thereof as may be necessary may be levied, if not in excess of a limitation established pursuant to sections 275.50 to 275.56.

Subd. 9. (a) To provide moneys for the purchase of organizational equipment which is to be paid for in part by the federal government, a political subdivision is empowered to levy a tax upon all taxable property in the political subdivision, except as provided in subdivision 10, in excess of and over and above all taxing limitations, including those provided in subdivision 8, but subject to a limitation established pursuant to sections 275.50 to 275.56, in such amount as may be necessary to pay its share of the cost of such organizational equipment, provided that the governor has approved the purchase thereof.

(b) Each political subdivision which has initiated the purchase of organizational equipment shall have the power:

(1) To pay into the state treasury, in trust, its share of the cost of organizational equipment required by the federal government to be paid in advance.

(2) To pay into the state treasury, in trust, its share of the reimbursement of the federal government by the state as part of its share of the cost of organizational equipment purchased for the political subdivision and initially wholly paid for from the federal treasury.

(3) To pay the entire cost of organizational equipment from funds derived from tax levies herein authorized but within the limitations of subdivision 8. Organizational equipment purchased entirely from funds of a political subdivision need not be in excess of equipment provided for normal operation of a political subdivision and may be of a type and kind usable for local emergency services purpose.

Subd. 10. When levied by a county, the taxes authorized in subdivisions 8 and 9, respectively, shall be spread wholly and exclusively upon property within the portion of the county over which the county local organization for civil defense has justification as provided in section 12.25, subdivision 1; provided, however, that a county may levy annually a tax upon all taxable property within any city or town within the county which has a local civil defense organization.

Subd. 11. Notwithstanding the limitation contained in section 8, subdivision 9, the limitation applicable to the city of Minneapolis shall continue at 20 cents per capita, and no levy may be made by Hennepin county on property within the city of Minneapolis pursuant to section 8, subdivision 11.

Sec. 9. Subdivision 1. If the governor or his designee find that two or more political subdivisions would benefit more by jointly developing and maintaining an emergency plan than by maintaining separate emergency plans, he may by executive order require the political subdivisions to develop and maintain a single emergency plan. This determination shall be subject to the consent of the political subdivisions and shall be based on these considerations of the political subdivisions:

- (a) Population;
- (b) Financial resources;
- (c) Vulnerability to disaster or emergency;
- (d) Interrelated characteristics;
- (e) Other relevant conditions or circumstances.

Subd. 2. If the governor finds that a vulnerable area lies only partly within this state and includes territory in another state or territory in a foreign jurisdiction and that it would be desirable to establish an interstate or international relationship to protect this area, he shall take the proper steps to establish this relationship.

Subd. 3. In the event a jurisdiction or jurisdictions with which the governor proposes to cooperate has not enacted the interstate civil defense and disaster compact, he may negotiate special agreements with the jurisdiction or jurisdictions. Any agreement, if sufficient authority for the making thereof does not otherwise exist, becomes effective only after its text has been communicated to the legislature and provided that neither house of the legislature has disapproved it in the next session or within one year after its submission, whichever is shorter.

Sec. 10. [INTERGOVERNMENTAL ARRANGEMENTS.] Subdivision 1. This state enacts into law and enters into the interstate civil defense and disaster compact with all states, defined therein, which states have enacted or shall hereafter enact the compact in the form substantially as follows:

Interstate Civil Defense and Disaster Compact

The contracting States solemnly agree:

ARTICLE I

The purpose of this compact is to provide mutual aid among the states in meeting any emergency or disaster from enemy attack or other cause, natural or otherwise, including sabotage and subversive acts and direct attacks by bombs, shellfire, and atomic, radiological, chemical, bacteriological means, and other weapons. The prompt, full, and effective utilization of the resources of the respective states, including such resources as may be available from the United States government or any other source, are essential to the safety, care, and welfare of the people thereof in the event of enemy action or other emergency, and any other resources, including personnel, equipment, or supplies, shall be incorporated into a plan or plans of mutual aid to be developed among the civil defense agencies or similar bodies of the states that are parties hereto. The directors of civil defense of all party states shall constitute a committee to formulate plans to take all necessary steps for the implementation of this contract.

ARTICLE II

It shall be the duty of each party state to formulate civil defense plans and programs for application within such state. There shall be frequent consultation between the representatives of the states and with the United States government and the free exchange of information and plans, including inventories of any materials and equipment available for civil defense. In carrying out such civil defense plans and programs the party states shall so far as possible provide and follow uniform standards, practices and rules and regulations including:

(a) Insignia, arm bands and any other distinctive articles to designate and distinguish the different civil defense services;

(b) Blackouts and practice blackouts, air-raid drills, mobilization of civil defense forces and other tests and exercises;

(c) Warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(d) The effective screening or extinguishing of all lights and lighting devices and appliances;

(e) Shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(f) All materials or equipment used or to be used for civil defense purposes in order to assure that such materials and equipment will be easily and freely interchangeable when used in or by any other party state;

(g) The conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic, prior, during and subsequent to drills or attacks;

(h) The safety of public meetings or gatherings; and

(i) Mobile support units.

ARTICLE III

Any party state requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact in accordance with the terms hereof; provided that it is understood that the state rendering aid may withhold resources to the extent necessary to provide reasonable protection for such state. Each party state shall extend to the civil defense forces of any other party state, while operating within its state limits under the terms and conditions of this compact, the same powers, except that of arrest unless specifically authorized by the receiving state, duties, rights, privileges and immunities as if they were performing their duties in the state in which normally employed or rendering services. Civil defense forces will continue under the command and control of their regular leaders but the organizational units will come under the operational control of the civil defense authorities of the state receiving assistance.

ARTICLE IV

Whenever any person holds a license, certificate, or other permit issued by any state evidencing the meeting of qualifications for professional, mechanical or other skills, such person may render aid involving such skill in any party state to meet an emergency or disaster and such state shall give due recognition to such license, certificate or other permit as if issued in the state in which aid is rendered.

ARTICLE V

No party state or its officers or employees rendering aid in another state pursuant to this compact shall be liable on account of any act or omission in good faith on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

ARTICLE VI

Inasmuch as it is probable that the pattern and detail of the machinery for mutual aid among two or more states may differ from that appropriate among other states party hereto, this instrument contains elements of a broad base common to all states, and nothing herein contained shall preclude any state from entering into supplementary agreements with another state or states. Such supplementary agreements may comprehend, but shall not be limited to, provisions for evacuation and reception of injured and other persons, and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, equipment and supplies.

ARTICLE VII

Each party state shall provide for the payment of compensation and death benefits to injured members of the civil defense forces of that state and the representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such state.

ARTICLE VIII

Any party state rendering aid in another state pursuant to this compact shall be reimbursed by the party state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost incurred in connection with such requests; provided, that any aiding party state may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the receiving party state without charge or cost; and provided further that any two or more party states may enter into supplementary agreements establishing a different allocation of costs as among those states. The United States government may relieve the party state receiving aid from any liability and reimburse the party state supplying civil defense forces for the compensation paid to and the transportation, subsistence, and maintenance expenses of such forces during the time of the rendition of such aid or assistance outside the state and may also pay fair and reasonable compensation for the use or utilization of the supplies, materials, equipment, or facilities so utilized or consumed.

ARTICLE IX

Plans for the orderly evacuation and reception of the civilian population as the result of an emergency or disaster shall be worked out from time to time between representatives of the party states and the various local civil defense areas thereof. Such plans shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing, and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends and the forwarding of such evacuees to

other areas or the bringing in of additional materials, supplies, and all other relevant factors. Such plans shall provide that the party state receiving evacuees shall be reimbursed generally for the out-of-pocket expenses incurred in receiving and caring for such evacuees, for expenditures for transportation, food, clothing, medicines and medical care, and like items. Such expenditures shall be reimbursed by the party state of which the evacuees are residents, or by the United States government under plans approved by it. After the termination of the emergency or disaster the party state of which the evacuees are resident shall assume the responsibility for the ultimate support or repatriation of such evacuees.

ARTICLE X

This compact shall be available to any state, territory or possession of the United States, and the District of Columbia. The term "state" may also include any neighboring foreign country or province or state thereof.

ARTICLE XI

The committee established pursuant to Article 1 of this compact may request the Civil Defense Agency of the United States government to act as an informational and coordinating body under this compact, and representatives of such agency of the United States government may attend meetings of such committee.

ARTICLE XII

This compact shall become operative immediately upon its ratification by any state as between it and any other state or states so ratifying and shall be subject to approval by Congress unless prior congressional approval has been given. Duly authenticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party states and the Civil Defense Agency and other appropriate agencies of the United States government.

ARTICLE XIII

This compact shall continue in force and remain binding on each party state until the legislature or the governor of such party state takes action to withdraw therefrom. Such action shall not be effective until 30 days after notice thereof has been sent by the governor of the party state desiring to withdraw to the governors of all other party states.

ARTICLE XIV

This compact shall be construed to effectuate the purposes stated in Article 1 hereof. If any provision of this compact is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to other persons and circumstances shall not be affected thereby.

Sec. 11. [LOCAL EMERGENCIES.] Subdivision 1. A local emergency may be declared only by the executive authority of the affected political subdivision. The local emergency shall not be continued or renewed for a period in excess of seven days except with the consent of the governing board of the political subdivision involved. Any order or proclamation in regard to a local emergency shall be given prompt and general publicity and shall be filed promptly with the chief local records-keeping agency.

Subd. 2. The effect of a declaration of a local emergency is to activate applicable emergency plans.

Sec. 12. [DISASTER PREVENTION.] Subdivision 1. The governor shall direct state agencies, including but not limited to those charged with responsibilities of flood plain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land-use planning, and construction standards, to conduct studies and submit reports to the governor relative to disasters and emergencies. The governor shall make recommendations to the legislature, political subdivisions, and state agencies regarding measures for prevention and reduction of the harmful consequences of disasters and emergencies.

Subd. 2. The department of natural resources, in conjunction with the division of emergency services, shall keep land uses and construction of structures and other facilities under continuing study and identify areas which are particularly susceptible to severe land shifting, subsidence, and flood. The studies under this subdivision shall concentrate on means of reducing or avoiding the dangers and consequences of such occurrences.

Subd. 3. If the division of emergency services determines that existing building standards and land-use controls in an area are inadequate and could add substantially to the magnitude of the disaster, it shall recommend to the governor the changes it finds necessary to reduce the magnitude of the disaster. If the governor upon review of the recommendation finds that the changes are essential, he shall so recommend that these changes be implemented by the appropriate state agency or political subdivision. If his recommendations are not acted upon within the time specified by the governor, he shall so inform the legislature and request legislative action.

Sec. 13. [COMMUNICATIONS.] The division of emergency services shall ascertain what means exist for rapid and efficient communications in times of emergencies or disasters. The agency shall consider the desirability of supplementing these communications resources or of integrating them into a comprehensive state or state-federal telecommunications or other communications system or network. In studying the character and feasibility of any system or its several parts, the division shall evaluate the possibility of multipurpose use thereof for general state and local governmental purposes. The division shall make recommendations to the governor as appropriate.

Sec. 14. [MUTUAL AID.] Subdivision 1. Political subdivisions shall be encouraged and assisted by the division of emergency services to enter into suitable arrangements for furnishing mutual aid in coping with disasters.

Subd. 2. In reviewing of local emergency plans, the governor shall consider whether they contain adequate provisions for the rendering and receipt of mutual aid.

Sec. 15. [ASSISTANCE BETWEEN POLITICAL SUBDIVISIONS.] Subdivision 1. Whenever requested by a political subdivision after declaration of a stated emergency or disaster, the governor may, in his discretion, authorize and direct the police, fire-fighting, health, or other force of any political subdivision, herein called the sending political subdivision, to go to the assistance of another political subdivision, herein called the receiving political subdivision, and to take and use for such purpose such personnel, equipment, and supplies of the sending political subdivision as the governor may direct.

Subd. 2. While so engaged, the officers and members of such forces shall have the same powers, duties, rights, privileges and immunities as if they were performing like service in the sending political subdivision and shall be considered to be acting within the scope of and in the course of their regular employment, as employees of such sending political subdivision.

Subd. 3. The receiving political subdivision shall reimburse the sending political subdivision for all supplies used and the compensation paid to all officers and members of the forces so furnished during such time as the rendition of such aid prevents them from performing their duties in the sending political subdivision, for the actual traveling and maintenance expenses of such officers and members while rendering such aid, and the cost of all insurance covering such officers and members while so engaged. Any claim for such loss, damage or expense in use of equipment or supplies or for additional expenses incurred in the operation or maintenance thereof shall not be allowed unless within 90 days after the same is sustained or incurred an itemized notice of such claim, verified by an officer or employee of the municipality having knowledge of the facts, is filed with the clerk of the receiving political subdivision.

Subd. 4. It shall be the policy of the state to reimburse the sending political subdivision for any loss or damage to equipment used outside of the corporate limits of the sending political subdivision and to reimburse the sending political subdivision for any additional expenses incurred in the operation and maintenance thereof outside such corporate limits. Any claim for such loss, damage or expense in use of equipment or for additional expenses incurred in the operation or maintenance thereof shall not be allowed unless within 90 days after the same is sustained or incurred an itemized notice of such claim, verified by an officer or employee of the sending political subdivision having knowledge of the facts, is filed with the state director.

Sec. 16. [PERSONS REQUIRED TO ASSIST.] Subdivision 1.

During an emergency or disaster, the governor, the state director or a member of a class of members of a state or local civil defense organization designated by the governor, may, when necessary to save life or property, (1) require any person, except members of the federal or state military forces and officers of the state or a political subdivision, to perform services for emergency services purposes as directed by any of the persons first above described, and (2) commandeer, during a disaster or emergency, any motor vehicle, tools, appliances or any other personal property.

