

**ONE HUNDRED FIRST DAY**

St. Paul, Minnesota, Saturday, March 9, 1974.

The Senate met at 9:15 o'clock a.m. and was called to order by the President.

Prayer by the Chaplain.

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

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

Quorum present.

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

**MEMBERS EXCUSED**

Messrs. Fitzsimons, Blatz, Wegener, Bang and Hanson, R. were excused from the Session of today. Mr. Nelson was excused from this morning's Session. Mr. Lewis was excused from the Session of today until 1:00 o'clock p.m. Mr. Olson, J. L. was excused from the Session of today beginning at 1:00 o'clock p.m. Mr. Hansen, Baldy was excused from the Session of today, beginning at 2:45 o'clock p.m. Messrs. Novak and Ueland were excused from the Session of today beginning at 4:00 o'clock p.m.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

March 8, 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. 21, An act relating to insurance; group hospital and medical coverage; continuation of group coverage upon termination of employment.

S. F. No. 2537, An act relating to highways; adding an additional highway route to the highway routes designated as the Blue Star memorial highway; amending Minnesota Statutes 1971, Section 161.14, Subdivision 13.

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

S. F. No. 3032, An act authorizing the annexation of certain state owned land by the city of Breckenridge.

Sincerely,

Wendell R. Anderson, Governor

#### INTRODUCTION OF BILLS

Messrs. Gearty, Coleman and Krieger introduced—

S. F. No. 3554: A bill for an act relating to the legislature; regulating leaving private employment by members for the purpose of serving in the legislature; providing for the restoration of their positions, and all other rights incident to employment, and providing for enforcement; amending Minnesota Statutes 1971, Chapter 3, by adding sections; repealing Minnesota Statutes 1971, Sections 3.085, 3.086 and 3.087.

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

Mr. Wegener introduced—

S. F. No. 3555: A bill for an act relating to Indians; criminal jurisdiction of the Nonremoval Mille Lacs Band of Chippewa Indians; providing for the retrocession to the United States of America of all criminal jurisdiction in that area of Indian country.

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

Messrs. Spear and Solon introduced—

S. F. No. 3556: A bill for an act relating to state colleges; providing a cost of living increase for state college faculty.

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

Messrs. Stokowski, Humphrey and Keefe, S. introduced—

S. F. No. 3557: A resolution memorializing the President and Congress to enact legislation establishing a national health security program for all Americans.

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

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

S. F. No. 3558: A bill for an act relating to taxation; income tax; providing a deduction for expenses of day care centers; amending Minnesota Statutes 1971, Section 290.09, by adding a subdivision.

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

Messrs. Laufenburger, Chmielewski and Purfeerst introduced—

S. F. No. 3559: A resolution memorializing Congress to restore the Federal Aid Secondary Highway System to its original concept to provide the roads necessary for the economic health of rural America.

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

Mr. Laufenburger introduced—

S. F. No. 3560: A bill for an act providing additional bond issuing authority to provide compensation to those members of the armed forces who served during the Vietnam conflict; and appropriating the proceeds thereof.

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

#### 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. 1099, 2055, 2353, 2449, 2910, 3267 and 3151.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 8, 1974.

Mr. President:

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

S. F. No. 1877: A bill for an act relating to municipalities; authorizing the establishment of storm sewer improvement districts.

Senate File No. 1877 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 8, 1974

### CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate do now concur in the amendments by the House to S. F. No. 1877 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1877: A bill for an act relating to municipalities; authorizing the establishment of storm sewer improvement districts; and providing for delayed payments of special assessment on senior citizens' homesteads.

Was read the third time, as amended by the House, and placed on its repassage.

The question being taken on the repassage of the bill, as amended,

And the roll being called, there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, A. G.	Schrom
Arnold	Gearty	Knutson	Olson, H. D.	Sillers
Ashbach	Hansen, Baldy	Kowalczyk	Olson, J. L.	Solon
Berg	Hansen, Mel	Krieger	O'Neill	Spear
Bernhagen	Hughes	Larson	Patton	Stokowski
Brown	Humphrey	Laufenburger	Perpich, A. J.	Tennessen
Chmielewski	Jensen	Lord	Perpich, G.	Thorup
Coleman	Josefson	Milton	Pillsbury	Ueland
Conzemius	Keefe, J.	Novak	Purfeerst	Willet
Davies	Keefe, S.	Ogdahl	Renneke	
Doty	Kirchner	Olthoff	SchAAF	

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

### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2996:

H. F. No. 2996: A bill for an act relating to government; aids to education; tax levies; distribution of tax revenues; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 124.17, Subdivision 1; 124.20; 124.212, Subdivisions 7a and 10; 124.222, Subdivision 1; 124.30, Subdivision 2; 275.125, Subdivisions 2a and 3; Minnesota Statutes 1971, Sections 123.39, Subdivisions 1 and 5; 124.28, Subdivision 1; 270.11, Subdivision 2; 275.125, Subdivision 7; and repealing Minnesota Statutes 1971, Section 124.13.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Graba; Johnson, C.; Berg; Adams, S. and Esau have been appointed as such committee on the part of the House.

House File No. 2996 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 8, 1974

Mr. Anderson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2996, and that a Conference Committee of 5 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. 2323, 2920, 3029, 3223, 3288, 3352, 3000, 3140, 3149, 3249, 3325, 2692, 3233, 3281, 773, 3090, 3157, 3261, 3317 and 3498.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 8, 1974

#### FIRST READING OF HOUSE BILLS

H. F. No. 2323: A bill for an act relating to travel expenses of the state board of education; amending Minnesota Statutes 1971, Section 121.02, Subdivision 1.

H. F. No. 2920: A bill for an act relating to control of shade tree disease in the metropolitan area; appropriating money therefor.

H. F. No. 3029: A bill for an act relating to public welfare; eligibility requirements for medical assistance for needy persons; amending Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 1; repealing Minnesota Statutes, 1973 Supplement, Section 256B.06, Subdivision 2.

H. F. No. 3223: A bill for an act relating to the governor's citizens council on aging; duties of council; disbursement of funds; amending Minnesota Statutes 1971, Sections 256.975, Subdivision 2; and 256.01, Subdivision 10.

H. F. No. 3288: A bill for an act relating to courts; lien; conciliation court judgment; amending Minnesota Statutes, 1973 Supplement, Section 487.23, Subdivision 7a.

H. F. No. 3352: A bill for an act relating to agriculture; grain weighing, sampling and analysis; providing penalties; amending Minnesota Statutes 1971, Sections 232.08; and 235.01; repealing Minnesota Statutes 1971, Sections 232.05; 233.135; 233.137; 233.17 to 233.21; 233.25 to 233.32; 233.34 to 233.40; 235.03; 235.11; 235.12; 235.14 to 235.17; and 235.19.

H. F. No. 3000: A bill for an act relating to taxation; tax-forfeited lands; repurchase after forfeiture for taxes; amending Minnesota Statutes 1971, Section 282.241.

H. F. No. 3140: A bill for an act relating to education; authorizing transfer of funds between Minnesota and Wisconsin for higher education reciprocity; appropriating money; amending Minnesota Statutes 1971, Section 136A.08.

H. F. No. 3149: A bill for an act relating to education; authorizing school districts to contract for transportation of school children either by sealed bids or direct negotiation; amending Minnesota Statutes 1971, Section 123.37, by adding a subdivision.

H. F. No. 3249: A bill for an act relating to education; school aids; changing the adjusted assessed valuation of Independent School District No. 93 and No. 99 for the use of the equalization aid review committee.

H. F. No. 3325: A bill for an act relating to taxation; assessment of real property; permitting newly organized towns adequate time to have their local assessors certified; amending Minnesota Statutes 1971, Section 270.50.

H. F. No. 2692: A bill for an act relating to the use of flame resistant fabric in camping tentage; providing standards.

H. F. No. 3233: A bill for an act relating to taxation; increasing the levy limit bases of governmental subdivisions to include gross earnings aids; amending Minnesota Statutes, 1973 Supplement, Sections 275.50, Subdivision 5; and 275.51, Subdivision 3.

H. F. No. 3281: A bill for an act relating to state lands; authorizing the exchange of certain public lake access land in Clearwater county.

H. F. No. 773: A bill for an act relating to highway traffic regulations; authorizing certain vehicles and combinations of vehicles under certain conditions to draw one additional two-wheel trailer for the sole purpose of transporting a livestock or poultry loading chute.