Subd. 2. The owner of any property so commandeered shall be promptly paid just compensation for the use thereof and all damages done to the property while so used for emergency services purposes. The governor or the governing body of the political subdivision concerned, respectively, according to the use thereof, shall make a formal order determining the amount of such compensation. The owner may appeal to the district court of the county in which such property was commandeered if, within 30 days from the date of such order, he serves upon the governor or the political subdivision concerned and files with the clerk of such court a written notice of appeal setting forth the order appealed from and, in detail, the amount claimed as compensation. Upon such appeal, the issue shall be the amount of damages to which the appellant is entitled. It may be noticed for trial as in the case of a civil action and the court may require other parties to be joined and to plead therein when necessary to a proper determination of the questions involved. The cause shall be tried without a jury *de novo* and the court shall determine the damages and the person or persons entitled thereto. Except as herein otherwise provided, the trial shall be conducted and the cause disposed of according to the rules applicable to civil actions in the district court. The court in its discretion may award to the prevailing party the costs and disbursements of the appeal.

Subd. 3. Any available personnel required to perform services for emergency services who refuses, neglects, or otherwise fails to perform the services required under subdivision 1 shall be guilty of a misdemeanor and punished by imprisonment in the county jail for not less than ten days or more than 90 days.

Sec. 17. [MOBILE SUPPORT UNITS CALLED TO DUTY.] Subdivision 1. Mobile support units shall be called to duty upon orders of the governor and shall perform their functions in any part of the state, or, upon the conditions specified in this section, in other states.

Subd. 2. Personnel of mobile support units while on active duty, whether within or without the state, shall: (1) if they are employees of the state, have the powers, duties, rights, privileges and immunities and receive the compensation incidental to their employment; (2) if they are employees of a political subdivision, and whether serving within or without such political subdivision, have the powers, duties, rights, privileges and immunities and receive the compensation incidental to their employment; and (3) if they are not employees of the state or a political subdivision thereof, receive compensation by the state of \$5 per day and have the same rights and immunities as are

provided by law for the employees of this state. All personnel of mobile support units shall, while on duty, be subject to the operational control of the authority in charge of emergency services activities in the area in which they are serving, and shall be reimbursed for all actual and necessary travel and subsistence expenses.

Subd. 3. The state shall reimburse a political subdivision for the compensation paid and actual and necessary travel, subsistence and maintenance expenses of employees of such political subdivision while serving as members of a mobile support unit and for all payments for death, disability or injury of such employees incurred in the course of such duty, and for all losses of or damage to supplies and equipment of such political subdivision resulting from the operation of such mobile support unit.

Subd. 4. Whenever a mobile support unit of another state shall render aid in this state pursuant to the orders of the governor of its home state, and upon the request of the governor of this state, this state shall reimburse such other state for the compensation paid and actual and necessary travel, subsistence and maintenance expenses of the personnel of such mobile support unit while rendering such aid, and for all payments for death, disability or injury of such personnel incurred in the course of rendering such aid, and for all losses of or damage to supplies and equipment of such other state or a governmental subdivision thereof resulting from the rendering of such aid; provided, that the laws of such other state contain provisions substantially similar to this section.

Subd. 5. No personnel of a mobile support unit of this state shall be ordered by the governor to operate in any other state unless the laws of such other state contain provisions substantially similar to this section.

Sec. 18. [GOVERNOR MAY CONTRACT.] The governor, during an emergency or disaster, is, notwithstanding any other provision of law, empowered to enter into contracts and incur obligations necessary to combat such emergency or disaster by protecting the health and safety of persons and the safety of property, and providing emergency assistance to the victims of such emergency or disaster; to exercise the powers vested by this subdivision in the light of the exigencies of the emergency or disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contract, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, for example, but not limited to, publication of calls for bids, provisions of the civil service act and rules, provisions relating to low bids and requirements for the budgeting and allotment of funds. All contracts shall be in writing, executed on behalf of the state by the governor or a person by him delegated in writing so to do, and shall be promptly filed with the state auditor, who shall forthwith encumber funds appropriated for the purposes of the contract for the full contract liability and certify thereon that such encumbrance has been made.

Sec. 19. [POLITICAL SUBDIVISIONS, AUTHORITY TO ENTER INTO CONTRACTS.] During a disaster or emergency, each political subdivision is, notwithstanding any statutory or charter provision to

the contrary, empowered, through its governing body acting within or without the corporate limits of the political subdivision, to enter into contracts and incur obligations necessary to combat such emergency or disaster by protecting the health and safety of persons and property, and providing emergency assistance to the victims of such emergency or disaster. Each political subdivision is authorized to exercise the powers vested by this subdivision in the light of the exigencies of the emergency or disaster without compliance with time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers; rental of equipment, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds, for example, but not limited to, publication of ordinances and resolutions, publication of calls for bids, provisions of civil service laws and rules, provisions relating to low bids, and requirements for budgets.

Sec. 20. [EMPLOYEES; LOYALTY OATHS.] No person shall be employed or associated in any capacity in an emergency service organization established under this act who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for emergency services shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state, which oath shall be substantially as follows:

"I,, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

This oath may be administered by an officer of the division of emergency services, local emergency services director/coordinator or any public official authorized to administer oaths.

Sec. 21. [POLITICAL ACTIVITIES.] No organization for emergency services established under the authority of this chapter shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a legitimate labor dispute.

Sec. 22. [VIOLATIONS, PENALTIES.] Unless a different penalty or punishment is specifically prescribed, any person who willfully violates any provision of this act or any rule, order or regulation having the force and effect of law issued under authority of this act is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

Sec. 23. [LIMITATION OF POWERS.] Nothing in this act shall be construed to authorize the governor or the director:

(1) By subpoena or otherwise to require any person to appear before him or any other person or to produce any records for inspection by him or any other person, or to examine any person under oath; and

(2) To remove summarily from office any person, other than a person appointed under this chapter, except as now provided by law or as herein specifically authorized.

Sec. 24. [COLLECTION OF BLOOD TO TREAT CASUALTIES IN DISASTER.] The state board of health is authorized to procure and to store blood typing serums, donor and recipient sets of the disposable type and disposable blood containers in which to collect citrated whole human blood for transfusion purposes. Such donor and recipient sets, disposable blood containers and blood typing serum procured under sections 25 and 23 shall comply with the standards of the National Institutes of Health, United States Public Health Service. The board is authorized to make agreements with such hospitals, blood banks, and bleeding centers for the storing, without cost to the state, of such containers and sets, in quantities not to exceed a one year supply, at such points throughout the state as the board in cooperation with the division of emergency services deems necessary in order to facilitate the immediate collection and use for transfusion purposes of supplies of citrated whole human blood for the treatment of casualties in case of disaster. The hospitals, blood banks, and bleeding centers cooperating with the board pursuant to said agreements shall store such containers and sets but are authorized to use such containers and sets as needed in meeting their normal daily transfusion requirements. In order to keep the supply fresh and readily available at all times for disaster use, such hospitals, blood banks, and bleeding centers shall replenish as used, at their own expense, the supply of such containers and sets stored with them by the board pursuant to said agreements.

Sec. 25. [BLOOD TYPING SERUMS, BLOOD DONOR LISTS.] Within the limitations of available funds, the board will provide blood typing serums to assist hospitals, blood banks, and bleeding centers in developing and enlarging a blood donor list of such size as to provide a ready source of whole blood for the treatment of casualties in the event of disaster. The hospitals, blood banks, and bleeding centers shall keep such donor lists current and shall report at such times as may be required by the board the total number of donors on the blood donor list and the number in the respective blood groups and RH types.

Sec. 26. [DIRECTOR OF DIVISION OF EMERGENCY SERVICES MAY HANDLE EXCESS FEDERAL PROPERTY.] Subdivision 1. The division is designated as the state agency to purchase, accept, lease, and distribute excess property made available by the federal government to a governmental or nonprofit organization for any purpose authorized by federal law and in accordance with any rules or regulation promulgated thereunder.

Subd. 2. The director may purchase, lease, or accept excess property for the state of Minnesota and may purchase, lease, or accept excess property for the benefit of any other governmental or nonprofit organization. And any such governmental or nonprofit organization may designate the director to purchase, lease, or accept excess property for it upon such terms and conditions as may be mutually agreed upon.

Sec. 27. [EXCESS PROPERTY REVOLVING FUND; ADVANCES FOR CERTAIN EXPENSES.] Subdivision 1. In order to enable the director to pay for excess property received from the federal government for any governmental or nonprofit organization, including the expenses of screening, accepting and distributing such property, there is hereby created an excess property revolving fund. Any moneys paid into said excess property revolving fund are hereby appropriated to the director for the purposes of sections 26 to 28. An excess property revolving account is established in the state treasury. All moneys or reimbursements received by the director of emergency services from the operation of the excess property program or any branch thereof shall be deposited in the state treasury and credited to this account.

Subd. 2. A sum not to exceed \$1,000 of the moneys credited to such fund may be advanced to the director of the division of emergency services or any state officer or employee engaged in performing duties under sections 18 to 27 for the purpose of defraying the expenses of travel, subsistence, toll charges, and other similar expenses, and in accordance with such requirements therefor as may be prescribed by the state auditor. Moneys so advanced when repaid shall be deposited in the state treasury to the credit of the excess property revolving fund.

Sec. 28. [EXCESS PROPERTY, STORAGE, TRANSFER REIMBURSEMENT OF REVOLVING FUND.] Subdivision 1. The director may store excess property until needed and any expenses incurred in connection therewith shall be paid from the excess property revolving fund.

Subd. 2. Wherever the state of Minnesota or any of its departments or agencies operating pursuant to a legislative appropriation obtain excess property from the director the state auditor upon request of the director shall transfer the cost thereof, including any expenses of screening, accepting and distributing such property, from the appropriation of the state department or agency receiving the excess property to the excess property revolving fund. The determination of the director as to the cost of such excess property to the state department or agency receiving the same shall be final.

Subd. 3. Whenever any governmental or nonprofit organization other than a state department or agency receives excess property from the director, such governmental or nonprofit organization shall reimburse the excess property revolving fund for the cost thereof, including the expenses of screening, accepting and distributing the same, in such amount as the director may determine. The director may, however, require such governmental or nonprofit organization to deposit in advance in the excess property revolving

fund moneys covering the cost of such excess property and upon such terms and conditions as may be mutually agreed upon.

Sec. 29. The revisor of statutes, in the next and subsequent editions of Minnesota Statutes, shall substitute the words "division of emergency services" for "Minnesota civil defense agency or division of civil defense" where the same appear in Minnesota Statutes, except in the interstate civil defense and disaster compact.

Sec. 30. Minnesota Statutes 1971, Section 15.0411, Subdivision 2, is amended to read:

Subd. 2. "Agency" means any state officer, board, commission, bureau, division, department, or tribunal, other than a court, having a statewide jurisdiction and authorized by law to make rules or to adjudicate contested cases. Sections 15.0411 to 15.0422 do not apply to (a) agencies directly in the legislative or judicial branches, (b) emergency powers in Laws 1951, Chapter 224, Title III, Sections 301 to 307 sections 1 to 28 of this act, (c) Adult Corrections Commission and Pardon Board. (d) the Youth Conservation Commission, (e) the Department of Manpower Services, (f) the Director of Mediation Services, (g) the department of labor and industry, (h) workmen's compensation commission.

Sec. 31. Minnesota Statutes 1971, Sections 12.01; 12.02; 12.03; 12.04; 12.11; 12.12; 12.21; 12.22; 12.23; 12.24; 12.25; 12.26, Subdivisions 1, 3 and 6; 12.27; 12.28; 12.31; 12.32; 12.33; 12.34; 12.35; 12.36; 12.37; 12.42; 12.43; 12.44; 12.45; 12.46; 12.56; and 12.57 and Minnesota Statutes, 1973 Supplement, Section 12.26, Subdivisions 2 and 4; and Laws 1951, Chapter 669, are repealed.

Sec. 32. This act is effective July 1, 1974."

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

"A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the interstate civil defense and disaster compact; providing penalties; amending Minnesota Statutes 1971, Section 15.0411, Subdivision 2; repealing Minnesota Statutes 1971, Chapter 12, as amended; and laws 1951, Chapter 669."

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

S. F. No. 2604: A bill for an act relating to distinctions based upon sex; abolishing these distinctions in the law relating to the dependent care deduction, inheritance tax, and gift tax; amending Minnesota Statutes 1971, Sections 290.09, Subdivision 26; 291.03, as amended; 291.05, as amended; 292.05, Subdivision 1, as amended; 292.07, Subdivision 3, as amended, and Subdivision 5, as amended.

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

Page 2, line 3, after "*for*" insert "*a*"

Page 2, line 3, strike "*taxpayers*" and insert "*taxpayer*"

Page 3, line 4, reinstate the stricken language

Page 3, lines 23 to 28, reinstate the stricken language and further amend as follows:

Page 3, line 23, strike (5) and insert (2)

Page 3, line 23, strike "*woman*" and insert "*taxpayer*"

Page 3, line 25, strike "*she*" and insert "*he*"

Page 3, line 25, strike "*her*" and insert "*his*"

Page 3, line 28, strike "*she*" and insert "*he*"

Page 3, line 28, strike "*her*" and insert "*his*"

Page 4, lines 1 to 5, reinstate the stricken language

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

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.

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

Pages 1, 2 and 3, strike all of Sec. 2 and Sec. 3.

Further, amend the title as follows:

Page 1, line 7, strike "Sections" and insert in lieu thereof "Section"

Page 1, line 8, strike "; and" and insert a period

Page 1, strike all of line 9.

And when so amended the bill do pass.

Pursuant to Joint Rule 20, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 3055 for comparison to companion Senate File, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		3055	3000		

and that the above Senate File be indefinitely postponed.

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

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

H. F. No. 2996 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2996	3047				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2996 be amended as follows:

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

"Section 1. [POST-SECONDARY VOCATIONAL-TECHNICAL EDUCATION FUNDING.] Subdivision 1. [PURPOSE.] The purpose of this section is to change the funding of post-secondary vocational-technical education from reimbursement of past expenditures to a current funding process.

Subd. 2. [CURRENT AID.] Beginning July 1, 1975, the state board for vocational education shall not enter into agreements to pay reimbursements but shall be obligated for reimbursement payments incurred in fiscal year 1975. These payments shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for fiscal year 1975. Beginning July 1, 1976, all vocational aid payments to the extent funds are available shall be made based on the approved budget for the current fiscal year.

Subd. 3. [BUDGETS.] Before May 1, 1974, and before January 1 of each year thereafter area vocational-technical institute budgets for the following fiscal year shall be submitted to the state board for vocational education. The commissioner, subject to the approval of the state board for vocational education, shall approve the overall budget for each district prior to June 15, 1974 and May 15 of each year thereafter. The total amount of reim-

bursement payments approved shall not exceed by more than 14 percent the amount appropriated for post-secondary vocational-technical education for fiscal year 1975. Inflation and expansion occurring in fiscal year 1976 shall be incorporated into the fiscal year 1976 budget request. No district shall increase its indebtedness during fiscal year 1976 unless authorized by the state board for vocational education. The state board for vocational education shall before October 1, 1974 promulgate rules and regulations which establish the approval criteria of budgets including but not limited to the following: responsiveness to current and projected manpower needs of population groups to be served in the various geographic areas and communities of the state, particularly disadvantaged and handicapped persons; adequacy of evaluation of programs; other criteria set forth in the state plan for vocational education. The commissioner, in cooperation with the department of finance, shall establish program budget standards by which the local school districts shall submit financial requests.

Subd. 4. [LOCAL DEFICITS.] The commissioner with the approval of the state board for vocational education shall establish a uniform auditing procedure for post-secondary vocational education. This procedure shall be used to determine the local deficit or surplus in each district as of July 1, 1974 and as of July 1 for each year thereafter. This deficit or surplus shall be certified to the commissioner before January 1, 1975 and January 1 of each year thereafter.

Sec. 2. [EARLY IDENTIFICATION AND EARLY CHILDHOOD PROGRAMS.] Subdivision 1. The board of any independent or special district may provide early identification and early childhood programs in one or more elementary school areas within the district and may receive state aids for such programs. In the 1974-75 school year such aids shall be provided for no more than 11 pilot program centers. The aids for such pilot programs shall be distributed in accordance with Minnesota Statutes, Sections 124.17 and 124.212.

Subd. 2. Each district providing such programs shall establish and maintain an account separate from all other district accounts for the receipt and disbursement of all funds related to such early identification and early childhood programs.

Subd. 3. Each district providing early identification and early childhood programs shall coordinate their services with any early identification and early childhood services provided in the district by other governmental agencies. A district may develop cooperative programs with private agencies providing early identification and early childhood services. All governmental agencies shall cooperate with the school district in these coordination efforts. Any district which provides early identification and early childhood programs but does not coordinate its efforts with other governmental agencies shall submit an explanatory report to the commissioner within one year after the implementation of its early identification and early childhood programs and each year thereafter in which such coordination is not established.

Subd. 4. A school district providing early identification and early childhood programs shall be eligible to receive funds for early identification and early childhood services from other government agencies and from private sources where such funds are available.

Subd. 5. A district may charge reasonable fees for early identification and early childhood services; however, a district shall waive such charge or fee if any pupil, his parent or guardian is unable to pay it.

Sec. 3. [TRANSITIONAL YEAR.] Subdivision 1. Notwithstanding any law to the contrary, in districts which have established an approved early identification and early childhood program, any secondary school student who has completed all required courses may, with the approval of the student, his parent or guardian, and local school officials, graduate prior to the completion of the school year. All aid which such student, had he not graduated, would have earned for the district pursuant to Minnesota Statutes, Section 124.212, plus that portion of the allowable foundation aid amount raised by the local tax levy which results from such transitional year students plus that portion of any excess levy allowable under Minnesota Statutes, Section 275.125, Subdivision 3 (5) shall continue to be earned by the district. All such transitional year funds shall be permanently transferred from the general fund to the early identification and early childhood account to provide for early identification and early childhood programs. Moneys so received shall be used only for purposes of the early identification and early childhood program.

Subd. 2. The commissioner shall promulgate rules and regulations setting forth the standards for application for and approval of this early graduation procedure.

Sec. 4. Minnesota Statutes 1971, Section 121.21, Subdivision 5, is amended to read:

Subd. 5. The commissioner with the approval of the state board for vocational education is authorized to apportion and distribute funds to the local school districts under the provisions of this section, such apportionment and reimbursement to be on a cost basis for those trainees living outside of the local school districts; *provided however that in fiscal years 1975 and 1976 no district shall receive reimbursement for any costs in excess of those approved by the state board for vocational education*; provided however further that those school districts enrolling more than the state average of resident students shall receive nonresident aids based on the average percentage of nonresident attendance for the preceding school year for the state in area vocational-technical schools.

Sec. 5. Minnesota Statutes 1971, Section 123.37, Subdivision 1, is amended to read:

123.37 [INDEPENDENT SCHOOL DISTRICTS, CONTRACTS.] Subdivision 1. No contract for work or labor, or for the purchase of furniture, fixtures, or other property, except books registered under the copyright laws, or for the construction or repair of school houses, the estimated cost or value of which shall

exceed: (a) \$3,000 for school districts with an enrollment of students in grades 1 to 12 of less than 10,000, or (b) \$5,000 for all other school districts, shall be made by the school board without first advertising for bids or proposals by two weeks' published notice in the official newspaper. Such notice shall state the time and place of receiving bids and contain a brief description of the subject matter.

Such additional publication in the official newspaper or elsewhere may be made as the board shall deem necessary.

After taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, every such contract shall be awarded to the lowest responsible bidder, duly executed in writing, and the person to whom the same is awarded shall give a sufficient bond to the board for its faithful performance, and otherwise conditioned as required by law. A record shall be kept of all bids, with names of bidders and amount of bids, and with the successful bid indicated thereon. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid shall be rejected unless the alteration or erasure is corrected as herein provided. An alteration or erasure may be crossed out and the correction thereof printed in ink or type-written adjacent thereto and initialed in ink by the person signing the bid. In the case of identical low bids from two or more bidders, the board may, at its discretion, utilize negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. In the case where only a single bid is received, the board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not exceed the original bid. If no satisfactory bid is received, the board may readvertise. Standard requirement price contracts established for supplies or services to be purchased by the district shall be established by competitive bids. Such standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs. Either party to the contract may request that the other party demonstrate such increase or decrease. The term of such contracts shall not exceed two years with an option on the part of the district to renew for an additional two years. Provided that in the case of purchase of perishable food items except milk for school lunches and vocational training programs a contract of any amount may be made by direct negotiation by obtaining two or more quotations for the purchase or sale, when possible, without advertising for bids or otherwise complying with the requirements of this section or section 471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof.

Every contract made without compliance with the provisions of this section shall be void. Provided, that in case of the destruction of buildings or injury thereto, where the public interest would suffer by delay, contracts for repairs may be made without advertising for bids.

Firm bid contracts for the purchase of milk and ice cream nego-

tiated or renegotiated between September 1, 1973 and July 1, 1974 which provide for a price increase or decrease based upon a demonstrable industrywide or regional increase in the vendor's costs are not void under this subdivision, provided that the adjustment shall not exceed the increase or decrease authorized in the federal marketing order for raw milk between the dates of September 1, 1973 and July 1, 1974 for sales made between February 1, 1974 and July 1, 1974.

Sec. 6. Minnesota Statutes 1971, Section 123.37, is amended by adding a subdivision to read:

Subd. 1a. [AUTHORITY TO PURCHASE.] The board may authorize its superintendent or business manager to lease, purchase, and contract for goods and services within the budget as approved by the board, provided that any transaction in an amount exceeding the minimum amount for which bids are required must first be specifically authorized by the board and must fulfill all other applicable requirements in section 123.37, subdivision 1.

Sec. 7. Minnesota Statutes 1971, Section 123.37, is amended by adding a subdivision to read:

Subd. 1b. Notwithstanding the provisions of subdivision 1, a contract for the transportation of school children may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the service when possible. At least 30 days before awarding a directly negotiated contract, the school district shall, by published notice, request quotations for the service to be provided. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of subdivision 1.

Sec. 8. Minnesota Statutes 1971, Section 123.39, Subdivision 1, is amended to read:

123.39 [INDEPENDENT SCHOOL DISTRICTS, TRANSPORTATION.] Subdivision 1. The board may provide for the free transportation of pupils to and from school, and to schools, in other districts for grades and departments not maintained in the district, including high school, at the expense of the district, when funds are available therefor and if agreeable to the district to which it is proposed to transport the pupils, for the whole or a part of the school year as it may deem advisable, and subject to its rules. Every driver shall possess all the qualifications required by the rules of the state board of education. In any district which at the time of the adoption of this code was a consolidated district or enjoyed the privileges of a consolidated district, the board shall arrange for the attendance of all pupils living two miles or more from the school, through suitable provision for transportation or for the boarding and rooming of such pupils as may be more economically and conveniently provided for by such means. The district is authorized to provide for the transportation of pupils or expend a reasonable amount for room and board of pupils whose attendance at school can more economically and conveniently be provided for by such means or where pupils attend school in a

building rented or leased by a district within the confines of an adjacent district .

Sec. 9. Minnesota Statutes 1971, Section 123.39, is amended by adding a subdivision to read:

Subd. 13. The board shall provide for the transportation of resident handicapped persons who fulfill the requirements of Minnesota Statutes, Section 252.23, Clause (1) to licensed daytime activity centers attended by these persons. Any aid received for transportation outside the district must be approved by the commissioner.

Sec. 10. Minnesota Statutes, 1973 Supplement, Section 124.04, is amended to read:

124.04 [CAPITAL EXPENDITURE TAXING AUTHORITY.] In addition to the tax levy prescribed by law for general and special school purposes, the board of any district may levy annually an amount not to exceed \$65 per pupil unit and not to exceed 10 mills on each dollar of assessed valuation of the taxable property in the district as adjusted for the preceding year by the equalization aid review committee notwithstanding the provisions of sections 272.64 and 275.49, provided that said levy may not exceed by more than two mills (three mills if the district adds units pursuant to section 124.17, subdivision 1, clause (7)) the levy under this section in the previous year and provided further that any district which did not levy pursuant to this section in 1972 may certify a maximum levy of 6 mills not to exceed \$65 per pupil unit in 1974 . The tax so levied shall be collected in the manner provided by law for the collection of school taxes. The proceeds of the tax may be used only to acquire land, improve and repair school sites and to equip, re-equip, repair and improve buildings and permanent attached fixtures. Subject to the commissioner's approval, the tax proceeds may also be used to rent or lease buildings for school purposes and to acquire or construct buildings. The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

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

Sec. 11. Minnesota Statutes 1971, Section 124.13, is amended to read:

124.13 [LIMIT ON STATE AID.] The total amount of aid paid by the state to any district for *any purpose in* any year shall not exceed the total amount expended by the district for education of resident pupils ~~during for such purpose~~ for such year.

Sec. 12. Minnesota Statutes, 1973 Supplement, Section 124.17, Subdivision 1, is amended to read:

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

(1) In an early identification and early childhood program approved by the state board, one-tenth pupil unit for each child

served by the program. Any child prior to entering kindergarten or below age 6 may qualify for early identification and early childhood programs and aids provided that either the child or his parent or guardian is served by the program.

~~(1)~~ (2) In an elementary school, for kindergarten and for handicapped pre-kindergarten pupils as defined in section 120.03, and enrolled in one-half day sessions throughout the school year or the equivalent thereof, approved by the commissioner of education, one-half pupil unit and other elementary pupils, one pupil unit.

~~(2)~~ (3) In secondary schools, pupils in junior high school or a six-year school and all other pupils in secondary schools, one and four-tenths pupil units. Pupils enrolled in the seventh and eighth grades of a ~~middle school~~ *any public school, including middle schools and elementary schools, in districts maintaining high schools, or those which will maintain a high school by the 1974-1975 school year, shall be counted as secondary pupils. Such aids will be paid for the 1973-1974 school year to districts now qualifying which previously were not eligible to receive the increased pupil weighing.*

~~(3)~~ (4) In area vocational-technical schools one and one-half pupil units.

~~(4)~~ (5) To meet the problems of educational overburden caused by broken homes, poverty and low income, each pupil *in clauses (2) and (3) from families receiving aid to families with dependent children or its successor program shall be counted as an additional five-tenths pupil unit. The department of public welfare is directed to furnish to the department of education that information concerning children from families with dependent children which is necessary to calculate pupil units. Additional aids to a district for such pupils may be distributed on a delayed basis until the department of education publicly certifies that the information needed for paying such aids is available on such a timely basis that such aids may be paid concurrently with other foundation aids.*

~~(5)~~ (6) In every district where the number of pupils from families receiving aid to families with dependent children or its successor program exceeds ~~ten~~ *nine* percent of the total actual pupil units in the district for the same year, as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3), each such pupil shall be counted as an additional 35/100 of a pupil unit; for those districts where the number of such pupils is more than eight percent but not more than ~~ten~~ *nine* percent of the total pupil units in the district for the same year, as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3), each such pupil shall be counted as an additional two-tenths of a pupil unit and for those districts where the number of such pupils is at least five percent but not more than eight percent of the total pupil units in the district for the same year, as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3), each such pupil shall be counted as an additional one-tenth of a pupil unit. Such weighing shall be in addition to the weighing provided in clauses (1), (2), (3), (4) and ~~(4)~~ (5) of this

section. School districts are encouraged to allocate a major portion of the aids that they receive on account of clauses ~~(4)~~ (5) and ~~(5)~~ (6) to primary grade programs and services, particularly to programs and services that involve participation of parents.

~~(6)~~ (7) Where the total pupil units of a district are used as a multiplier in determining foundation aids and spending and levy limitations and where the actual number of pupil units has decreased from the prior year, the number of pupil units for such district shall equal the average of actual pupil units for the prior and current years be increased by .7 times the difference between the units as computed in clauses (2) and (3) for the two years .

~~(7)~~ (8) Where the actual number of pupil units has increased from the prior year by more than ~~four~~ three percent, a number of pupil units equal to one fourth of the difference between the units as computed in clauses ~~(1)~~ (2) and ~~(2)~~ (3) for the two years shall be added to the other units for the district.

~~(8)~~ (9) Only pupil units in clauses ~~(1)~~, (2) and (3) shall be used in computing adjusted maintenance cost per pupil unit.