H. F. No. 3090: A bill for an act relating to towns; requiring a city to confer jointly with the governing body of a town and county planning commission before extending certain municipal services into the area governed by the town.

H. F. No. 3157: A bill for an act relating to real estate; landlord and tenant; disclosure of identity of owner and manager; defining terms; disclosure of code violations; amending Minnesota Statutes 1971, Chapter 504, by adding sections.

H. F. No. 3261: A bill for an act relating to Olmsted county; taxation; county legal assistance; appropriating money.

H. F. No. 3317: A bill for an act relating to courts; regulating the termination of the jurisdiction of the juvenile court; amending Minnesota Statutes 1971, Section 260.181, Subdivision 4.

H. F. No. 3498: A bill for an act relating to commerce; requiring fuel information reporting; providing penalties; amending Minnesota Statutes, 1973 Supplement, Sections 325.811, Subdivision 2, and by adding subdivisions; 325.812, and by adding subdivisions.

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

### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

H. F. No. 1662: A bill for an act relating to pollution; providing for a deputy director of the Minnesota pollution control agency; removing certain exemptions from the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; abolishing the water pollution control advisory committee; amending Minnesota Statutes 1971, Sections 43.09, Subdivision 2; 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding a subdivision; 116.07, Subdivisions 2, 4, and 4a; 116.08, Subdivision 1; 116.081, Subdivision 1; 161.242, Subdivision 2.

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

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

"Section 1. Minnesota Statutes, 1973 Supplement, Section 43.09, Subdivision 2, is amended to read:

Subd. 2. [UNCLASSIFIED SERVICE.] The unclassified service comprises positions held by state officers or employees who are:

- (1) Chosen by election or appointed to fill an elective office;
- (2) Heads of department required by law to be appointed by the governor or other elective officers, except the department of public service, and the executive or administrative heads of departments, divisions and institutions specifically established by law, except that with respect to state institutions, the provisions of section 246.02 are hereby continued in effect; provided, this clause shall not apply to heads of divisions now existing in the department of labor and industry, nor to the director of the division of vocational rehabilitation in the department of education;
- (3) Except as herein otherwise enlarged, one private secretary to each of the elective officers of this state, and in addition thereto, one deputy, clerk, or employee to the secretary of state, state auditor, and state treasurer;
- (4) Seasonal help employed by the commissioner of public safety to assist in the issuance of motor vehicle licenses;
- (5) Employees in the office of the governor, and one confidential employee for the governor in the office of the adjutant general;

(6) Officers and employees of the senate and house of representatives of the legislature including temporary or permanent employees of legislative committees or commissions. Employees of the legislative audit commission, except for the legislative auditor, his deputy, and his confidential secretary, however, shall be employees in the classified civil service of the state;

(7) Teachers, research assistants, student employees on less than half-time pay basis or eligible under terms of the federal economic opportunity act work study program, presidents, deans, and administrative officers in the state colleges; but this clause shall not be construed to include the custodial, clerical, or maintenance employees, or any administrative officers, or clerical workers performing duties in connection with the business administration of these institutions;

(8) Officers and enlisted men in the national guard;

(9) Deputy attorneys general, assistant attorneys general, legal assistants, examiners, three confidential employees, and special counsel to state departments appointed by the attorney general or employed with his authorization;

(10) All courts and all employees thereof, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the department of labor and industry;

(11) Patient and inmate help in state institutions;

(12) Members of the state highway patrol; provided that selection and appointment of highway patrol officers shall be made in accordance with applicable laws governing the classified state civil service.

(13) The deputy commissioner of agriculture, *and the deputy director and assistant director of the Minnesota pollution control agency*;

(14) One employee of the state treasurer, for the purpose of receiving and safekeeping assets deposited and maintained with the state treasurer, pursuant to Laws 1943, Chapter 591, and whose salary or compensation is to be reimbursed to the state under said act;

(15) Seasonal help employed by the department of taxation.

Sec. 2. Minnesota Statutes 1971, Section 116.03, Subdivision 1, is amended to read:

116.03 [DIRECTOR.] Subdivision 1. (a) The office of director of the pollution control agency is created and is under the supervision and control of the director, who is appointed by the governor by and with the consent of the senate for a four year term, which shall coincide with the term of the governor, and until his successor is duly appointed and qualifies. The governor may remove the director at any time at his pleasure. A vacancy in the office of director shall be filled by the governor by and with the consent of the senate, for the unexpired portion of the term.



(b) In order to expedite the establishing and functioning of the pollution control agency, the governor shall forthwith appoint an acting director, who shall have all the powers and duties of the director as provided in sections 116.01 to 116.09. The acting director may be a person in the service of the state at the time of his appointment, and who while serving as acting director is on leave of absence from his regular office or position in the state service. The acting director shall serve as such until the director is appointed and qualifies as such director. Pending the abolishment of the water pollution control commission as specified in section 116.02, subdivision 5, the director or acting director, as the case may be, is the secretary of such commission in lieu of the secretary and executive officer of the state board of health.

(c) *The director may appoint a deputy director and an assistant director who shall be in the unclassified service. The director may designate the deputy director to the agency to act in his stead as a member, with all his rights and privileges therein, of any agency, board, committee, or commission that the director is made a member of by law. The designation shall be filed with secretary of state. The salary of the deputy director and of the assistant director shall be provided by law.*

Sec. 3. Minnesota Statutes 1971, Section 116.06, Subdivision 10, is amended to read:

Subd. 10. "Solid waste" means garbage, refuse and other discarded solid materials, ~~except animal waste used as fertilizer~~ including solid waste materials *and waste sludges* resulting from industrial, commercial and agricultural operations, and from community activities, but does not include *animal waste used as fertilizer*, earthen fill, boulders, rock ~~and other materials normally handled in construction operations~~, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows, or other common water pollutants.

Sec. 4. Minnesota Statutes 1971, Section 116.06, is amended by adding subdivisions to read:

*Subd. 13. "Deputy director" means the deputy director of the Minnesota pollution control agency.*

*Subd. 14. "Assistant director" means the assistant director of the Minnesota pollution control agency.*

Sec. 5. Minnesota Statutes, 1973 Supplement, Section 116.07, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION OF STANDARDS.] The pollution control agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution.

The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants

from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the pollution control agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the pollution control agency.

The pollution control agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, *storage*, and disposal of solid waste for the prevention and abatement of water, air and land pollution, recognizing that due to variable factors, no single standard of solid waste control is applicable to all areas of the state. In adopting standards, the pollution control agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of solid waste control shall be premised on technical criteria and commonly accepted practices.

The pollution control agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the pollution control agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the outdoor atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another

area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the pollution control agency.

Sec. 6. Minnesota Statutes 1971, Section 116.07, Subdivision 4, is amended to read:

Subd. 4. [REGULATIONS AND STANDARDS.] Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the prevention, abatement, or control of air pollution. Any such regulation or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, regulations or standards may relate to sources or emissions of air contamination or air pollution, to the quality or composition of such emissions, or to the quality of or composition of the ambient air or outdoor atmosphere or to any other matter relevant to the prevention, abatement, or control of air pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend, and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the collection, transportation, *storage*, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution. Any such regulation or standard may be of general application throughout the state or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, regulations or standards may relate to collection, transportation, disposal, equipment, location, procedures, methods, systems or techniques or to any other matter relevant to the prevention, abatement or control of water, air, and land pollution which may be advised through the control of collection, transportation, and disposal of solid waste, and the deposit in or on land of any other material that may tend to cause pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind regulations and standards having the force of law relating to any purpose within the provisions of Laws 1971, Chapter 727, for the prevention, abatement, or control of noise pollution. Any such regulation or standard may be of general application throughout the state, or may be limited as to times, places, cir-

cumstances or conditions in order to make due allowances for variations therein. Without limitation, regulations or standards may relate to sources or emissions of noise or noise pollution, to the quality or composition of noises in the natural environment, or to any other matter relevant to the prevention, abatement, or control of noise pollution.

As to any matters subject to chapter 116, local units of government may set emission regulations with respect to stationary sources which are more stringent than those set by the pollution control agency.

Sec. 7. Minnesota Statutes 1971, Section 116.07, Subdivision 4a, is amended to read:

Subd. 4a. [PERMITS.] The pollution control agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the emission of air contaminants, or for the installation or operation of any emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, or storage facility, or any part thereof, *or for the sources or emissions of noise pollution.*

The pollution control agency may also issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the collection, transportation, *storage*, or disposal of solid waste, or for the installation or operation of any system or facility, or any part thereof, related to the collection, transportation or disposal of solid waste.

The pollution control agency may revoke or modify any permit issued under this subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution.

Sec. 8. Minnesota Statutes 1971, Section 116.081, Subdivision 1, is amended to read:

116.081 [PROHIBITIONS.] Subdivision 1. [OBTAIN PERMIT.] It shall be unlawful for any person to construct, install or operate an emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, storage facility, or system or facility related to the collection, transportation, *storage*, or disposal of solid waste, or any part thereof unless otherwise exempted by any agency regulation now in force or hereinafter adopted, until plans therefor shall have been submitted to the agency, and a written permit therefor shall have been granted by the agency. The requirements of this section shall not be applied to motor vehicles.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 161.242, Subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] (1) For the purposes of this section, the terms defined in this subdivision shall have the meanings given them.

(2) Junk yard means an establishment, place of business, or place of storage or deposit, which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and shall include garbage dumps and sanitary fills *not regulated by the Minnesota pollution control agency*, any of which are wholly or partly within one half mile of any right-of-way of any state trunk highway, including the interstate highways, whether maintained in connection with another business or not, where the waste, body, or discarded material stored is equal in bulk to five or more motor vehicles and which are to be resold for used parts or old iron, metal, glass, or other discarded material.

(3) Dealer means any person, partnership, or corporation engaged in the operation of a junk yard.

(4) Junk means old or scrap copper, brass, rope, rags, batteries, paper, synthetic or organic, trash, rubber debris, waste, or junked, dismantled, or wrecked automobiles or farm or construction machinery or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(5) Automobile graveyard means any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

(6) Unzoned industrial area means the land occupied by the regularly used building, parking lot, storage or processing area of an industrial activity, and the land within 1,000 feet thereof which is located on the same side of the highway as the principal part of said activity, and not predominantly used for residential or commercial purposes, and not zoned by state or local law, regulation or ordinance.

(7) Industrial activities means those activities permitted only in industrial zones, or in less restrictive zones by the nearest zoning authority within the state, or prohibited by said authority but generally recognized as industrial by other zoning authorities within the state, except that none of the following shall be considered industrial activities:

(a) Outdoor advertising devices as defined in Minnesota Statutes 1969, Sections 173.02, Subdivision 2, and 173.32, Subdivision 2.

(b) Agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands.

(c) Activities normally and regularly in operation less than three months of the year.

(d) Activities not visible from the traffic lanes of the main traveled way.

(e) Activities conducted in a building principally used as a residence.

(f) Railroad tracks, minor sidings, and passenger depots.

(g) Junk yards, as defined herein."

Strike the title and insert in lieu thereof

"A bill for an act relating to pollution; providing for a deputy director and an assistant director of the Minnesota pollution control agency; changing the definition of "solid waste"; giving the pollution control agency power to regulate the storage of solid waste; providing permit authority to govern noise pollution; expanding the definition of "junk yard"; amending Minnesota Statutes 1971, Sections 116.03, Subdivision 1; 116.06, Subdivision 10, and by adding subdivisions; 116.07, Subdivisions 4 and 4a; 116.081, Subdivision 1; and Minnesota Statutes, 1973 Supplement, Sections 43.09, Subdivision 2; 116.07, Subdivision 2; and 161.242, Subdivision 2."

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

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

H. F. No. 102: A bill for an act relating to public employment; providing for leave of absence for employees who serve in the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

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

Page 1, line 6, after "*during*" insert "*any part or all of*"

Page 1, line 9, strike "*service or at the end of the first part of the regular legislative session*" and insert "*last legislative day in each calendar year*"

Page 1, line 10, strike "*service*" and insert "*legislature*"

Page 2, line 2, strike "*termination of the service*" and insert "*the last legislative day in a calendar year*"

Page 2, line 4, after "*vacation,*" insert "*insurance benefits,*"

Page 2, line 8, strike "*which the legislature, as a whole, is not convened*" and insert "*the period between the first and last legislative day in each calendar year*"

Page 2, line 12, after "*section*" insert "*or who is elected as a state constitutional officer*"

Page 2, line 15, after "*legislature*" and before "*shall*" insert "*or who is elected as a state constitutional officer*"

Page 2, line 17, after "*system.*" insert "*Under no circumstances shall two governmental units pay the employee's share of pension contributions for that period on which he is on leave of absence to serve in the legislature.*"

Page 2, line 28, strike "service" and insert "legislative office"

Page 2, after line 29, add a new subdivision as follows:

*"Subd. 6. Notwithstanding the provisions of any other law or ordinance or the provisions of any state, municipal, or other public retirement or relief association regulation or by-law, a person who has served as a member of the legislature and has qualified for a legislative retirement pension or allowance shall not be disqualified from receiving that retirement pension or allowance by reason of the fact that he is entitled to receive a public pension or retirement benefit as a result of employment by another public employer, and the person shall receive both the legislative retirement pension or allowance and any state, municipal or other public pension or retirement benefit for which he has qualified."*

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

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

H. F. No. 2377: A bill for an act relating to insurance; regulating valuation of policies; amending Minnesota Statutes 1971, Sections 61A.24, Subdivisions 9 and 11; 61A.25, Subdivision 3, and by adding a subdivision.

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

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

H. F. No. 2120: A bill for an act relating to workmen's compensation; supplementary benefits; amending Minnesota Statutes 1971, Section 176.132, Subdivision 3; and Minnesota Statutes, 1973 Supplement, Section 176.132, Subdivision 2.

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

Page 1, line 5, strike "\$85" and insert "\$70"

Page 1, line 8, strike "\$85" where it appears in that line and insert "\$70"

Page 2, line 4, strike "\$85" and insert "\$70"

Page 2, line 15, strike "\$85" and insert "\$70"

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

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

H. F. No. 3060: A bill for an act relating to retirement; transferring duties of the state auditor and treasurer in connection with legislator's, constitutional officer's and judge's retirement to

the executive director of the Minnesota state retirement system; amending Minnesota Statutes 1971, Sections 3A.01, by adding a subdivision; 3A.02, Subdivision 3; 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 3A.05; 352C.03, Subdivision 2; 352C.04, Subdivision 3; 352C.05; 352C.09; 490.025, Subdivision 8; 490.102, Subdivisions 4 and 8; and 490.12, Subdivisions 2 and 8; and Minnesota Statutes, 1973 Supplement, Sections 3A.02, Subdivisions 1 and 2; 3A.03, Subdivision 1; 3A.11, Subdivisions 1 and 4; and 490.025, Subdivision 2.

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

Page 7, strike lines 4 to 13

Renumber the remaining sections

Further, amend the title as follows:

Line 6, strike "Subdivisions 2 and" and insert "Subdivision"

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

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

H. F. No. 1191: A bill for an act relating to employment agencies; the licensing and regulation thereof; prescribing penalties; amending Minnesota Statutes 1971, Sections 184.21, Subdivision 2, and by adding subdivisions; 184.22; 184.26, Subdivision 1; 184.29; 184.30, Subdivision 1; 184.32; 184.33; 184.35; 184.37; 184.38, Subdivisions 1, 2, 3, and 13; and 184.41; repealing Minnesota Statutes 1971, Sections 184.31 and 184.39.

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

Page 1, line 9, strike all the language beginning with "Any"

Page 1, strike all of line 10

Page 1, line 11, strike "*pensation is paid, must obtain an agency license*" and insert the following:

*"Any party performing the services of an employment agency as herein defined, is not an employment agency if the performance of these services is peripheral to the primary business of that party, and if no part of any fees or compensation is paid by the person seeking employment"*

Page 3, line 34, strike "1971" and insert ", 1973 Supplement"

Page 3, line 34, after "184.33," insert "Subdivision 1,"

Page 4, strike lines 1 through 20, and insert the following:

"184.33 [ISSUANCE OR REFUSAL TO ISSUE; REVOCATION OR SUSPENSION.] Subdivision 1. The department shall issue a license as an employment agent, employment agency man-



ager or counselor to any person who qualifies for such license under the terms of sections 184.21 to 184.40. *The department may refuse to issue an employment agency license whenever, after due investigation, the department finds that the character of the applicant makes him unfit to be an employment agent, or when the premises for conducting the business of an employment agent is found upon investigation to be unfit for such use. No agency license shall be issued to any person, firm, corporation or association that has, within the past three years, been convicted in any court of fraud or felony. No license shall be issued to any attorney whose license to practice law has been suspended or revoked, for a period of three years after the date of such suspension or revocation.* The department may refuse to issue a license to any person or may suspend or revoke the license of any employment agent, employment agency manager or counselor when it finds that any of the following conditions exist:

(a) That the employment agent or counselor has violated any condition of the bond required by sections 184.21 to 184.40;

(b) That the person, employment agent or counselor has personally engaged in a fraudulent, deceptive, or dishonest practice;

(c) That the person, employment agent or counselor has violated any provisions of sections 184.21 to 184.40;

(d) That the person, employment agent or counselor has been legally adjudicated incompetent and has not been restored to capacity."