Sec. 13. Minnesota Statutes 1971, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. Membership for pupils in grades kindergarten through twelve, for pupils in area vocational-technical schools and for handicapped pre-kindergarten pupils shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused; provided that any pupil who has been absent from school without a legally justifiable excuse for 15 consecutive school days shall be dropped from the roll and classified as withdrawn. Nothing in Extra Session Laws 1971, Chapter 31, shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days said schools are in session. For districts operating 12 months schools, days schools are in session shall mean the number of session days required by section 124.19, subdivision 1. The average daily membership of a pupil enrolled on a shared time basis shall equal the ratio of the total minutes for which such pupil is enrolled and the minimum minutes required during the year for a regularly enrolled public school pupil. Foundation aid for each pupil in such shared time classes shall be paid at a rate proportionate to aid paid for other resident pupils of the district providing instruction. A district shall not be entitled to transportation aid under section 124.22 for pupils enrolled on a shared time basis unless the statutes specifically provide for transportation aid to such student.

Sec. 14. Minnesota Statutes 1971, Section 124.17, is amended by adding a subdivision to read:

Subd. 2a. Notwithstanding subdivision 2, pupils granted transi-

tional year status shall continue to be counted as members on the current roll of the school for the remainder of the school year. Pupils enrolled in an early childhood program shall be counted for membership on the current roll of the school from the time of enrollment until the end of the school year if either the pupil or his parent or guardian is served by the program. For purposes of computing average daily membership transitional year pupils and early childhood pupils shall be considered to be enrolled every day school is in session.

Sec. 15. Minnesota Statutes, 1973 Supplement, Section 124.20, is amended to read:

124.20 [AID COMPUTATION FOR SUMMER SCHOOL AND YEAR-ROUND CLASSES.] State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, and inter-session classes of year-round programs in elementary and secondary schools, and summer school instruction in area vocational schools or teachers college laboratory schools or in the university laboratory school shall be paid at a proportionate rate for aids paid during the regular school term, *provided that beginning June 1, 1974 no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs.*

Sec. 16. Minnesota Statutes, 1973 Supplement, Section 124.212, Subdivision 10, is amended to read:

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

Sec. 17. Minnesota Statutes, 1973 Supplement, Section 124.222, Subdivision 1, is amended to read:

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

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

(b) 110 118 percent of the actual net operating cost per eligible pupil transported during the year ending June 30, 1973, times the number of eligible pupils transported during the 1975 fiscal year;

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

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

Sec. 18. Minnesota Statutes, 1973 Supplement, Section 124.223, is amended to read:

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

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

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

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

(4) Transportation or board and lodging of a handicapped pupil when he cannot be transported on a regular school bus, and the

conveying of handicapped pupils between home and school and within the school plant;

(5) Transportation of resident handicapped ~~children~~ *persons who fulfill the eligibility requirements of Minnesota Statutes, Section 252.23 (1)* to licensed daytime activity centers attended by ~~the children~~ *these persons* ;

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

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

Sec. 19. Minnesota Statutes 1971, Section 124.28, Subdivision 1, is amended to read:

124.28 [GROSS EARNINGS REFUND.] Subdivision 1. When the properties of any district are made up, to the extent of at least 20 percent in value of property which is exempt from local taxation because taxes thereon are paid into the state treasury under the provisions of the gross earnings tax law, such district shall receive annually a refund from such gross earnings taxes in the amount that would be produced by a tax on such exempt property at *three times* the current tax rate for school purposes in the district including the rate for nonresident high school children levied by the county provided that any district which has 15 percent in value of such exempt property and presently receiving gross earnings refund shall continue to receive it until June 30, 1963. For the purpose of determining the amount of this refund, the value of such exempt property shall be set at 30 percent of its full and true value except that in no case shall the assessed value of said exempt property for this purpose exceed such an amount as when added to the assessed value of all other property in the district exceed \$3,000 per resident pupil unit. In the determination of the amounts to which districts shall be entitled in the distribution of any state aids that are based upon total valuation per pupil this valuation shall be included.

Sec. 20. Minnesota Statutes 1971, Section 270.11, Subdivision 2, is amended to read:

Subd. 2. [COUNTY AUDITOR'S REPORTS OF ASSESSMENT FILED WITH COMMISSIONER.] The commissioner of ~~taxation~~ *revenue* shall require the auditor of each county in the state to file with him, on or before August 1, each year, complete abstracts of all real and personal property in the county, as equalized by the county board of equalization, and itemized by assessment districts, accompanied by a printed or typewritten copy of the proceedings of the county board of equalization, and it shall be the duty of the county auditor to so report to the commissioner of ~~taxation~~ *revenue* .

The final abstract of assessments after adjustments by the state board of equalization and inclusion of any omitted property shall be submitted to the commissioner of revenue on or before January 1 of each calendar year.

Sec. 21. Minnesota Statutes, 1973 Supplement, Section 275.125, Subdivision 3, is amended to read:

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

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

(2) For school transportation services, an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year; provided that in 1973 and thereafter a district having boundaries coterminous with the boundaries of a city of the first class may levy an amount not to exceed 20 percent of its costs for transportation and related services for which state aid is authorized for the 1974-1975 school year and thereafter, and provided further that a district may levy under this clause for the annual cash payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation ; *and provided further that beginning with the levy certified in 1975, a district may levy for that portion of transportation costs approved by the commissioner as qualifying for aid because of extraordinary traffic hazards but for which no state aid was received for the previous fiscal year pursuant to section 124.223, clause (1) .*

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

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

(5) A district which qualified for a levy under clause (3) above shall be allowed to levy ~~that same amount per pupil unit~~ in 1974 *the sum of the amount per pupil unit permitted under clause (3) above and the amount per pupil unit equal to the district's reimbursement aid per pupil unit in average daily membership for 1970-1971 school year programs for handicapped children*, reduced by two and one-half percent. The per pupil amount of the reduction shall be rounded down to the dollar. *No district in any year shall increase its levy as a result of the addition of the reimbursement aid for 1970-1971 programs for handicapped children by an amount greater than the amount raised by 2 mills times the adjusted assessed valuation of the taxable property of the district for the preceding year.* Provided, however, that a district within a city of the first class which was affected by the limitation of an extra levy not to exceed 1.9 mills times the adjusted assessed valuation of the district shall be allowed to levy the 1.9 mills.

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

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

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

(C) If the additional levy allowed in (B) is insufficient to raise the adjusted maintenance cost of a district to \$42 above its costs in 1970-1971 it may petition the commissioner of education for authority to issue general obligation bonds of an amount sufficient to meet the deficiency. The commissioner must authorize such a bond issue. The authorization shall specify the amount of the bond

issue provided that the levy authorization to pay the principal and interest on the bonds may not exceed .5 mills in a district within a city of the first class, or 1.5 mills in any other district, times the 1970 adjusted assessed valuation of the district as determined by the equalization aid review committee. The bonds authorized by this section shall be sold and issued pursuant to the provisions of chapter 475, except as otherwise provided herein. Such bonds shall not be included in computing any debt limitation for a district and no election shall be required for their sale and issuance.

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

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

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

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

(10) The commissioner shall certify to the county auditors ~~any errors made in 1971 and 1972 in general and special purpose levy amounts~~ *the levy limits for all school districts headquartered in the respective counties together with adjustments for errors in levies not penalized pursuant to subdivision 4 as well as adjustments to final pupil unit counts.*

A school district shall have the right to require the commissioner to review his certification and to present evidence in support of modification of his certification.

~~The county auditor is authorized to adjust the 1973 levy to correct for the errors~~ *shall reduce levies for any excess of levies over levy limitations pursuant to section 275.16. Such reduction in excess levies may at the discretion of the school district be spread over not to exceed two calendar years .*

(11) *The commissioner of education shall certify to the county auditors any underlevies made in 1971 and 1972 in the transportation levy amounts. The 1971 underlevies shall be determined to*

be (1) the actual net costs of reimbursable transportation as reported to the department of education for the 1972-1973 school year plus the amount expended by the district to acquire school buses in 1972-1973 used for reimbursable transportation, less (2) the 1971 certified transportation levy as amended and state aids received in 1972-1973 for transportation including depreciation. Underlevies in the 1972 transportation levy shall be computed in like manner using 1973-1974 costs and state aids received in the 1973-1974 school year. The 1974 levy shall be adjusted to correct for such underlevies, provided that upon written request of the affected school board to the commissioner, the adjustment shall be prorated in the 1974 and 1975 transportation levies. No district may levy under this clause in any year an amount which exceeds the amount raised by a levy of two mills times the previous year's adjusted assessed valuation of the taxable property of the district.

Sec. 22. Minnesota Statutes 1971, Section 275.125, Subdivision 7, is amended to read:

Subd. 7. By November 1 of each year (~~December 1, in 1971 only~~) each district shall submit to the commissioner of education and the commissioner of taxation a certificate of compliance with the levy limitations of this section and of section 124.04. The commissioner of ~~taxation~~ education shall prescribe the form of this certificate.

Sec. 23. There is appropriated to the department of education the sum of \$300,000 for the fiscal year beginning July 1, 1974. This is to be added to the \$1,751,440 appropriated in Laws 1973, Chapter 768, Section 2, Subdivision 1, and shall be used solely to supplement the \$100,000 designated for the right to read program for the fiscal year beginning July 1, 1974.

Sec. 24. [APPROPRIATION.] There is appropriated from the general fund of the state treasury to the department of education the following sums for the year ending June 30, 1975 and for the purposes indicated:

(1) Foundation Aid	\$ 1,660,000
(2) Foundation Aid for Early Childhood Education	460,000
(3) Transportation Aid	5,480,000
(4) Educational television	325,000

The amount appropriated in (4) shall be made available to the Minnesota member stations of Midwestern Educational Television, Inc. by the commissioner.

Sec. 25. Sections 1, 5, 7, 10, and 14 of this act shall be effective the day following final enactment."

Further, strike the title and insert in lieu thereof the following:

"A bill for an act relating to operation of government; providing for aids to education, tax levies, and the distribution of tax

revenues; changing the funding of post-secondary vocational-technical education to a current funding basis; granting certain powers to school districts and the state board of education; establishing a transitional year procedure; bids for school district contracts; appropriating money; amending Minnesota Statutes 1971, Sections 121.21, Subdivision 5; 123.37, Subdivision 1 and by adding subdivisions; 123.39, Subdivision 1, and by adding a subdivision; 124.13; 124.17, Subdivision 2 and by adding a subdivision; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; Minnesota Statutes, 1973 Supplement, Sections 124.04; 124.17, Subdivision 1; 124.20; 124.212, Subdivision 10; 124.222, Subdivision 1; 124.223; and 275.125, Subdivision 3."

And when so amended, H. F. No. 2996 will be identical to S. F. No. 3047 and further recommends that H. F. No. 2996 be given its second reading and substituted for S. F. No. 3047 and S. F. No. 3047 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 was referred

H. F. No. 2797 for comparison to companion Senate Files, reports the following House File was found to have no companion Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 2797 to the Committee on Labor and Commerce.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 2954, 428, 3138, 3201 and 2853 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2764, 2926, 3055 and 2996 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Borden moved that the name of Mr. McCutcheon be added as co-author to S. F. No. 3308. The motion prevailed.

Mr. Novak moved that S. F. No. 3323 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

SUSPENSION OF RULES

Mr. Olson, H. D. moved that the Rules be so far suspended as to make S. F. No. 3464 a Special Order of business to be heard immediately. The motion prevailed.

SPECIAL ORDER

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.

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

So the bill passed and its title was agreed to.

CALL OF THE SENATE

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

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hansen, Mel moved that pursuant to Rule 40, S. F. No. 1240 be withdrawn from the Committee on Transportation and General Legislation and placed on General Orders.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 25 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

Mr. Spear moved that H. F. No. 835 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 835

A bill for an act relating to divorce; abolishing the action and substituting proceedings for dissolution; amending Minnesota Statutes 1971, Sections 518.001; 518.01; 518.03; 518.06; 518.07; 518.09; 518.10; 518.11; 518.12; 518.13; 518.14; 518.15; 518.16; 518.17; 518.175, Subdivision 1; 518.25; 518.27; 518.54; 518.55; 518.551; 518.57; 518.58; 518.59; 518.62; 518.63; 518.64 and 518.66; repealing Minnesota Statutes 1971, Sections 518.08; 518.26 and 518.28.

February 19, 1974

Honorable Martin O Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 835, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 835 be amended as follows:

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

"Section 1. Minnesota Statutes 1971, Section 518.001, is amended to read:

518.001 [REPORTS OF DISSOLUTION AND ANNULMENT.] Subdivision 1. For each ~~divorce~~ *dissolution* and annulment of marriage granted by any court in this state, a report shall be prepared and filed by the clerk of court with the state regis-

trar of vital statistics. The report shall include only the following information: Name and date of birth of the husband and the wife, county of decree, date of decree, and the signature of the clerk of court and the date signed.

Subd. 2. On or before the 11th day of each month the clerk of court shall forward to the state registrar of vital statistics the report of each ~~diveree~~ *dissolution* and annulment granted during the preceding calendar month.

Sec. 2. Minnesota Statutes 1971, Section 518.01, is amended to read:

518.01 [VOID OR VOIDABLE MARRIAGES.] All marriages which are prohibited by law on account of consanguinity, or on account of either or both parties being under the age established for marriage by Minnesota Statutes, Section 517.03, or on account of either party having a former husband or wife then living, if solemnized within this state, shall be absolutely void, without any decree of ~~diveree~~ *dissolution* or other legal proceedings; provided, that if any person whose husband or wife has been absent for five successive years, without being known to such person to be living during that time, marries during the lifetime of such absent husband or wife, the marriage shall be void only from the time that its nullity is duly adjudged.

Sec. 3. Minnesota Statutes 1971, Section 518.03, is amended to read:

518.03 [ACTION TO ANNUL.] When the validity of a marriage is disputed for any of the causes mentioned in section 518.01 or 518.02, either party may begin an action in the district court of the county where either resides, to annul the same. In such action the complaint shall be filed and proceedings had thereon as in ~~actions for divorce proceedings for dissolution~~ and, upon due proof of the nullity of the marriage, it shall be adjudged null and void.