Further amend the title as follows:

Page 1, third line of title strike "184.33;,"

Fourth line of title, strike "and" and after "184.41;" insert "and Minnesota Statutes, 1973 Supplement, Section 184.33, Subdivision 1;,"

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

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

H. F. No. 2051: A bill for an act relating to counties; authorizing the use of county road and bridge funds in the construction and maintenance of bicycle paths; amending Minnesota Statutes 1971, Chapter 163, by adding a section.

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

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

H. F. No. 3041: A bill for an act relating to aeronautics; defining certain terms; amending Minnesota Statutes 1971, Section 360.013, Subdivisions 11, 17, and 19.

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

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

H. F. No. 3086: A bill for an act relating to aeronautics; aircraft registration and taxation; definitions; amending Minnesota Statutes 1971, Section 360.511, Subdivision 8.

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

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

S. F. No. 3494: A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

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

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

S. F. No. 2386 together with the committee report thereon: A bill for an act relating to domestic relations; child support payments and the validity of certain marriages; amending Minnesota Statutes 1971, Sections 393.07, Subdivision 9; and Chapter 517, by adding a section.

Reports the same back with the recommendation that the report from the Committee on Health, Welfare and Corrections be adopted and the bill be placed on the General Orders Calendar. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred under Joint Rule 20, together with the committee reports thereon, S. F. Nos. 3434 and 2769.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees. This report is submitted by the Secretary of the Senate pursuant to the direction of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

S. F. No. 3308: A bill for an act creating a legislative commission to study and propose legislation relating to the problem of organized crime; appropriating money therefor.

Reports the same back with the recommendation that the bill

do pass and be re-referred to the Committee on Finance. Report adopted.

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

S. F. No. 3286: A bill for an act relating to liens; exceptions to the requirement of notice; amending Minnesota Statutes, 1973 Supplement, Section 514.011, Subdivision 4.

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

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

H. F. Nos. 2323, 2920, 3029, 3288, 3000, 3140, 3149, 3249, 3325, 773, 3090, 3157, 3261, 3317, 3498, 2692 and 3281 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. Nos. 3149 and 3249 to the Committee on Education.

H. F. Nos. 3029 and 3140 to the Committee on Finance.

H. F. No. 2323 to the Committee on Governmental Operations.

H. F. Nos. 3288, 3157, 3261 and 3317 to the Committee on Judiciary.

H. F. Nos. 3498 and 2692 to the Committee on Labor and Commerce.

H. F. No. 3090 to the Committee on Local Government.

H. F. No. 2920 to the Committee on Metropolitan and Urban Affairs.

H. F. No. 3281 to the Committee on Natural Resources and Agriculture.

H. F. Nos. 3000 and 3325 to the Committee on Taxes and Tax Laws.

H. F. No. 773 to the Committee on Transportation and General Legislation.

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

## SECOND READING OF SENATE BILLS

S. F. Nos. 3494, 2386, 3434, and 2769 were read the second time.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 1662, 102, 2377, 2120, 3060, 1191, 2051, 3041 and 3086 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Gearty moved that S. F. No. 3522 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

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

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 HOUSE BILLS**

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.

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

So the bill passed and its title was agreed to.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Olson, A. G.	Solon
Arnold	Frederick	Kowalczyk	Olson, H. D.	Spear
Ashbach	Gearty	Krieger	O'Neill	Stassen
Berg	Hansen, Baldy	Larson	Patton	Stokowski
Bernhagen	Hansen, Mel	Laufenburger	Perpich, A. J.	Tennessen
Brown	Hughes	Lord	Perpich, G.	Thorup
Chmielewski	Humphrey	McCutcheon	Pillsbury	Ueland
Coleman	Jensen	Milton	Purfeerst	Willet
Conzemius	Keefe, J.	Moe	Schaaf	
Davies	Keefe, S.	North	Schrom	
Doty	Kleinbaum	Ogdahl	Sillers	

Those who voted in the negative were:

Josefson	Novak	Olhoft	Olson, J. L.	Renneke
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So the bill passed and its title was agreed to.

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.

With the unanimous consent of the Senate, Mr. Frederick moved to amend H. F. No. 3202, the printed bill, as follows:

Page 1, after line 4, insert:

"Sec. 2. Notwithstanding the requirements of Minnesota Statutes 1971, Section 340.353, Subdivision 5, or any other law to the contrary, the city of Stewartville may issue two on-sale licenses for the sale of intoxicating liquor without discontinuing operation of its municipal on-sale or off-sale operations. The requirements as to type of premises to be licensed and voter approval as contained in section 340.353, subdivision 5, shall apply to the licenses issued pursuant to this section."

Renumber the sections in sequence

Page 1, line 5, before "This" insert "Section 1 of"

Page 1, after line 6, insert:

"Sec. 4. Section 2 of this act is effective upon approval by the city council of the city of Stewartville and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Further, amend the title as follows:

Page 1, first line, strike "city" and insert "cities" and after "Rapids" insert "and Stewartville"

The motion prevailed. So the amendment was adopted.

H. F. No. 3202 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 42 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	Olson, A. G.	Stassen
Ashbach	Gearty	Knutson	Olson, H. D.	Stokowski
Berg	Hughes	Kowalczyk	O'Neill	Tennessen
Brown	Humphrey	Krieger	Patton	Thorup
Chmielewski	Jensen	Lord	Perpich, A. J.	Ueland
Coleman	Josefson	Milton	Perpich, G.	Willet
Conzemius	Keefe, J.	Moe	Purfeerst	
Davies	Keefe, S.	North	Sillers	
Dunn	Kirchner	Ogdahl	Spear	

Those who voted in the negative were:

Arnold	Hansen, Baldy	Novak	Pillsbury	Solon
Bernhagen	Larson	Olhoft	Renneke	
Doty	Laufenburger	Olson, J. L.	Schaaf	

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

### MOTIONS AND RESOLUTIONS—CONTINUED

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

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

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 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 3394: A bill for an act relating to insurance; variable contracts; amending Minnesota Statutes, 1973 Supplement, Section 61A.17.

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

So the bill passed and its title was agreed to.

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.

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

So the bill passed and its title was agreed to.

#### 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. Ogdahl in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Ogdahl reported that the committee had considered S. F. Nos. 3479, 2635, 3406, 3061 and 3331, also H. F. No. 1136 which the committee recommends to pass.

H. F. No. 3533, which the committee recommends to pass with the following amendment offered by Mr. Brown:

Amend H. F. No. 3533, the printed bill, as follows:

Page 1, after line 6, insert:

"Sec. 2. Notwithstanding the provisions of Minnesota Statutes, Section 365.19, the governing body of the town of Forest Lake may levy in any one year a tax for fire protection authorized under Minnesota Statutes, Sections 365.15 to 365.18 in an amount determined to be adequate and reasonable, at the annual town meeting."

Page 1, line 7, strike "This act" and insert "Section 1"

Page 1, line 8, after "Backus" insert "and Section 2 upon its approval by the governing body of the town of Forest Lake;"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, third line, before the period insert "; and exempting the town of Forest Lake from limitation on levies made for fire protection"

S. F. No. 3175, which the committee recommends to pass with the following amendment offered by Mr. Milton:

Page 4, line 19, delete "No"

Page 4, delete lines 20 through 25.

Page 4, line 26, delete "*organization or any members thereof*"

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

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate on all proceedings on H. F. No. 951. The following Senators answered to their names:

Anderson	Dunn	Kowalczyk	Olson, H. D.	Solon
Arnold	Frederick	Krieger	Olson, J. L.	Spear
Berg	Gearty	Larson	O'Neill	Stassen
Bernhagen	Hansen, Baldy	Lord	Patton	Stokowski
Borden	Hansen, Mel	McCutcheon	Perpich, A. J.	Thorup
Brown	Humphrey	Milton	Perpich, G.	Ueland
Chenoweth	Jensen	Moe	Pillsbury	Willet
Coleman	Kirchner	Novak	Purfeerst	
Conzernius	Kleinbaum	Ogdahl	Renneke	
Davies	Knutson	Olson, A. G.	Schrom	

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



**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration designated H. F. No. 951, No. 112 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 951: A bill for an act relating to ethics in government; regulating lobbyists, conflicts of interest and election expenses and contributions; providing penalties; appropriating money; amending Minnesota Statutes 1971, Sections 211.01, Subdivision 3; 211.06; 211.20, Subdivision 3; 211.27, by adding a subdivision; and 290.06, by adding a subdivision; repealing Minnesota Statutes 1971, Sections 3.87; 3.88; 3.89; 3.90; 3.91; and 3.92.

Mr. Keefe, S. moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 6, line 27 after "of" insert "dues or"

Page 20, strike lines 14-21 and insert in lieu thereof the following:

"Subd. 2. Notwithstanding subdivision 1, any association may, if not prohibited by law, transfer to its political fund money from that part of its treasury financed by dues or membership fees. Pursuant to section 21, the source of the dues or membership fees must be disclosed if an aggregate amount in excess of \$50 of any member's dues, membership fees and voluntary contributions are transferred to the political fund within one year."

Mr. Knutson moved a substitute amendment to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 20, strike lines 14-21

Renumber the remaining subdivision.

The question being taken on the adoption of the substitute amendment,

Mr. Conzemius moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Ogdahl	Purfeerst
Berg	Hansen, Mel	Knutson	Olson, J. L.	Renneke
Bernhagen	Jensen	Kowalczyk	O'Neill	Sillers
Brown	Josefson	Krieger	Patton	Stassen
Dunn	Keefe, J.	Larson	Pillsbury	Ueland

Those who voted in the negative were:

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

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

Mr. Ashbach moved to amend the Keefe, S. amendment to H. F. No. 951, the unofficial engrossment, as follows:

Line 3 of subdivision 2, after "fees" and before the period, insert "provided such fees or dues are not required by law"

The question being taken on adoption of the amendment to the Keefe, S. amendment,

And the roll being called, there were yeas 23 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Olson, J. L.	Sillers
Berg	Hansen, Mel	Knutson	O'Neill	Stassen
Bernhagen	Jensen	Kowalczyk	Patton	Ueland
Brown	Josefson	Krieger	Pillsbury	
Dunn	Keefe, J.	Ogdahl	Renneke	

Those who voted in the negative were:

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

The motion did not prevail. So the amendment to the Keefe, S. amendment was not adopted.

The question recurred on the Keefe, S. amendment. The motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 36, line 1, strike "15" and insert in lieu thereof "12½"

Page 36, line 2, strike "four" and insert in lieu thereof "2½"

The question being taken on the adoption of the amendment,

Mr. Conzemius moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 45 and nays 14, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Olhoff	Renneke
Berg	Frederick	Kowalczyk	Olson, A. G.	Schaaf
Bernhagen	Hansen, Mel	Krieger	Olson, H. D.	Schrom
Brown	Hughes	Larson	Olson, J. L.	Sillers
Chenoweth	Jensen	Laufenburger	O'Neill	Spear
Chmielewski	Josefson	Lewis	Patton	Stassen
Conzemius	Keefe, J.	McCutcheon	Perpich, A. J.	Tennessee
Davies	Kirchner	Moe	Pillsbury	Thorup
Doty	Kleinbaum	Ogdahl	Purfeerst	Ueland

Those who voted in the negative were:

Anderson	Hansen, Baldy	Lord	Novak	Stokowski
Borden	Humphrey	Milton	Perpich, G.	Willett
Gearty	Keefe, S.	North	Solon	

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 36, after line 24, insert a new subdivision to read as follows:

"Subd. 6. In a year in which a candidate does not stand for election, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or his agents which shall result in the aggregate expenditure on behalf of the candidate in that year of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2."

Renumber the remaining subdivisions.

Mr. Brown moved a substitute amendment to amend H. F. No. 951 the unofficial engrossment as follows:

Page 35, strike line 19

Page 35, in line 20 strike "election no" and insert "Subd. 2. No"

The question being taken on the adoption of the substitute amendment,

Mr. Keefe, S. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 22 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Olson, J. L.	Stassen
Berg	Hansen, Mel	Knutson	O'Neill	Ueland
Bernhagen	Jensen	Kowalczyk	Patton	
Brown	Josefson	Krieger	Pillsbury	
Dunn	Keefe, J.	Ogdahl	Renneke	

Those who voted in the negative were:

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

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

The question recurred on the second Keefe, S. amendment. The motion prevailed. So the amendment was adopted.

Mr. Borden moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 45, line 28, strike "\$12.50" and insert "\$5"

Page 46, line 3, strike "\$25" and insert "\$10"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 42 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Lewis	Olson, A. G.	Spear
Arnold	Hansen, Baldy	Lord	Olson, H. D.	Stokowski
Berg	Hughes	McCutcheon	O'Neill	Tennessen
Borden	Humphrey	Milton	Perpich, A. J.	Thorup
Brown	Keefe, J.	Moe	Perpich, G.	Ueland
Chmielewski	Keefe, S.	North	Purfeerst	Willet
Coleman	Kirchner	Novak	Schaaf	
Conzemius	Kleinbaum	Ogdahl	Schrom	
Doty	Laufenburger	Olhoff	Solon	

Those who voted in the negative were:

Ashbach	Gearly	Josefson	Krieger	Pillsbury
Bernhagen	Hansen, Mel	Knutson	Olson, J. L.	Renneke
Frederick	Jensen	Kowalczyk	Patton	Stassen

The motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 36, line 5, strike "25" and insert "20"

Page 36, line 6, strike "25" and insert "20"

Mr. Dunn moved to amend the Conzemius amendment to H. F. No. 951, the unofficial engrossment, as follows:

Page 36, line 5, strike "20" and insert "15"

Page 36, line 6, strike "20" and insert "15"

The question being taken on adoption of the amendment to the Conzemius amendment,

And the roll being called, there were yeas 27 and nays 31, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Patton	Stassen
Ashbach	Hansen, Mel	Kowalczyk	Perpich, G.	Ueland
Berg	Jensen	Krieger	Pillsbury	Willet
Bernhagen	Josefson	Nelson	Renneke	
Brown	Keefe, J.	Olson, H. D.	Schrom	
Dunn	Kirchner	Olson, J. L.	Sillers	

Those who voted in the negative were:

Borden	Hughes	McCutcheon	Olson, A. G.	Stokowski
Chenoweth	Humphrey	Milton	O'Neill	Tennessen
Chmielewski	Keefe, S.	Moe	Perpich, A. J.	Thorup
Coleman	Kleinbaum	North	Purfeerst	
Davies	Laufenburger	Novak	Schaaf	
Doty	Lewis	Ogdahl	Solon	
Hansen, Baldy	Lord	Olhoft	Spear	

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

The question recurred on the Conzemius amendment.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 40 and nays 21, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Olhoft	Renneke
Ashbach	Frederick	Kleinbaum	Olson, A. G.	Schrom
Berg	Hansen, Mel	Knutson	Olson, H. D.	Sillers
Bernhagen	Hughes	Kowalczyk	Olson, J. L.	Spear
Brown	Jensen	Krieger	Patton	Stassen
Chenoweth	Josefson	Laufenburger	Perpich, G.	Thorup
Chmielewski	Keefe, J.	Moe	Pillsbury	Ueland
Conzemius	Keefe, S.	Novak	Purfeerst	Willet

Those who voted in the negative were:

Anderson	Gearty	McCutcheon	O'Neill	Tennessen
Borden	Hansen, Baldy	Milton	Perpich, A. J.	
Coleman	Humphrey	Nelson	Schaaf	
Davies	Lewis	North	Solon	
Doty	Lord	Ogdahl	Stokowski	

The motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 36, after line 6, insert a new subdivision as follows:

"Subd. 3. When an incumbent seeks reelection to an office to which he has previously been elected, the spending limitation imposed by subdivision 2 shall be reduced by 10 percent for that incumbent. The provisions of this subdivision are not applicable if a candidate opposing the incumbent has held an elected public office during the four years prior to the election in a district which includes more than 40 percent of the population of the district in which the incumbent is a candidate."