Sec. 4. Minnesota Statutes 1971, Section 518.06, is amended to read:

518.06 [GROUNDS.] A ~~diveree~~ from the bonds of matrimony may be adjudged by the district court for any of the following causes:

(1) Adultery;

(2) Impotency;

(3) A course of conduct detrimental to the marriage relationship of the party seeking the ~~divorce~~;

(4) Sentence to imprisonment in any state or United States prison or any state or United States reformatory subsequent to the marriage; and in such case a pardon shall not restore the conjugal rights;

(5) Wilful desertion for one year next preceding the commencement of the action;

(6) Habitual drunkenness for one year immediately preceding the commencement of the action;

(7) Three years under commitment pursuant to the provisions of chapter 253A for mental illness or previous commitment statutes, provided that: (a) Commitment itself be sufficient with or without institutionalization; (b) the three years need not be continuous; (c) in granting a divorce upon this ground, notice of the pendency of the action shall be served in such manner as the court may direct, upon the guardian of the person and the guardian of the estate of such mentally ill person, if such guardian or guardians have been appointed and have qualified; and if such mentally ill person be confined, upon the superintendent of the institution in which such mentally ill person is confined; (d) such guardian and superintendent of the institution shall be entitled to appear and be heard upon any and all issues; (e) the rights of the parties as to the support and maintenance of the mentally ill person shall not be altered in any way by the granting of the divorce; (f) the person be under commitment for mental illness at the time of the commencement of the action; and (g) a guardian ad litem shall be appointed for such mentally ill person;

(8) Continuous separation under decree of limited divorce for more than five years next preceding the commencement of the action, and continuous separation under an order or decree of separate maintenance for a period of two years immediately preceding the commencement of the action.

(9) A decree of divorce may be adjudged to either husband or wife notwithstanding that both have conducted themselves in such manner as to constitute grounds for divorce. Subdivision 1. A dissolution of a marriage may be granted by a court of competent jurisdiction upon a showing to the satisfaction of the court that there has been an irretrievable breakdown of the marriage relationship.

Subd. 2. A court may make a finding that there has been an irretrievable breakdown of the marriage relationship if the finding is supported by evidence of any of the following:

(1) A course of conduct detrimental to the marriage relationship of the party seeking the dissolution;

(2) Sentence to imprisonment in any state or United States prison or any state or United States reformatory subsequent to the marriage; and in such case a pardon shall not restore the conjugal rights;

(3) Habitual alcoholism or chemical dependency for a period of one year immediately prior to the commencement of the proceedings;

(4) Commitment pursuant to the provisions of chapter 253A for mental illness or previous commitment statutes, provided that: (a) Commitment itself be sufficient with or without institutionalization; (b) in granting a dissolution upon this ground, notice of the pendency of the action shall be served in such manner as the

court may direct, upon the guardian of the person and the guardian of the estate of such mentally ill person, if such guardian or guardians have been appointed and have qualified, and if such mentally ill person be confined, upon the superintendent of the institution in which such mentally ill person is confined; (c) such guardian and superintendent of the institution shall be entitled to appear and be heard upon any and all issues; (d) the rights of the parties as to the support and maintenance of the mentally ill person shall not be altered in any way by the granting of the dissolution; (e) the person be under commitment for mental illness at the time of the commencement of the action; and (f) a guardian ad litem shall be appointed for such mentally ill person;

(5) Continuous separation under an order of decree of separate maintenance for a period of one year immediately preceding the commencement of the proceeding;

(6) Serious marital discord adversely affecting the attitude of one or both of the parties toward the marriage.

Sec. 5. Minnesota Statutes 1971, Section 518.07, is amended to read:

518.07 [RESIDENCE OF PETITIONER.] No divorce dissolution shall be granted unless the plaintiff petitioner has resided in this state one year immediately preceding the filing of the complaint, except for adultery committed while the plaintiff was a resident of this state petition.

Sec. 6. Minnesota Statutes 1971, Section 518.09, is amended to read:

518.09 [PROCEEDING; HOW AND WHERE BROUGHT; VENUE.] An action for divorce or separate maintenance may be brought by a wife in her own name, and all actions for divorce shall be commenced by summons and complaint in the county where the plaintiff resides, as hereinafter provided, subject to the power of the court to change the place of trial by consent of parties, or when it shall appear that an impartial trial cannot be had in the county where the action is pending, or that the convenience of witnesses and ends of justice would be promoted by the change. A proceeding for dissolution or separate maintenance may be brought by a petitioner and all such proceedings shall be commenced by summons and petition in the county where the petitioner resides, as hereinafter provided, subject to the power of the court to change the place of hearing by consent of the parties, or when it shall appear to the court that an impartial hearing cannot be had in the county where the proceedings are pending, or when the convenience of the parties or the ends of justice would be promoted by the change.

Sec. 7. Minnesota Statutes 1971, Section 518.10, is amended to read:

518.10 [REQUISITES OF PETITION.] The complaint shall state:

(1) The names and ages of the parties, the date and place of marriage, and the facts relating to the residence of the plaintiff in this state;

(2) The names and dates of birth of the minor and dependent children of the parties;

(3) The statutory ground of the action.

The facts relied upon as the statutory ground of the action shall be furnished in a verified bill of particulars within ten days after a written demand therefor. The time to answer or reply shall begin to run from the time such bill of particulars is furnished. The court may, upon motion therefor, order either party to furnish such a verified bill of particulars, or if the bill of particulars furnished is insufficient, to require such additional facts so as to advise the other party of the facts relied upon as the statutory ground of the action. The petition for dissolution of marriage shall:

(1) State the name and address of the petitioner and his attorney;

(2) State the place and date of marriage of the parties;

(3) State the name and address, if known, of the respondent;

(4) State the name and age of each minor child by date of birth whose welfare may be affected by the controversy;

(5) State whether or not a separate proceeding for dissolution of marriage has been commenced by the respondent and whether such proceeding is pending in any court in this state or elsewhere;

(6) Allege that the petition has been filed in good faith and for the purposes set forth therein;

(7) Allege that there has been an irretrievable breakdown of the marriage relationship;

(8) Set forth any application for temporary support of the petitioner and any children;

(9) Set forth any application for permanent alimony or support, child custody, or disposition of property, as well as attorneys' fees and suit money, without enumerating the amounts thereof; and

(10) State that the petitioner has been for the last year a resident of the state.

The petition shall be verified by the petitioner, and its allegations established by competent evidence.

Sec. 8. Minnesota Statutes 1971, Section 518.11, is amended to read:

518.11 [SERVICE; PUBLICATION.] Copies of the summons and ~~complaint~~ petition shall be served on the defendant respondent personally, and, when such service is made out of this state and within the United States, it may be proved by the affidavit of the person making the same, with the certificate of the clerk of

the court of the county to the identity of the officer taking the affidavit, and when made without the United States it may be proved by the affidavit of the person making the same, taken before and certified by any United States minister, charge d'affaires, commissioner, consul or commercial agent, or other consular or diplomatic officer of the United States appointed to reside in such country, including all deputies or other representatives of such officer authorized to perform their duties; or before an officer authorized to administer an oath with the certificate of an officer of a court of record of the country wherein such affidavit is taken as to the identity and authority of the officer taking the same, but, if personal service cannot well be made, the court may order service of the summons by publication, which publication shall be made as in other actions.

Sec. 9. Minnesota Statutes 1971, Section 518.12, is amended to read:

518.12 [TIME FOR ANSWERING.] The ~~defendant~~ *respondent* shall have 30 days in which to answer the ~~complaint~~ *petition*. In case of service by publication, the 30 days shall not begin to run until the expiration of the period allowed for publication.

Sec. 10. Minnesota Statutes 1971, Section 518.13, is amended to read:

518.13 [FAILURE TO ANSWER; REFERENCE.] If the ~~defendant~~ *respondent* does not appear after service duly made and proved, the court may hear and determine the *action proceeding* at a general or special term, or in vacation; provided, that the court or judge, upon application, may refer the *action proceeding* to a referee to take and report the evidence therein. ~~When issue is joined, like proceedings shall be had as in civil actions. Hearings for dissolution of marriage shall be heard in open court or before a referee appointed by the court to receive the testimony of the witnesses, or depositions taken as in other equitable actions. However, the court may in its discretion close the hearing. Hearings held for the purpose of determining child custody may be limited in attendance by the court to the affected parties and necessary witnesses if any.~~

Sec. 11. Minnesota Statutes 1971, Section 518.14, is amended to read:

518.14 [TEMPORARY SUPPORT MONEY; COSTS AND DISBURSEMENTS AND ATTORNEY'S FEES.] In any *action proceeding* brought either for *divorce dissolution* or separate maintenance, the court, in its discretion, may require one party to pay a reasonable amount, necessary to enable the other spouse to carry on, or to ~~defend the action~~ *contest the proceeding*, and to support such spouse and the children during its pendency. The court may adjudge costs and disbursements against either party. The court may authorize the collection of any money so awarded by execution, or out of any property sequestered, or in any other manner within the power of the court. An award of attorney's fees made by the court during the pendency of the *action proceeding* or in the final judgment survives the *action proceeding* and if not

paid by the party directed to pay the same may be enforced as above provided or by a separate civil action brought by the attorney in his own name. If the ~~action~~ *proceeding* is dismissed or abandoned prior to determination and award of attorney's fees the court may nevertheless award attorney's fees upon the attorney's motion and such award shall also survive the ~~action~~ *proceeding* and may be enforced in the same manner as last above provided.

Sec. 12. Minnesota Statutes 1971, Section 518.15, is amended to read:

518.15 [PROTECTION OF PARTY.] When ~~an action~~ *a proceeding* is commenced, or about to be commenced, to annul a marriage, or for a ~~divorce~~ *dissolution* or separation, the court may, at any time, on the petition of ~~the wife~~ *a party*, prohibit the ~~husband~~ *other party* from imposing any restraint on ~~her~~ *the petitioning party's* personal liberty during the pendency of the ~~action~~ *proceeding*.

Sec. 13. Minnesota Statutes 1971, Section 518.16, is amended to read:

518.16 [CUSTODY OF CHILDREN DURING PENDENCY.] The court, on the application of either party, may make such order concerning the care and custody of the minor children of the parties, and their suitable maintenance, during the pendency of such ~~action~~ *proceeding*, and such temporary orders relative to the persons or property of the parties, as shall be deemed necessary and proper.

Sec. 14. Minnesota Statutes 1971, Section 518.17, is amended to read:

518.17 [CUSTODY AND SUPPORT OF CHILDREN ON JUDGMENT.] Upon adjudging the nullity of a marriage, or a ~~divorce~~ *dissolution* or separation, the court may make such further order as it deems just and proper concerning the care, custody, and maintenance of the minor children of the parties and may determine with which of the parents they, or any of them, shall remain, having due regard to the age and sex of such children and the children's relationship with each parent prior to the commencement of the ~~action~~ *proceeding*. In determining the parent with whom a child shall remain, the court shall consider all facts in the best interest of the children and shall not prefer one parent over the other solely on the basis of the sex of the parent. In determining the ~~appropriate~~ amount of child support to be paid by each parent, the court shall consider the earning capacity and financial circumstances of each parent. On petition for any change in child support because of alleged change in circumstances the court shall take into consideration the earning capacity and financial circumstances of each parent and the custodial parent's spouse, if any.

Sec. 15. Minnesota Statutes 1971, Section 518.175, Subdivision 1, is amended to read:

518.175 [VISITATION OF CHILDREN AND NONCUSTODIAL PARENT.] Subdivision 1. In all *divorce* proceedings for *dissolution*, subsequent to the commencement of the *action proceeding* and continuing thereafter during the minority of the child, the court may, upon the request of the noncustodial parent, grant such rights of visitation as will enable the child and the noncustodial parent to maintain such child to parent relationship as will be beneficial to the child. The court shall consider the age of the child and the child's relationship with the noncustodial parent prior to the commencement of the *action proceeding*. The court may deny visitation rights to the noncustodial parent if such visitation is not in the best interest of the child. A parent's failure to pay support because of the parent's inability to do so shall not be sufficient cause for denial of visitation, unless such inability is willful.

Sec. 16. Minnesota Statutes 1971, Section 518.25, is amended to read:

518.25 [REMARRIAGE; REVOCATION.] When a *divorce dissolution* has been granted, and the parties afterward intermarry, the court, upon their joint application, and upon satisfactory proof of such marriage, may revoke all decrees and orders of *divorce dissolution*, alimony, and subsistence which will not affect the rights of third persons.

Sec. 17. Minnesota Statutes 1971, Section 518.27, is amended to read:

518.27 [EFFECT OF DISSOLUTION; NAME OF PARTY.] When a decree of *divorce dissolution* from the bonds of matrimony is granted in this state, such decree shall completely dissolve the marriage contract as to both parties. In all *actions for a divorce brought by a woman*; If a *divorce dissolution* is granted, the court may change the name of such *woman either party, upon the request of the party*, who shall thereafter be known by such name as the court designates in its decree.

Sec. 18. Minnesota Statutes 1971, Section 518.54, is amended to read:

518.54 [DEFINITIONS.] Subdivision 1. [TERMS.] For the purposes of sections 518.54 to 518.67, the terms defined in this section shall have the meanings respectively ascribed to them.

Subd. 2. [CHILD.] "Child" means an individual under 18 years of age, or an individual who, by reason of his physical or mental condition, is unable to support himself.

Subd. 3. [ALIMONY.] "Alimony" means an award made in a *divorce dissolution* proceeding of payments from the future income or earnings of one spouse for the support and maintenance of the other.

Subd. 4. [SUPPORT MONEY.] "Support money" means an award in a *divorce dissolution* or annulment proceeding for the care, support and education of any child of the marriage or of the parties to the annulment proceeding.

Subd. 5. [PROPERTY ACQUIRED DURING COVERTURE.] Except as provided in this subdivision, "property acquired during coverture" means any property, real or personal, acquired by the parties, or either of them, to a *divoree dissolution* or annulment proceeding at any time during the existence of the marriage relation between them, or at any time during which the parties were living together as husband and wife under a purported marriage relationship which is annulled in an annulment proceedings. "Property acquired during coverture" does not include any property real or personal, acquired by either spouse before, during, or after coverture, where said property is acquired as a gift, bequest, devise or inheritance made by a third party to one but not to the other spouse, or any property transferred from one spouse to the other.

Sec. 19. Minnesota Statutes 1971, Section 518.55, is amended to read:

518.55 [ALIMONY OR SUPPORT MONEY.] Every award of alimony or support money in a judgment of *divoree dissolution* shall clearly designate whether the same is alimony or support money, or what part of the award is alimony and what part thereof is support money. Any award of payments from future income or earnings of the custodial parent shall be presumed to be alimony. Any award of payments from the future income or earnings of the non-custodial parent shall be presumed to be support money unless otherwise designated by the court. In any judgment of *divoree dissolution* the court may determine, as one of the issues of the case, whether or not either spouse is entitled to an award of alimony notwithstanding that no award is then made, or it may reserve jurisdiction of the issue of alimony for determination at a later date.