Renumber the remaining subdivisions

The question being taken on the adoption of the amendment,

Mr. Perpich, G. moved that those not voting be excused from voting.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 50 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kleinbaum	Olhoff	Schrom
Arnold	Dunn	Krieger	Olson, A. G.	Sillers
Ashbach	Frederick	Laufenburger	Olson, H. D.	Solon
Bernhagen	Gearty	Lewis	Olson, J. L.	Spear
Borden	Hansen, Baldy	Lord	O'Neill	Stassen
Brown	Hughes	McCutcheon	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Moe	Pillsbury	Tennessee
Coleman	Keefe, J.	Nelson	Purfeerst	Thorup
Conzemius	Keefe, S.	Novak	Renneke	Ueland
Davies	Kirchner	Ogdahl	Schaaf	Willet

Those who voted in the negative were:

Hansen, Mel	Josefson	Knutson	Kowalczyk	Perpich, G.
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The motion prevailed.

And the roll being called, there were yeas 29 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Mel	Krieger	Olson, H. D.	Schaaf
Bernhagen	Josefson	Larson	Olson, J. L.	Schrom
Brown	Keefe, J.	Lord	O'Neill	Sillers
Conzemius	Kirchner	Nelson	Patton	Stassen
Dunn	Knutson	North	Pillsbury	Ueland
Frederick	Kowalczyk	Ogdahl	Renneke	

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Olhoff	Tennessee
Arnold	Doty	Laufenburger	Olson, A. G.	Thorup
Berg	Gearty	Lewis	Perpich, A. J.	Willet
Borden	Hansen, Baldy	McCutcheon	Perpich, G.	
Chenoweth	Hughes	Milton	Purfeerst	
Chmielewski	Humphrey	Moe	Solon	
Coleman	Keefe, S.	Novak	Stokowski	

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

Mr. Ashbach moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 46, after line 5, insert:

"Sec. 39. Minnesota Statutes 1971, Chapter 211, is amended by adding a section to read:

[211.031] [RIGHT TO ADVERTISE.] *Every candidate for public office shall have the right to advertise in any newspaper published within this state, the circulation of which exceeds 1,000 copies, which accepts paid advertising from any candidate.*"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 7, after "1971" insert "Chapter 211 by adding a section; and"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 2, line 7, strike "\$50" and insert "\$25"

Page 13, line 27, strike "\$50" and "\$25"

Page 20, line 20, strike "\$50" and insert "\$25"

Page 27, line 25, strike "\$50" and insert "\$25"

Page 28, line 22, strike "\$50" and insert "\$25"

Page 28, line 27, strike "\$50" and insert "\$25"

The question being taken on adoption of the amendment,

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

Those who voted in the affirmative were:

Berg	Hansen, Mel	Knutson	O'Neill	Sillers
Bernhagen	Jensen	Kowalczyk	Patton	Spear
Brown	Josefson	Lord	Perpich, A. J.	Stassen
Doty	Keefe, J.	Nelson	Pillsbury	Ueland
Dunn	Keefe, S.	North	Renneke	
Frederick	Kirchner	Olson, J. L.	Schrom	

Those who voted in the negative were:

Anderson	Conzemius	Kleinbaum	Ogdahl	Schaaf
Arnold	Davies	Laufenburger	Olhoff	Solon
Borden	Gearty	Lewis	Olson, A. G.	Stokowski
Chenoweth	Hansen, Baldy	McCutcheon	Olson, H. D.	Tennessen
Chmielewski	Hughes	Moe	Perpich, G.	Thorup
Coleman	Humphrey	Novak	Purfeerst	Willet

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

Mr. Keefe, J. moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 20, line 28, strike "\$20" and insert "\$10"

Page 21, line 3, strike "\$20" and insert "\$10"

Page 23, line 4, strike "\$20" and insert "\$10"

Page 23, line 9, strike "\$20" and insert "\$10"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 34, as follows:

Those who voted in the affirmative were:

Bernhagen	Hughes	Lord	O'Neill	Stassen
Brown	Jensen	Nelson	Patton	Ueland
Dunn	Keefe, J.	North	Pillsbury	
Frederick	Kirchner	Olson, H. D.	Sillers	
Hansen, Mel	Knutson	Olson, J. L.	Spear	

Those who voted in the negative were:

Anderson	Davies	Kowalczyk	Ogdahl	Schrom
Arnold	Doty	Krieger	Olhoft	Solon
Borden	Gearty	Laufenburger	Olson, A. G.	Stokowski
Chenoweth	Hansen, Baldy	Lewis	Perpich, A. J.	Tennessen
Chmielewski	Humphrey	McCutcheon	Perpich, G.	Thorup
Coleman	Keefe, S.	Moe	Purfeerst	Willet
Conzemius	Kleinbaum	Novak	Schaaf	

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

Mr. Hansen, Mel moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 37, line 23, after "No" insert the following:

"political committee or political fund except a political party or the principal campaign committee of a candidate shall make an expenditure on behalf of or in opposition to the opponent of a candidate. A political committee or a political fund may transfer funds to a political party or the principal campaign committee of a candidate in an amount not in excess of 10 percent of the amount that may be spent by the candidate. Nothing contained in this subdivision shall prohibit the right of a political committee or a political fund to expend money to advocate ideas or causes so long as that advocacy does not mention the name of a single political party or less than six candidates.

Subd. 2. No natural person shall make expenditures on behalf of a candidate in excess of \$100. A natural person may transfer funds to a political party or the principal campaign committee of the candidate in an amount not in excess of 5 percent of the amount that may be spent by such candidate. Nothing contained in this subdivision shall prohibit the right of a natural person to expend money to advocate ideas or causes so long as such advocacy does not mention the name of a single political party or less than six candidates."

Renumber the subdivisions accordingly

Page 37, strike lines 24 through 28

Page 38, strike lines 1 and 2

Mr. Tennessen moved a substitute amendment to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 29, strike lines 19 to 27 and renumber the remaining subdivisions

Page 37, line 24, strike the first comma and insert in lieu thereof "and"



Page 37, line 24, strike “, or individual”

Page 37, line 24, after “except” insert “the candidate,”

Page 39, line 23, after the brackets insert “Subdivision 1.”

Page 39, after line 26, insert:

“Subd. 2. Any person who circumvents or conspires to circumvent the disclosure provisions or spending limitations of sections 12 to 30 by falsely alleging that he is independent from the candidate or the candidate’s agents is guilty of a felony.

Subd. 3. Any candidate or agent of a candidate who seeks to circumvent the disclosure provisions or spending limitations of sections 12 to 30 by conspiring with another person is guilty of a felony.”

The question being taken on adoption of the substitute amendment,

And the roll being called, there were yeas 17 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Lewis	Sillers	Thorup
Borden	Doty	Moe	Spear	
Coleman	Jensen	Novak	Stassen	
Conzemius	Laufenburger	Olson, A. G.	Tennessen	

Those who voted in the negative were:

Berg	Hansen, Mel	Krieger	Olson, H. D.	Renneke
Bernhagen	Hughes	Lord	Olson, J. L.	Schaaf
Brown	Humphrey	McCutcheon	O'Neill	Schrom
Chenoweth	Keefe, J.	Milton	Patton	Stokowski
Dunn	Keefe, S.	Nelson	Perpich, A. J.	Ueland
Frederick	Kirchner	North	Perpich, G.	Willet
Gearty	Knutson	Ogdahl	Pillsbury	
Hansen, Baldy	Kowalczyk	Olhoft	Purfeerst	

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

The question recurred on the Hansen, Mel amendment.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 11 and nays 41, as follows:

Those who voted in the affirmative were:

Bernhagen	Hansen, Mel	Krieger	Patton	Renneke
Brown	Keefe, J.	Ogdahl	Pillsbury	Ueland
Frederick				

Those who voted in the negative were:

Berg	Hansen, Baldy	Lord	Olson, H. D.	Stassen
Borden	Hughes	McCutcheon	Olson, J. L.	Stokowski
Chenoweth	Humphrey	Milton	O'Neill	Tennessen
Coleman	Keefe, S.	Moe	Perpich, A. J.	Thorup
Conzemius	Kirchner	Nelson	Perpich, G.	Willet
Davies	Knutson	North	Purfeerst	
Doty	Kowalczyk	Novak	Schaaf	
Dunn	Laufenburger	Olhoft	Sillers	
Gearty	Lewis	Olson, A. G.	Spear	

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

Mr. Pillsbury moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 45, line 27, strike "*a taxpayer*" and insert "*an individual*"

Page 45, line 27, before "*credit*" insert "*refundable*"

Page 45, line 27, strike "*against the tax due under*"

Page 45, line 28, strike "*chapter 290*"

Page 46, line 3, before "*For*" insert "*An individual need not have a tax liability to claim this credit.*"

The question being taken on adoption of the amendment,

Mr. Keefe, S. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 27 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kowalczyk	O'Neill	Spear
Berg	Hansen, Mel	Krieger	Patton	Stassen
Bernhagen	Josefson	Lord	Pillsbury	Ueland
Brown	Keefe, J.	Nelson	Renneke	
Doty	Kirchner	Ogdahl	Schaaf	
Dunn	Knutson	Olson, J. L.	Sillers	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Tennessen
Arnold	Gearty	McCutcheon	Olson, H. D.	Thorup
Borden	Hughes	Milton	Perpich, A. J.	Willet
Chenoweth	Humphrey	Moe	Perpich, G.	
Chmielewski	Keefe, S.	North	Purfeerst	
Coleman	Kleinbaum	Novak	Schrom	
Conzemius	Laufenburger	Olhoff	Stokowski	

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

Mr. Pillsbury moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 2, line 19, strike "36" and insert "32"

Page 6, line 15, strike "and which provides that the signators desire to"

Page 6, strike lines 16 and 17

Page 6, line 18, strike "parties"

Page 8, line 25, strike "36" and insert "32"

Page 10, line 1, strike "36" and insert "32"

Page 10, line 7, strike "36" and insert "32"

Page 10, line 25, strike "36" and insert "32"

Page 11, line 1, strike "36" and insert "32"

Page 11, line 7, strike "36" and insert "32"

Page 11, line 8, strike "36" and insert "32"

Page 11, line 12, strike "36" and insert "32"

Page 12, line 3, strike "36" and insert "32"

Page 12, line 10, strike "36" and insert "32"

Page 19, line 17, strike "and transfers from the state election"

Page 19, line 18, strike "campaign fund"

Page 23, line 6, after "general" insert "fund of the state."

Page 23, strike line 7

Page 32, line 6, strike "36" and insert "32"

Page 39, line 21, strike "account" and insert "fund"

Page 39, line 22, strike "elections campaign fund"

Page 39 to 45, strike sections 32 to 35

Page 45, line 12, strike "36" and insert "32"

Page 45, line 16, strike "36" and insert "32"

Page 45, line 18, strike "36" and insert "32"

Re-number the sections in sequence

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 27 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Berg	Frederick	Knutson	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Ueland
Brown	Jensen	Krieger	Patton	
Conzemius	Josefson	Larson	Pillsbury	
Davies	Keefe, J.	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Gearty	McCutcheon	Olson, A. G.	Spear
Arnold	Hughes	Milton	Olson, H. D.	Stokowski
Borden	Keefe, S.	Moe	Perpich, A. J.	Tennessee
Chenoweth	Kleinbaum	North	Perpich, G.	Thorup
Coleman	Laufenburger	Novak	Purfeerst	Willet
Doty	Lewis	Olhoff	Schaaf	

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

Mr. Hughes moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 37, line 7, strike "1/67 of the total population of the state" and insert "the population of each senatorial election district"

Page 37, line 9, strike "1/134 of the total population of the state" and insert "one-half of the population of the senatorial election district in which it lies"

Page 37, line 12, after "state" insert "and of each senatorial and house election district"

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

Mr. Berg moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 38, line 6, strike "40" and insert "20"

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

Mr. Berg moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 38, line 2, after "26" insert "; provided, however, an independent candidate may expend on behalf of his own candidacy up to 30 percent of the amount that may be spent by or on behalf of that candidacy"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Mel	Olson, H. D.	Renneke	Tennessen
Berg	Jensen	Olson, J. L.	Schaaf	Ueland
Borden	Josefson	O'Neill	Sillers	
Brown	Kirchner	Patton	Spear	
Davies	Nelson	Pillsbury	Stassen	

Those who voted in the negative were:

Anderson	Hughes	Krieger	North	Schrom
Arnold	Humphrey	Laufenburger	Novak	Thorup
Chenoweth	Keefe, J.	Lewis	Ogdahl	Willet
Coleman	Keefe, S.	Lord	Olhoft	
Conzemius	Kleinbaum	McCutcheon	Perpich, A. J.	
Dunn	Knutson	Milton	Perpich, G.	
Gearty	Kowalczyk	Moe	Purfeerst	

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

Mr. Chenoweth moved to amend the Ashbach amendment to H. F. No. 951, the unofficial engrossment, as follows:

In the amendment to page 46, before "Every" insert "Subdivision 1."

After the line ending with "candidate." insert:

*"Subd. 2. Every newspaper published within the state, the circulation of which exceeds 1,000 copies and which accepts paid advertising from any candidate, shall provide a rate for an advertisement by or on behalf of a candidate which does not exceed the lowest rate charged any other advertiser."*

The motion prevailed. So the amendment was adopted.

Mr. Stassen moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 46, line 5, after "4" insert *"and 'political party' means those political parties defined in section 2, subdivision 15"*

The motion prevailed. So the amendment was adopted.

Mr. O'Neill moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 39, line 27, strike "Subdivision"

Page 39, line 28, strike "1."

Page 40, strike lines 3, 4 and 5

Page 40, strike lines 14, 15 and 16

Renumber the remaining subdivisions

Page 40, line 22, strike the last "of"

Page 40, line 23, strike "the party of your choice"; strike "state" and insert "statewide"

Page 40, line 27, strike all the language after the quotation mark

Page 40, strike line 28

Page 41, line 2, strike "state" and insert "statewide"

Page 41, line 3, strike "boxes" and insert "a box"

Page 41, line 4, after "marked" insert a period and strike the remainder of the line

Page 41, strike lines 5 to 12

Page 41, line 15, strike "the appropriate account in"

Page 41, line 16, strike "annually"

Page 41, line 17, strike "5, 6, and 7" and insert "4 and 5"

Page 41, strike lines 18 to 28

Page 42, strike lines 1 to 9 and insert:

"Subd. 4. In each fiscal year, the moneys in the statewide elections campaign fund shall be set aside as follows:

(a) 40 percent to the candidates for governor and lieutenant governor jointly;

(b) 24 percent to the candidate for attorney general; and

(c) 12 percent each to the candidates for secretary of state, state treasurer and state auditor."

Page 42, line 10, strike "(d)" and insert "Subd. 5."

Page 42, line 13, strike "general account" and insert "state elections campaign fund"

Page 42, line 14, strike "clause (b)" and insert "subdivision 4"

Page 42, strike lines 18 to 28

Page 43, strike lines 1 to 28

Page 44, strike lines 1 to 9

Page 44, strike line 28

Page 45, strike lines 1 to 5

Page 45, line 7, strike "and primary"

Page 45, line 8, strike "elections preceding general elections"

Page 45, line 8, after "include" insert "primary elections,"

The question being taken on adoption of the amendment,

Mr. Keefe, S. moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 25 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knutson	Ogdahl	Renneke
Berg	Jensen	Kowalczyk	Olson, J. L.	Schrom
Bernhagen	Josefson	Krieger	O'Neill	Sillers
Brown	Keefe, J.	Larson	Patton	Stassen
Davies	Kirchner	Nelson	Pillsbury	Ueland

Those who voted in the negative were:

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

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

Mr. Brown moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 46, after line 5, insert the following:

*"Any taxpayer taking this credit shall attach to his individual income tax form a receipt or receipts substantiating his claim. A canceled check is acceptable as a receipt."*

The motion prevailed. So the amendment was adopted.

Mr. Brown moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 12, after line 28, add a new subdivision 3 to read as follows:

*"Subd. 3. No registered lobbyist shall make a contribution to a candidate, political committee or political fund."*

Page 13, line 26, strike "excluding"

Page 13, line 27, strike "contributions to a candidate,"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 22 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, J.	Olson, J. L.	Stassen
Berg	Frederick	Kirchner	Patton	Ueland
Bernhagen	Hansen, Mel	Krieger	Pillsbury	
Brown	Jensen	Larson	Renneke	
Conzemius	Josefson	Nelson	Sillers	

Those who voted in the negative were:

Anderson	Gearty	Lewis	Olhoft	Schrom
Arnold	Hughes	Lord	Olson, A. G.	Spear
Borden	Humphrey	McCutcheon	Olson, H. D.	Stokowski
Chenoweth	Keefe, S.	Milton	O'Neill	Tennessee
Chmielewski	Kleinbaum	Moe	Perpich, A. J.	Thorup
Coleman	Knutson	North	Perpich, G.	Willet
Davies	Kowalczyk	Novak	Purfeerst	
Doty	Laufenburger	Ogdahl	Schaaf	

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

Mr. O'Neill moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 37, line 26, after "of" insert "or in opposition to the opponent of"

The motion prevailed. So the amendment was adopted.