Sec. 20. Minnesota Statutes 1971, Section 518.551, is amended to read:

518.551 [ALIMONY AND SUPPORT PAYMENTS MADE TO WELFARE AGENCIES.] Notwithstanding any law to the contrary, any court having jurisdiction over ~~matters of~~ *divoree proceedings for dissolution* shall direct that all payments ordered for alimony and support shall be made to the agency responsible for the welfare payments, when it appears that the party who is to receive the alimony and support payments will receive public assistance. Amounts so received by the board over and above the amount granted to the party receiving public assistance shall be remitted to that party.

The agency responsible for the welfare payments shall be notified by the ~~plaintiff~~ *petitioner* of all ~~actions for~~ *divoree proceedings for dissolution*, separate maintenance or for the custody of a child if either party is receiving aid to families of dependent children or applies for such aid subsequent to the commencement of such ~~action proceeding~~. Failure of such notification shall not affect the validity of the ~~action for~~ *divoree proceeding for dissolution*, separate maintenance, or custody of the child.

Sec. 21. Minnesota Statutes 1971, Section 518.57, is amended to read:

518.57 [MINOR CHILDREN, MAINTENANCE.] Upon a decree of ~~divorce~~ *dissolution* or annulment, the court may make such further order as it deems just and proper concerning the maintenance of the minor children as is provided by section 518.17, and for the maintenance of any child of the parties as defined in this act, as support money, and may make the same a lien or charge upon the property of the parties to such ~~action~~ *proceeding*, or either of them, either at the time of the entry of such judgment or by subsequent order upon proper application therefor.

Sec. 22. Minnesota Statutes 1971, Section 518.58, is amended to read:

518.58 [DISPOSITION OF PROPERTY ACQUIRED DURING COVERTURE.] Upon a ~~divorce for any cause~~ *dissolution of a marriage*, or upon an annulment, the court may make such disposition of the property of the parties acquired during coverture as shall appear just and equitable, having regard to the nature and determination of the issues in the case, the amount of alimony or support money, if any, awarded in the judgment, the manner by which said property was acquired and the persons paying or supplying the consideration therefor, the charges or liens imposed thereon to secure payment of alimony or support money, and all the facts and circumstances of the case.

Sec. 23. Minnesota Statutes 1971, Section 518.59, is amended to read:

518.59 [HOUSEHOLD GOODS, FURNITURE, AND OTHER PROPERTY.] Upon a ~~divorce for any cause~~ *dissolution of a marriage*, the court may also award to either spouse the household goods and furniture of the parties, whether or not the same was acquired during coverture, and may also order and decree to either spouse such part of the real and personal estate of the other not acquired during coverture, not exceeding in present value one-half thereof, as it deems just and reasonable, having regard to the amount of property decreed under section 518.58, the amount of alimony and support money awarded, if any, ~~the character and situation of the parties, the nature and determination of the issues,~~ and all other circumstances of the case.

Sec. 24. Minnesota Statutes 1971, Section 518.62, is amended to read:

518.62 [TEMPORARY ALIMONY.] Temporary alimony may be awarded as provided in section 518.14, and temporary support money may be awarded as provided in section 518.16, for the support of any children of the parties, including children as defined in section 518.54; and the court may also award to either party to the ~~action~~ *proceeding*, having due regard to all the circumstances and the party awarded the custody of the children, the right to the exclusive use of the household goods and furniture of the parties pending the ~~action~~ *proceeding* and the right to the use of the homestead of the parties, exclusive or otherwise, pend-

ing the ~~action~~ *proceeding*; and the court may order and direct either party to remove from the homestead of the parties upon proper application to the court for such order, pending the ~~action~~ *proceeding*.

Sec. 25. Minnesota Statutes 1971, Section 518.63, is amended to read:

518.63 [HOMESTEAD, OCCUPANCY.] The court, having due regard to all the circumstances and the custody of any children of the parties, may award to either party the right of occupancy of the homestead of the parties, exclusive or otherwise, upon a final decree of ~~divorce~~ *dissolution*, or proper modification thereof, for such period of time as may be determined by the court, and such award of the right of occupancy of the homestead, whether exclusive or otherwise, may be in addition to the maximum amount which may be awarded under section 518.59.

Sec. 26. Minnesota Statutes 1971, Section 518.64, is amended to read:

518.64 [ALTERATION OF ORDERS OR DECREES.] After an order or decree for alimony or support money, temporary or permanent, or for the appointment of trustees to receive and hold any property awarded as alimony or support money, the court may from time to time, on petition of either of the parties revise and alter such order or decree respecting the amount of such alimony, or support money, and the payment thereof, and also respecting the appropriation and payment of the principal and income of the property so held in trust, and may make any order respecting these matters which it might have made in the original ~~action~~ *proceeding*, except as herein otherwise provided. Except for an award of the right of occupancy of the homestead, all divisions of real and personal property provided by sections 518.58 and 518.59 shall be final, and subject only to the power of the court to impose a lien or charge thereon at any time while such property, or subsequently acquired property, is owned by the parties or either of them, for the payment of alimony or support money, or to sequester the property as is provided by Minnesota Statutes 1949, Section 518.24.

Sec. 27. Minnesota Statutes 1971, Section 518.66, is amended to read:

518.66 [POWER OF COURT NOT LIMITED.] Nothing contained in sections 518.54 to 518.67 shall be construed as limiting the power of the court in appropriate cases to make adequate provision for the support and education of any children of the parties to any ~~divorce~~ *dissolution* or annulment action where such ~~divorce~~ *dissolution* or annulment is denied.

Sec. 28. Wherever the word "divorce" is used in the statutes, it has the same meaning as "dissolution" or "dissolution of marriage".

Sec. 29. Minnesota Statutes 1971, Sections 518.08; 518.26; and 518.28 are repealed.

Sec. 30. This act is effective on the day following final enactment and applies to all proceedings commenced after that date and may be invoked by either party in proceedings pending on that date."

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

House Conferees: (Signed) Phyllis Kahn, Charles Weaver, Robert C. Bell.

Senate Conferees: (Signed) Allan H. Spear, Robert Dunn, Edward Gearty.

CALL OF THE SENATE

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

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

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

Mr. Spear moved that the foregoing recommendations and Conference Committee Report on H. F. No. 835 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

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

Was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question being taken on the repassage of the bill, as amended by the Conference Committee,

And the roll being called, there were yeas 41, and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Krieger	North	Stokowski
Arnold	Gearty	Larson	Ogdahl	Tennessen
Blatz	Hughes	Laufenburger	Olson, A. G.	Thorup
Borden	Humphrey	Lewis	Perpich, A. J.	Ueland
Chenoweth	Jensen	Lord	Perpich, G.	Wegener
Coleman	Keefe, J.	McCutcheon	Pillsbury	
Conzemius	Keefe, S.	Milton	Schaaf	
Davies	Kirchner	Moe	Spear	
Doty	Kleinbaum	Nelson	Stassen	

Those who voted in the negative were:

Berg	Frederick	Knutson	Olson, J. L.	Schrom
Bernhagen	Hansen, Baldy	Kowalczyk	O'Neill	Solon
Brown	Hansen, Mel	Novak	Patton	Willet
Chmielewski	Hanson, R.	Olhoft	Purfeerst	
Fitzsimons	Josefson	Olson, H. D.	Renneke	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hughes moved that the report from the Committee on Education, reported February 27, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

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

CONFIRMATION

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

STATE BOARD OF COMMUNITY COLLEGES

Hugh V. Plunkett, III, 304 22nd Street Southwest, Austin, Mower County, appointed effective July 1, 1973, for a term expiring July 1, 1976.

John Sontorovich, 519 4th Avenue, International Falls, Koochi-ching County, appointed effective November 16, 1973, for a term expiring July 1, 1978.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hughes moved that the report from the Committee on Education, reported February 13, 1974, pertaining to appointments, be taken from the table. The motion prevailed.

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

CONFIRMATION

Mr. Hughes moved that in accordance with the report from the

Committee on Education, reported February 13, 1974, the Senate, having advised with, do now consent to and confirm the appointments of:

STATE BOARD OF EDUCATION

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

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

STATE BOARD OF COMMUNITY COLLEGES

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

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 3108: A bill for an act relating to highway traffic regulations; length of vehicles; permits for certain vehicles; amending Minnesota Statutes, 1973 Supplement, Sections 169.81, Subdivisions 2 and 3; and 169.861.

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 55 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Hansen, Baldy; Perpich, G. and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

Mr. Kirchner moved that S. F. No. 2812, No. 2 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

S. F. No. 3031: A bill for an act relating to wild animals; altering certain provisions regarding commercial fishing in Lake Superior; amending Minnesota Statutes 1971, Sections 98.46, Subdivision 12; 102.28, Subdivisions 2 and 4; repealing Laws 1963, Chapter 70, Section 1.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Olson, J. L. and Renneke voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2661: A bill for an act relating to the Gillette hospital authority; classification of employees continuing under the authority; transfer of bequests, endowments, gifts, and personal property; reappropriating money from the site determination study to the authority; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 3, and by adding a subdivision; and Laws 1973, Chapter 540, Section 2.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

THIRD READING OF HOUSE BILLS

H. F. No. 2919: A bill for an act relating to Koochiching county; authorizing the issuance of additional on-sale intoxicating liquor licenses.

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

The question being taken on the passage of the bill,

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

And the roll being called, there were yeas 27, and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Hughes	North	Solon
Arnold	Coleman	Keefe, S.	Olson, A. G.	Spear
Berg	Conzemius	Lewis	Olson, H. D.	Willet
Borden	Davies	Lord	Perpich, A. J.	
Brown	Fitzsimons	Milton	Perpich, G.	
Chenoweth	Hanson, R.	Moe	Pillsbury	

Those who voted in the negative were:

Bernhagen	Hansen, Mel	Knutson	Ogdahl	Schrom
Blatz	Humphrey	Kowalczyk	Olhoft	Stassen
Doty	Jensen	Krieger	Olson, J. L.	Stokowski
Dunn	Josefson	Larson	O'Neill	Thorup
Frederick	Keefe, J.	Laufenburger	Patton	Ueland
Gearty	Kirchner	Nelson	Purfeerst	Wegener
Hansen, Baldy	Kleinbaum	Novak	Renneke	

So the bill failed to pass.

H. F. No. 2717: A bill for an act relating to the city of Island View; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Josefson, Novak, Olhoft and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 978: A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 49 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kleinbaum	Novak	Schaaf
Arnold	Doty	Krieger	Olhoff	Solon
Berg	Frederick	Larson	Olson, A. G.	Spear
Blatz	Gearty	Lewis	O'Neill	Stokowski
Borden	Hansen, Baldy	Lord	Patton	Tennessen
Brown	Hansen, Mel	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Hughes	Milton	Perpich, G.	Ueland
Chmielewski	Humphrey	Moe	Pillsbury	Wegener
Coleman	Josefson	Nelson	Purfeerst	Willet
Conzemius	Keefe, S.	North	Renneke	

Those who voted in the negative were:

Bernhagen	Hanson, R.	Kirchner	Laufenburger	Olson, J. L.
Dunn	Jensen	Knutson	Ogdahl	Schrom
Fitzsimons	Keefe, J.	Kowalczyk	Olson, H. D.	Stassen

So the bill passed and its title was agreed to.

H. F. No. 2148: A bill for an act relating to financial corporations; amending Minnesota Statutes 1971, Section 47.52.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Anderson, Borden and Perpich, A. J. voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1866: A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients;

providing for the administration and agency and judicial review thereof.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 2888: A bill for an act relating to the city of Mantorville; authorizing the issuance of an on-sale liquor license.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Novak, Olhoft and Olson, J. L. voted in the negative.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Chenoweth moved that the report from the Committee on Metropolitan and Urban Affairs, reported May 12, 1973, pertaining to appointments, be taken from the table. The motion prevailed.

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

CONFIRMATION

Mr. Chenoweth moved that in accordance with the report from the Committee on Metropolitan and Urban Affairs, reported May 12, 1973, the Senate, having advised with, do now consent to and confirm the appointment of:

METROPOLITAN COUNCIL

Mr. Paul Thuet, 228 Grand Avenue, South St. Paul, Dakota County, appointed effective April 3, 1973, for a term expiring the first Monday of January, 1979.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Laufenburger moved that S. F. No. 3366 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Finance. The motion prevailed.

Mr. Laufenburger moved that S. F. No. 3367 be withdrawn from the Committee on Transportation and General Legislation and re-referred to the Committee on Finance. The motion prevailed.

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

CALENDAR OF ORDINARY MATTERS

S. F. No. 3271: A bill for an act relating to the county of Wright; authorizing the county of Wright to appropriate money in a limited amount to the Annandale Pioneer Transportation Museum.

With the unanimous consent of the Senate, Mr. Bernhagen moved to amend S. F. No. 3271, as follows:

Page 1, after line 12, insert:

“Sec. 2. This act shall be effective upon approval by the board of county commissioners of Wright county, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.”

The motion prevailed. So the amendment was adopted.

S. F. No. 3271 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

Mr. North moved that S. F. No. 3422 be stricken from the Calendar of Ordinary Matters and placed at the top of General Orders. The motion prevailed.

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirements on Senate Files and revert to the Senate Calendar, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 3218: A bill for an act relating to municipalities, local improvements, special assessments; amending Minnesota Statutes, 1973 Supplement, Sections 429.011, Subdivision 2b; and 429.021, 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2497: A bill for an act relating to taxation; providing a special levy for the costs of any levy authorized by special act for joint recreation park board purposes of the city of Hibbing and the town of Stuntz.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 461: A bill for an act relating to taxation; expanding class 3cc property classification to include homesteads of certain disabled persons; amending Minnesota Statutes, 1973 Supplement, Section 273.13, Subdivision 7.

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

So the bill passed and its title was agreed to.