Mr. Jensen moved to amend H. F. No. 951, the unofficial engrossment, as follows:

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

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 7, the terms defined in this section have the meanings given them.

Subd. 2. "Candidate" means an individual who files for election in any primary or general election for the office of senator or representative in congress, a constitutional office of this state, the office of state senator or state representative, county offices, or municipal offices in municipalities having more than 20,000 inhabitants.

Subd. 3. "Contribution" means:

(a) A gift, subscription, advance, deposit of money or anything of value. Loans of money shall be considered as contributions for reporting purposes;

(b) A contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution;

(c) A transfer of funds between political committees; or

(d) Any amounts paid to any person for services performed, or to be performed, in connection with the election of a candidate.

**Sec. 2. [REPORTS BY CANDIDATES OF TOTAL CONTRIBUTIONS.]** Each candidate shall make a report of contributions which shall disclose:

(a) The total dollar amount of contributions made to the candidate and to all committees promoting the election of the candidate. The candidate filing the report shall include all contributions to himself and to all committees known to the candidate to be working in his behalf whether or not they are personal campaign committees. If a committee working on behalf of the candidate refuses to disclose this information to the candidate he shall state this fact in his report; and

(b) The name, address and amount of each person or organization who made a contribution of more than \$50 to the candidate or any committee working in his behalf.

**Sec. 3. [REPORT OF DISBURSEMENTS.]** Each candidate shall make a report of disbursements which shall disclose the name of the person to whom the disbursement is made, the purpose for which it was made, the date when made and the total disbursements. The report shall also include an itemized list of unpaid commitments.

**Sec. 4. [SIGNING AND FILING REPORTS.]** Reports of contributions and disbursements shall be signed by the candidate and filed with the secretary of state on or before 15 days prior to the general election and on January 5 of each year following the general election. The report due 15 days prior to the general election shall include contributions and disbursements made from January 1 to 20 days prior to the general election. The report due on January 5 of each year thereafter shall include all contributions received or disbursements made during the preceding year. Such reports shall be filed by both the successful candidate and the defeated candidates until the end of that term of office for which the person filed.

**Sec. 5. [REPORTS OF ORGANIZATIONS.]** Any organization of any kind making contributions to any candidate as defined herein, political party, or other organization for the purpose of influencing or supporting the election of any candidate or group of candidates shall report the contributions made to the organization during each calendar year. The report shall be filed on or before January 5. The report shall include the name of the organization, the officers, and the persons who made the decisions as to the distribution of funds to candidates or organizations. The report shall indicate what organization it is affiliated with, the method by which the funds were obtained, and the name and address of each person who made a contribution. The report shall include the amount of each contribution made to any candidate or committee and the date the contribution was made. Any organization making disbursements on behalf of, or in opposition to, any candidate shall include in the report an itemized statement of such disbursements.

**Sec. 6. [FILING REPORTS.]** Each report required herein shall be made on forms provided by the secretary of state, shall be



filed with the secretary of state during the hours in which the office of the secretary of state is open for business, and shall be filed on or before the date on which the report is due. Whenever a reporting date falls on a day on which the office of the secretary of state is closed, the report shall be due on the next day on which that office is open for business.

Sec. 7. [VIOLATIONS.] Any person violating any provisions of this act shall be guilty of a gross misdemeanor. The filing officer of any candidate shall refuse to accept the filing for election or re-election in any subsequent year by any person who has failed to file any past reports required herein.

Sec. 8. [REPORTS; DUE DATE.] The first reports required by state senators, United States senators, and organizations covered by sections 1 to 7 shall be those due January 5, 1975. The first reports by all other candidates or other officeholders covered by sections 1 to 7 shall be those due October 20, 1974.

Sec. 9. [EFFECTIVE DATE.] This act shall take effect on the day following final enactment.

Sec. 10. Minnesota Statutes 1971, Sections 211.06, 211.16, 211.17, 211.20, 211.25, are repealed."

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

"A bill for an act relating to elections; disclosure of campaign contributions and expenditures; providing penalties; repealing Minnesota Statutes 1971, Sections 211.06; 211.16; 211.17; 211.20; and 211.25."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 19 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Jensen	Kowalczyk	Patton	Stassen
Bernhagen	Josefson	Krieger	Pillsbury	Thorup
Brown	Kirchner	Larson	Renneke	Ueland
Frederick	Knutson	Olson, J. L.	Sillers	

Those who voted in the negative were:

Arnold	Doty	Laufenburger	Novak	Purfeerst
Berg	Dunn	Lewis	Ogdahl	Schaaf
Borden	Gearty	Lord	Olhoft	Schrom
Chenoweth	Hansen, Mel	McCutcheon	Olson, A. G.	Spear
Chmielewski	Hughes	Milton	Olson, H. D.	Stokowski
Coleman	Humphrey	Moe	O'Neill	Tennessee
Conzemius	Keefe, S.	Nelson	Perpich, A. J.	Willett
Davies	Kleinbaum	North	Perpich, G.	

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

Mr. Kirchner moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 23, line 17, strike "five" and insert "15"

The motion prevailed. So the amendment was adopted.

Mr. Stassen moved to amend H. F. No. 951, the unofficial engrossment, as follows:

Page 40, line 8, strike "whose" and insert "having"

Page 40, line 9, strike "is \$1"

Page 40, line 10, strike "or more"

Page 40, line 10, strike "designate that \$1 shall be paid" and insert "elect to pay an additional \$1 in Tax"

Page 40, line 12, strike "of \$2 or"

Page 40, line 13, strike "more"

Page 40, line 13, strike "designate that" and insert "elect to pay an additional"

Page 40, line 13, strike "shall be paid" and insert "in Tax"

Page 40, line 21, strike "allocate" and insert "pay an additional"

Page 40, line 22, strike "your"

Page 40, line 22, strike "to" and insert "for"

Page 40, line 24, strike "not"

Page 40, line 24, before "\$1" insert "an additional"

Page 41, line 2, before "\$1" insert "an additional"; strike "of" and insert "be added to"

The question being taken on adoption of the amendment,

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

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Ogdahl	Sillers
Berg	Frederick	Knutson	Olson, J. L.	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Tennessen
Brown	Jensen	Krieger	Patton	Ueland
Conzemius	Josefson	Larson	Pillsbury	
Davies	Keefe, J.	Nelson	Renneke	

Those who voted in the negative were:

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

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

H. F. No. 951 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,

Mr. Conzemius moved that those not voting be excused from voting.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 32 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	Olson, A. G.	Spear
Arnold	Doty	Laufenburger	Olson, H. D.	Stokowski
Berg	Gearty	Lewis	Perpich, A. J.	Tennessen
Borden	Hansen, Mel	Lord	Perpich, G.	Thorup
Chenoweth	Hughes	McCutcheon	Purfeerst	
Chmielewski	Humphrey	Milton	Schaaf	
Coleman	Keefe, S.	Olhoft	Schrom	

Those who voted in the negative were:

Ashbach	Kirchner	Nelson	Patton	Ueland
Bernhagen	Knutson	Novak	Pillsbury	Willet
Dunn	Kowalczyk	Ogdahl	Renneke	
Jensen	Krieger	Olson, J. L.	Sillers	
Keefe, J.	Larson	O'Neill	Stassen	

The motion prevailed.

And the roll being called, there were yeas 52 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Knutson	Olhoft	Schrom
Arnold	Dunn	Kowalczyk	Olson, A. G.	Spear
Ashbach	Frederick	Laufenburger	Olson, H. D.	Stassen
Berg	Gearty	Lewis	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Lord	O'Neill	Tennessen
Borden	Hughes	McCutcheon	Patton	Thorup
Brown	Humphrey	Milton	Perpich, A. J.	Ueland
Chenoweth	Keefe, J.	Nelson	Perpich, G.	Willet
Chmielewski	Keefe, S.	North	Purfeerst	
Coleman	Kirchner	Novak	Renneke	
Conzemius	Kleinbaum	Ogdahl	Schaaf	

Those who voted in the negative were:

Jensen	Josefson	Krieger	Larson	Sillers
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So the bill, as amended, passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that S. F. No. 2954, No. 114 on General Orders, be stricken and placed on the Calendar of Ordinary Matters. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 9:30 o'clock a.m., Monday, March 11, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.