S. F. No. 1018: A bill for an act relating to highway traffic regulations; requiring certain equipment on motor vehicles sold after a certain date; amending Minnesota Statutes 1971, Sections 169.57, Subdivision 1; and 169.64, Subdivision 3.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Kleinbaum	Olson, H. D.	Stokowski
Brown	Hanson, R.	Knutson	O'Neill	Thorup
Chmielewski	Hughes	Krieger	Schaaf	Wegener
Conzemius	Josefson	Larson	Solon	Willet
Dunn	Keefe, J.	Laufenburger	Spear	
Frederick	Keefe, S.	Olhoft	Stassen	

Those who voted in the negative were:

Berg	Doty	Lord	Ogdahl	Purfeerst
Bernhagen	Fitzsimons	McCutcheon	Olson, A. G.	Renneke
Blatz	Gearty	Milton	Olson, J. L.	Ueland
Borden	Hansen, Baldy	Moe	Patton	
Chenoweth	Humphrey	Nelson	Perpich, A. J.	
Coleman	Kirchner	North	Pillsbury	

So the bill failed to pass.

S. F. No. 2295: A bill for an act relating to game and fish; closing the season to taking of beaver in a certain area; amending Minnesota Statutes 1971, Section 100.27, Subdivision 4.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Gearty	Josefson	Larson
Berg	Conzemius	Hansen, Baldy	Keefe, J.	Laufenburger
Bernhagen	Davies	Hansen, Mel	Keefe, S.	Lewis
Blatz	Doty	Hanson, R.	Kirchner	Lord
Borden	Dunn	Hughes	Kleinbaum	McCutcheon
Brown	Fitzsimons	Humphrey	Knutson	Milton
Chmielewski	Frederick	Jensen	Krieger	Moe

Nelson	Olson, A. G.	Perpich, A. J.	Schaaf	Thorup
North	Olson, H. D.	Perpich, G.	Solon	Ueland
Novak	Olson, J. L.	Pillsbury	Spear	Wegener
Ogdahl	O'Neill	Purfeerst	Stassen	Willet
Olhoft	Patton	Renneke	Stokowski	

So the bill passed and its title was agreed to.

S. F. No. 2558: A bill for an act relating to commerce; interest rates on money; exempting certain loans from maximum interest rates; amending Minnesota Statutes 1971, Section 334.01.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Novak	Spear
Blatz	Hansen, Mel	Larson	Ogdahl	Stassen
Borden	Hanson, R.	Laufenburger	Olson, A. G.	Stokowski
Brown	Hughes	Lewis	O'Neill	Thorup
Chenoweth	Humphrey	Lord	Perpich, A. J.	Ueland
Coleman	Jensen	McCutcheon	Perpich, G.	Wegener
Conzemius	Keefe, J.	Milton	Pillsbury	
Davies	Keefe, S.	Nelson	Schaaf	
Doty	Kleinbaum	North	Solon	

Those who voted in the negative were:

Berg	Fitzsimons	Krieger	Olson, J. L.	Schrom
Bernhagen	Frederick	Moe	Patton	Willet
Chmielewski	Hansen, Baldy	Olhoft	Purfeerst	
Dunn	Josefson	Olson, H. D.	Renneke	

So the bill passed and its title was agreed to.

S. F. No. 3016: A bill for an act relating to taxation; providing for and confirming recreational levies in certain cities and towns; amending Minnesota Statutes 1971, Chapter 471, by adding a section.

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

So the bill passed and its title was agreed to.

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

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2865: A bill for an act relating to courts; providing for the salary of county court judges of St. Louis county; amend-

ing Minnesota Statutes, 1973 Supplement, Section 15A.083, 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 53 and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Conzemius	Hansen, Baldy	Olson, A. G.	Schrom	Willet
Dunn	Josefson	Olson, J. L.		

So the bill passed and its title was agreed to.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 54 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dunn	Josefson	Renneke	Schrom	Wegener
Frederick	Olson, J. L.			

So the bill passed and its title was agreed to.

S. F. No. 1253: A bill for an act relating to port authorities; authorizing segregation of tax increments in industrial development districts to pay the cost of redevelopment of marginal land therein;

amending Minnesota Statutes 1971, Section 458.192, Subdivision 1, and by adding subdivisions.

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 55 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Borden	Davies	Olson, A. G.	Perpich, G.
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So the bill passed and its title was agreed to.

S. F. No. 2830: A bill for an act relating to St. Louis county; authorizing the issuance of additional on-sale liquor licenses.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Doty	Josefson	Novak	Olhoft	Olson, J. L.
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So the bill passed and its title was agreed to.

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

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the following bills be stricken from General Orders and placed on the Calendar of Ordinary Matters: S. F. Nos. 3360, 3355 and 1985 and H. F. No. 3009. The motion prevailed.

RECESS

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

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

CALL OF THE SENATE

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

Anderson	Dunn	Josefson	Moe	Schrom
Berg	Fitzsimons	Keefe, S.	Novak	Solon
Borden	Gearty	Kirchner	Olhoft	Spear
Chenoweth	Hansen, Baldy	Larson	Olson, A. G.	Stokowski
Chmielewski	Hansen, Mel	Laufenburger	Olson, J. L.	Willet
Coleman	Hanson, R.	Lewis	Perpich, G.	
Conzemius	Hughes	Lord	Pillsbury	
Davies	Humphrey	McCutcheon	Purfeerst	
Doty	Jensen	Milton	Renneke	

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

MOTIONS AND RESOLUTIONS—CONTINUED NOTICE OF RECONSIDERATION

Mr. McCutcheon gave notice of intention to move for reconsideration of S. F. No. 1018.

Mr. Coleman moved that the Senate take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

GENERAL ORDERS

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

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Olhoft reported that the committee had considered S. F. Nos. 2820, 2347, 2576, 2332, 2685, 2759, 3039, 2639, 2640, 2518, 707 which the committee recommends to pass.

S. F. No. 2812, which the committee recommends to pass with the following amendment offered by Mr. Kirchner:

Page 2, line 1, after the period, insert "The conveyance shall also be subject to any lease executed pursuant to subdivision 3."

Page 2, line 14, delete ", and not for" and insert a period

Page 2, delete all of line 15 and insert "The historical society shall be responsible for the control, maintenance and upkeep of the Fort Snelling Chapel.

Subd. 3. Consistent with the provisions of subdivision 1, the commissioner of administration may lease the sanctuary and supporting area, excluding the apartment and basement, to a bona fide veteran's organization designated by the United Veteran's Committee, for use as a veteran's memorial and as a military chapel. The lease shall be upon an annual renewable basis, subject to cancellation by either party upon 90 days notice. The rental payment shall be an amount which represents that portion of the total cost of maintenance and upkeep of the entire chapel, exclusive of any depreciation or capital improvements, which is attributable to the sanctuary and supporting area, computed upon a space or area basis. Rental payments shall be deposited in the general fund. The leasing organization or group may authorize the use of the premises or any portion thereof for a fee for any purposes within the scope of the basic lease, and may accept and retain any fees received for the use of the premises, providing an annual statement is filed before January 1 of each year with the commissioner of administration detailing the purposes and amount derived from any permitted use and identifying each user."

Further, amend the title in line 7 after "money" by inserting " ; authorizing the leasing of a portion of the premises"

S. F. No. 3287, which the committee recommends to pass with the following amendment offered by Mr. Knutson:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 402.02, Subdivision 2, is amended to read:

Subd. 2. A human services board shall possess all the powers and duties now assigned by law to:

(a) Manage the existing public resources devoted to human services delivered or purchased by the counties, which are subsidized or regulated by the departments of corrections, health, and public welfare;

(b) Employ staff to carry out the purposes of sections 402.01 to 402.10;

(c) Deliver services directly, or through contract with other governmental or nongovernmental providers;

(d) Develop a plan for the delivery of human services, which shall include court services, public health services, public assistance, mental retardation services, social services, mental health services, and others of similar classification ; , and *shall show evidence of participation in the development of the plan by major private sector providers of related services*;

(e) Receive and expend for the purposes of sections 402.01 to 402.10 funds from the departments of corrections, health and public welfare, or from any other lawful source, including any governmental source.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 402.03, is amended to read:

402.03 [ADVISORY COMMITTEE.] Each human services board shall appoint an advisory committee, which shall actively participate in the formulation of the plan for the development, implementation and operation of the programs and services by the board, and shall make a formal recommendation to the board at least annually concerning the annual budget of the board and the implementation of the plan during the ensuing year.

Membership on the advisory committee shall consist of no more than 25 persons serving three year terms. The chairman shall be appointed by the human services board and may not be a member of a county board.

One-third of the members of the advisory committee shall be representatives of those persons receiving services provided by the human services board. ~~No more than~~ *Up to one third* may be providers or employees of providers of services *and must include representatives of private providers if such providers exist in the county or counties party to the agreement.* The remaining members shall represent the citizens of the counties.

The advisory committee shall appoint at least three permanent task forces to assist it in its functions: Corrections, social and mental health services, and public health.

Task force membership shall be constituted to fulfill state agency requirements for receiving categorical funds. Where appropriately constituted, these task forces may replace those advisory bodies required by statute and regulation to advise county welfare boards and other county and area boards. Individuals not mem-

bers of the advisory committee may be appointed to the task forces; provided, however, that each task force shall be chaired by a member of the advisory committee.

The human services board shall provide staff assistance to the advisory committee."

Page 1, line 9, strike "1" and insert "3"

Page 1, after line 20, insert:

"Sec. 4. Minnesota Statutes, 1973 Supplement, Section 402.06, is amended to read:

402.06 [IMPLEMENTATION.] Upon the designation as a human services board, the board shall transmit copies of the agreement documents to each affected state agency, the regional development commission, if established, and the governor. Each affected department shall assign personnel to assist the board in preparing its organization and initial plan for receipt of operating funds. Within six months of its creation, each human services board shall present its initial plan and budget to affected state agencies.

Prior to adoption of the plan by the human services board there shall be a public hearing on the plan. As far as practicable, the human services board shall annually publish or otherwise circulate notice of its proposed plan and afford interested persons opportunity to submit data or views orally or in writing."

Page 1, line 21, strike "2" and insert "5"

Further, amend the title as follows:

Line 6, after "sections" insert "402.02, Subdivision 2; 402.03;"

Line 7, after the semicolon insert "402.06;"

H. F. No. 577 which the committee reports progress, subject to the following motions:

Mr. Wegener moved to amend H. F. No. 577 the printed bill, as follows:

Page 12, strike lines 21 to 23 and insert:

"Sec. 11. [EFFECTIVE DATE; EXPIRATION DATE; REPEALER.] This act shall take effect the day following its final enactment. Unless renewed by law the provisions of this act shall expire July 1, 1976. If this act expires Minnesota Statutes 1971, Sections 32A.01; 32A.02; 32A.03; 32A.04; 32A.05 and 32A.09, Subdivisions 1, 2, 3, 5, and 6, are repealed effective July 1, 1976."

Further, amend the title by inserting after "subdivision 4" in the last line:

"; repealing Minnesota Statutes 1971, Sections 32A.01; 32A.02; 32A.03; 32A.04; 32A.05 and 32A.09, Subdivisions 1, 2, 3, 5 and 6 upon the expiration of this act"

The motion prevailed. So the amendment was adopted.

Mr. Olson, J. L. moved to amend the amendment placed on H. F. No. 577, the printed bill, by the Committee on Governmental Operations, adopted by the Senate February 22, 1974, as follows:

Amend the Committee amendments to page 8, lines 9, 11, and 12; lines 20 through 22 and line 29, as follows:

Page 8, line 9, strike "*eleven*" and insert "*seven*"

Page 8, line 9, strike the words "*, one from each congressional district and three members at large*" added by the Committee amendment

Page 8, line 11, strike "*two manufacturers*" and insert "*one manufacturer*"

Page 8, line 12, strike "*five consumers*" and insert "*two consumers*"

Page 8, line 12, after "*nor*" and before "*involved*" insert "*otherwise*"

Page 8, line 20, after "*terms,*" strike "*one consumer and one*" and insert "*the*"

Page 8, line 21, after the semicolon, strike "*one consumer and one*" and insert "*the*"

Page 8, line 22, after "*three year term,*" strike "*one consumer and two manufacturers*" and insert "*the manufacturer*"

Page 8, line 29, strike "*Seven*" and insert "*Five*"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 24 and nays 25, as follows:

Those who voted in the affirmative were:

Berg	Conzemius	Jensen	Nelson	Purfeerst
Bernhagen	Dunn	Josefson	Olhoff	Renneke
Borden	Fitzsimons	Kirchner	Olson, J. L.	Schrom
Brown	Frederick	Knutson	O'Neill	Willet
Chmielewski	Hanson, R.	Moe	Patton	

Those who voted in the negative were:

Coleman	Keefe, J.	Laufenburger	Olson, A. G.	Solon
Davies	Keefe, S.	Lewis	Olson, H. D.	Spear
Gearly	Kleinbaum	Milton	Perpich, G.	Stokowski
Hansen, Mel	Kowalczyk	North	Pillsbury	Tennessen
Humphrey	Larson	Novak	Schaaf	Wegener

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

The question being taken on the committee recommendation to pass H. F. No. 577,

And the roll being called, there were yeas 17 and nays 37, as follows:

Those who voted in the affirmative were:

Borden	Kirchner	Olhoff	Schrom	Thorup
Brown	Kleinbaum	Perpich, G.	Stassen	Wegener
Fitzsimons	Laufenburger	Pillsbury	Stokowski	Willet
Hanson, R.	Milton			

Those who voted in the negative were:

Anderson	Hansen, Baldy	Knutson	North	Schaaf
Bernhagen	Hansen, Mel	Kowalczyk	Novak	Solon
Chenoweth	Hughes	Krieger	Olson, A. G.	Spear
Conzemius	Humphrey	Larson	Olson, H. D.	Tennessen
Davies	Jensen	Lewis	Olson, J. L.	Ueland
Dunn	Josefson	McCutcheon	Patton	
Frederick	Keefe, J.	Moe	Purfeerst	
Gearty	Keefe, S.	Nelson	Renneke	

The motion did not prevail. The committee then progressed H. F. No. 577.

S. F. No. 2975, which the committee recommends to pass with the following amendment offered by Mr. Knutson:

Page 2, line 3, strike "agrees to contribute" and insert "contributes"

Page 2, line 4, after "board" insert "and the city by agreement"

Page 2, line 4, strike "determines" and insert "determine"

Page 2, line 5, strike "ten" and insert "45"

S. F. No. 2918, which the committee recommends to pass with the following amendment offered by Mr. Humphrey:

Pages 8 and 9, strike all of section 10

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 10, strike "546.27;"

S. F. No. 3160, which the committee recommends to pass with the following amendment offered by Mr. Lord:

Page 2, line 15, strike "1974" and insert "1975"

Page 5, line 20, strike "and one copy to each member of the legislature"

Page 7, line 3, strike "June 30, 1974" and insert "July 1, 1975"

S. F. No. 3234 which the committee reports progress, subject to the following motion:

Mr. Conzemius moved to amend S. F. No. 3234 as follows:

Page 1, line 15, strike "terms and provisions"

Page 1, line 16, strike "of" and insert "*competitive bidding procedures of Minnesota Statutes, Sections 16.06, 16.07, and 16.28 but shall remain subject to all other provision of Minnesota Statutes,*"

The motion prevailed. So the amendment was adopted. The committee then progressed S. F. No. 3234.

And then, on motion of Mr. Olhoft, the report of the Committee of the Whole, as kept by the Secretary, was 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 H. F. No. 1489, pursuant to the request of the House:

Messrs. Solon, Sillers, Lewis.

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. 1530, pursuant to the request of the Senate:

Messrs. Doty, Willet, Dunn.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Willet moved that S. F. No. 3463, on the Calendar of Ordinary Matters, be stricken and placed at the top of General Orders. The motion prevailed.

Mr. Keefe, J. moved that his name be stricken and the name of Mr. Blatz be added as co-author to S. F. No. 1944. The motion prevailed.

Mr. Josefson moved that his name be stricken as co-author to S. F. No. 2695. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:00 o'clock p. m. The motion prevailed.

The hour of 7:00 o'clock p. m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Chmielewski, Doty, Nelson and Kirchner were excused from this evening's Session.

CALL OF THE SENATE

Mr. Hansen, Baldy imposed a call of the Senate. The following Senators answered to their names at 7:28 p.m.

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the General Orders Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

GENERAL ORDERS

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

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Olhoft reported that the committee had considered S. F. Nos. 1482, 3338, 3292, 2004, 3372, 3033, 2533, 3163, 3224, 3189, 3180, 2878, 3183, 3162, 2005, 2105, 3233 and 3023 which the committee recommends to pass.

S. F. No. 3123, which the committee recommends to pass with the following amendments offered by Messrs. Keefe, S. and Kowalczyk:

Mr. Keefe, S. moved to amend S. F. No. 3123 as follows:

Page 2, line 10, after the period insert "Money received by a club from a financial institution upon assignment of a contract shall be considered prepayment when and to the extent the member is required to make prepayments to the financial institution pursuant to the contract."

Page 2, after line 10, insert:

"Subd. 9. "Business day" means any day other than a Saturday, Sunday, or holiday as defined in section 645.44."

Page 4, line 7, strike "in force" and insert "entered into after May 31, 1974,"

Page 4, line 8, before the period insert ", pursuant to contracts entered into after May 31, 1974"

Page 4, line 13, strike "in" and insert "entered into after May 31, 1974."

Page 4, strike line 14

Page 4, line 18, after "any" strike the rest of the line and insert "member who suffers loss of prepayment made pursuant to a contract entered into after May 31, 1974, due to insolvency of the club or the cessation of business by the club."

Page 4, strike line 19

Page 4, line 20, strike everything before "A copy"

Mr. Kowalczyk moved to amend the Keefe, S. amendment to S. F. No. 3123 as follows:

In the amendment to page 4, line 18, after "due to" insert "a breach of contract,"

Mr. Kowalczyk moved to amend S. F. No. 3123 as follows:

Page 3, line 22, strike "two years" and insert "one year"

Mr. Keefe, S. moved to amend S. F. No. 3123 as follows:

Page 3, line 25, strike "two years" and insert "one year"

S. F. No. 2177, which the committee recommends to pass with the following amendment offered by Mr. North:

Page 2, lines 1 and 2, strike "in a single family dwelling in a residential area"

S. F. No. 1483, which the committee recommends to pass with the following amendment offered by Mr. Humphrey:

Page 2, line 25, after the period insert "*No lien for engineering or land surveying services rendered with respect to a homestead shall attach if the services are contracted for by one whose sole interest is that of a purchaser under an executory contract, and the value of those services does not exceed \$250.*"

S. F. No. 3246, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

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

"Section 1. Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 1, is amended to read:

378.52 [FINANCING.] Subdivision 1. The county board or boards in order to accomplish the purposes specified in the resolution or order creating a lake improvement district, may impose service charges on the users of such services within the area and may levy an ad valorem tax solely on property situated within the lake improvement district, to be appropriated and expended solely on projects of special benefit to the area, or any combination of service charges and taxes. *The county board or boards may also issue obligations and levy special assessments in the manner provided by chapter 429 against the property within the county benefited by facilities or projects constructed or undertaken pursuant to Minnesota Statutes, 1973 Supplement, Section 378.31.*

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 429.011, Subdivision 2a, is amended to read:

Subd. 2a. "Municipality" also includes a county in the case of construction, reconstruction or improvement of a county state-aid highway or county highway including curbs and gutters and storm sewers outside of the boundaries of any city, village or borough and includes a county exercising its powers and duties under *Minnesota Statutes, 1973 Supplement, Section 378.31 and Minnesota Statutes, Section 444.075, Subdivision 1.*

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2, is repealed."

Strike the title and insert in lieu thereof:

"A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemp-

tion; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2."

S. F. No. 3325, which the committee recommends to pass with the following amendment offered by Mr. Conzemius:

Page 1, line 13, after "*information*" insert "*about emergency service*"

Page 1, line 16, after the period insert: "*No reports shall be required for non-emergency service.*"

Page 1, line 17, after the period insert "*In determining the nature, scope, use, and form of the information to be reported, the board shall consult with its designated ambulance service sub-committee.*"

Page 1, line 24, after the period insert "*Information contained in the reports may only be disseminated to the extent prescribed by the board.*"

S. F. No. 3354, which the committee recommends to pass with the following amendment offered by Mr. Anderson:

Page 1, line 17, after "*facility*" insert "*except a dental facility*"

The question being taken on the committee recommendation to pass S. F. No. 3354,

And the roll being called, there were yeas 23 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	McCutcheon	Perpich, G.	Stokowski
Chenoweth	Keefe, S.	Milton	Purfeerst	Wegener
Davies	Kleinbaum	North	Schaaf	Willet
Gearty	Lewis	Olson, H. D.	Solon	
Hughes	Lord	Patton	Spear	

Those who voted in the negative were:

Berg	Frederick	Josefson	Larson	Pillsbury
Bernhagen	Hansen, Mel	Knutson	Ogdahl	Tennessen
Blatz	Hanson, R.	Kowalczyk	Olson, J. L.	Ueland
Dunn	Jensen	Krieger	O'Neill	

The motion prevailed. So the committee recommended S. F. No. 3354 to pass.

S. F. No. 3247, which the committee recommends to pass with the following amendments offered by Messrs. Spear and McCutcheon:

Mr. Spear moved to amend S. F. No. 3247, as follows:

Page 1, line 22, strike "*business*" and insert "*businesses*"

Page 1, line 27, after "*registrations*" insert a comma

Page 2, line 3, after "*agencies*" insert a comma

Page 3, line 6, after "*capacity*" insert a comma

Page 3, line 18, after "*state*" insert a comma

Page 4, line 13, after "*including*" insert a comma

Page 4, line 13, after "to" insert a comma

Page 4, line 16, after "state" insert a comma

Page 4, line 18, after "distributed" insert a comma

Page 5, line 25, after "suspend" insert a comma

Mr. McCutcheon moved to amend S. F. No. 3247 as follows:

Page 6, after line 10, insert:

"Sec. 9. This chapter shall not apply to the practice of law enforcement; but nothing in this section shall be construed to preclude the Minnesota police and peace officers training board from recommending policies set forth in this chapter to the attorney general for adoption in his discretion."

Renumber the remaining sections

S. F. No. 2933, which the committee recommends to pass with the following amendment offered by Mr. Kleinbaum:

Page 1, line 18, after "*basis*" insert "*on the same terms as it provides coverage in other facilities*"

Page 1, line 26, after "*basis*" insert "*on the same terms as it provides coverage in other facilities*"

S. F. No. 3301, which the committee recommends to pass with the following amendments offered by Messrs. Spear and Schaaf:

Mr. Spear moved to amend S. F. No. 3301 as follows:

Page 1, line 11, after "to" insert a comma

Page 1, line 11, strike "provisions" and insert "provision"

Page 2, line 7, strike "to"

Mr. Schaaf moved to amend S. F. No. 3301 as follows:

Page 2, strike lines 1 to 3

Reletter the remaining clauses

S. F. No. 3144, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 21, line 3, strike "July 1, 1974" and insert "the day following its final enactment"

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate revert to the Order of Business of Messages from the House, First Reading of House Bills and Reports of Committees, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

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. 625, 1721, 2796, 3084, 3085, 3200, 1427, 2944, 3001, 3053, 3069 and 2780.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 6, 1974

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2675:

H. F. No. 2675: A bill for an act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

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

Munger, Kelly and Andersen, R. have been appointed as such committee on the part of the House.

House File No. 2675 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 6, 1974

Mr. Olson, A. G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2675, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2200:

H. F. No. 2200: A bill for an act relating to building facilities for handicapped persons; amending Minnesota Statutes 1971, Sections 471.465, Subdivision 2; 471.466; 471.467, Subdivision 1; and 471.468.

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

Carlson, A.; Quirin and McFarlin have been appointed as such committee on the part of the House.

House File No. 2200 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 6, 1974

Mr. Stassen moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2200, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

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

H. F. Nos. 2829, 3143, 3312, 3394, 3512, 3202, 3340, 3357, 3384, 3509, 3230, 3289, 3322, 3479, 3533, 2186, 2236, 2791, 3372, 3450, 3556, 3326, 3327 and 3329.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 6, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2829: A bill for an act relating to the firemen's relief association of the city of Goodview; providing that years of service with the Goodview volunteer fire department shall be treated as years of service with the Goodview firemen's relief association.

H. F. No. 3143: A bill for an act relating to taxation; levies for advertising in certain cities; amending Minnesota Statutes, 1973 Supplement, Section 465.56, Subdivision 1.

H. F. No. 3312: A bill for an act relating to public employees; insurance benefits for retired employees; amending Minnesota Statutes, 1973 Supplement, Section 471.61, Subdivision 2a.

H. F. No. 3394: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

H. F. No. 3512: A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

H. F. No. 3230: 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.

H. F. No. 3289: A bill for an act relating to courts; county court witness and mileage fees; amending Minnesota Statutes 1971, Section 487.34.

H. F. No. 3322: A bill for an act relating to intoxicating liquor; county licenses in unorganized or unincorporated areas of certain counties; amending Laws 1973, Chapter 566, Section 1.

H. F. No. 3479: A bill for an act relating to retirement; benefits payable to certain retired elected state officials.

H. F. No. 3533: 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.

H. F. No. 3202: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 3340: A bill for an act relating to the city of Rogers; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

H. F. No. 3357: A bill for an act relating to the city of Thief River Falls; authorizing the issuance of on-sale liquor licenses.

H. F. No. 3384: A bill for an act relating to public transit in the city of Red Wing; providing for continued municipal financial assistance and expanding the definition of public transit; amending Laws 1969, Chapter 538, Sections 1, Subdivision 2; and 6.

H. F. No. 3509: A bill for an act relating to the city of Bloomington; authorizing municipal liquor stores therein.

H. F. No. 2186: A bill for an act relating to the city of Alexandria; and the townships of Alexandria, Carlos, Hudson, and La Grand in the county of Douglas; sanitary sewer board membership and operation in Alexandria Lake area sanitary district; amending Laws 1971, Chapter 869, Section 4, Subdivision 1.

H. F. No. 2236: A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

H. F. No. 2791: A bill for an act relating to taxation; providing for the ad valorem taxation of certain property subject to leasehold agreements; amending Minnesota Statutes 1971, Section 273.19, Subdivision 1.

H. F. No. 3372: A bill for an act relating to Independent School District No. 141; exempting Independent School District No. 141 from application of certain liquor laws.

H. F. No. 3450: A bill for an act relating to St. Louis county; intoxicating liquor; authorizing one additional on-sale license within St. Louis county.

H. F. No. 3556: A bill for an act relating to Dakota county; authorizing the Dakota county board to appropriate funds necessary to the effective operation of the Dakota county nursing service committee and establish per diem rates for members thereof.

H. F. No. 3326: A bill for an act relating to taxation; providing for reimbursement for certain exempt real property; amending Minnesota Statutes, 1973 Supplement, Section 273.138, Subdivisions 1, 2, 3 and 4.

H. F. No. 3327: A bill for an act relating to personal property taxes on mobile homes; amending Minnesota Statutes 1971, Sections 277.011, Subdivision 1; 277.02; and 277.05.

H. F. No. 3329: A bill for an act relating to taxation; providing for assessment of property in certain years; amending Minnesota Statutes 1971, Section 273.17, Subdivision 1.

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

REPORTS OF COMMITTEES

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

H. F. Nos. 3312, 3479, 3289, 3340, 3509, 3143, 3230, 3512, 2186, 2236, 3372, 3556, 3326, 3327, 3329, 2791 and 3450 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 3372 to the Committee on Education.

H. F. No. 2236 to the Committee on Finance.

H. F. Nos. 3312 and 3479 to the Committee on Governmental Operations.

H. F. No. 3289 to the Committee on Judiciary.

H. F. Nos. 3340, 3509 and 3450 to the Committee on Labor and Commerce.

H. F. Nos. 3143, 3230, and 2186 to the Committee on Local Government.

H. F. Nos. 3512 and 3556 to the Committee on Metropolitan and Urban Affairs.

H. F. Nos. 2791, 3326, 3327 and 3329 to the Committee on Taxes and Tax Laws.

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.

Mr. Coleman moved the adoption of the foregoing Committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Wegener moved that the vote whereby H. F. No. 2854 failed to pass the Senate on March 5, 1974, be now reconsidered.

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Friday March 8, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.