

## ONE HUNDRED FOURTH DAY

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

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

## CALL OF THE SENATE

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

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

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

Prayer by the Chaplain.

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

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

Quorum present.

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

## MEMBERS EXCUSED

Messrs. Blatz, Schaaf and Knutson were excused from the Session of today. Mr. Nelson was excused from the early part of

today's Session. Mr. Solon was excused from the Session of today until 10:00 o'clock a.m.

#### EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 26, 1974

The Honorable Alec Olson  
President of the Senate  
State of Minnesota

Dear Sir:

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

Harry Munger, 2921 North 22nd Avenue West, Duluth, St. Louis County, has been appointed by me to the Tax Court, effective February 25, 1974, for a term expiring March 1, 1979.

Sincerely,  
Wendell R. Anderson, Governor

March 6, 1974

The Honorable Alec Olson  
President of the Senate  
State of Minnesota

Dear Sir:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

David Lieberman, 4721 East Lake Harriet Boulevard, Minneapolis, Hennepin County, has been appointed by me to the State Board of Human Rights, effective January 1, 1973, for a term expiring January 1, 1976.

Rita Keyes, 116 2nd Avenue S.W., Pipestone, Pipestone County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Andrew Haines, East First National Bank Building, St. Paul, Ramsey County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Clarence Harris, 1579 Grand View Avenue East, North St. Paul, Ramsey County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Dulcie Alfton, 1814 - 11th Avenue South, Minneapolis, Hennepin County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

John Redhorse, Legal Rights Center, 808 East Franklin, Minneapolis, Hennepin County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Chuck Lilligren, 1156 Andover Boulevard N.E., Anoka, Anoka County, has been appointed by me to the State Board of Human Rights, effective January 1, 1974, for a term expiring January 1, 1977.

Elizabeth Gurno, 171 Reservation Road, Cloquet, Carlton County, has been appointed by me to the State Board of Human Rights, effective March 6, 1974, for a term expiring January 1, 1977.

Sincerely,  
Wendell R. Anderson, Governor

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

March 7, 1974

The Honorable Alec Olson  
President of the Senate  
State of Minnesota

Dear Sir:

I have received and accepted the resignation of Harry Munger from the Cable Communications Commission. Therefore, I respectfully request that his name be removed from Senate consideration.

Sincerely,  
Wendell R. Anderson, Governor

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

#### INTRODUCTION OF BILLS

Messrs. Nelson, Krieger and Berg introduced—

S. F. No. 3564: A bill for an act creating an office of special prosecutor in the office of the attorney general of the state of Minnesota to investigate allegations of illegal corporate campaign contributions; appropriating money.

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

Mr. Chmielewski introduced—

S. F. No. 3565: A bill for an act relating to trade regulations; prohibiting reproductions of recorded material unless done in compliance with applicable federal statutes; amending Minnesota Statutes, 1973 Supplement, Section 325.841; repealing Minnesota Statutes, 1973 Supplement, Section 325.842.

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

Mr. Chmielewski introduced—

S. F. No. 3566: A bill for an act relating to highways; adding

new routes to the trunk highway system; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing that such discontinued route and any eliminated portion of the route substituted for be part of the county state-aid highway system.

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

Messrs. Stassen, Chenoweth and Moe introduced—

S. F. No. 3567: A bill for an act relating to charitable organizations; solicitation; limitations and prohibitions; amending Minnesota Statutes, 1973 Supplement, Section 309.55, Subdivision 5; and Minnesota Statutes 1971, Section 309.55, by adding a subdivision.

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

Mr. Arnold introduced—

S. F. No. 3568: A bill for an act relating to retirement; military service credit of members of the teachers retirement fund; amending Minnesota Statutes, 1973 Supplement, Sections 354.38, Subdivisions 1 and 3; and 354.53, Subdivisions 1 and 3.

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

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

S. F. No. 3569: A bill for an act relating to taxation; providing for assessment of certain omitted property; amending Minnesota Statutes 1971, Section 273.02, by adding a subdivision.

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

#### MESSAGES FROM THE HOUSE

Mr. President:

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

H. F. Nos. 2477, 2930, 3422, 3436, 3506, 3507 and 2525.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 12, 1974

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 892, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 892: A bill for an act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

H. F. No. 892 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1974

**CONFERENCE COMMITTEE REPORT ON H. F. NO. 892**

A bill for an act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

March 7, 1974

Honorable Martin O. Sabo  
Speaker of the House of Representatives

Honorable Alec G. Olson  
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 892, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments placed on H. F. No. 892 on May 7, 1973 and that H. F. No. 892 be repassed.

We request adoption of this report and repassage of the bill in accordance therewith.

House Conferees: (Signed) Jerry Knickerbocker, Gary W. Laidig, Jack LaVoy.

Senate Conferees: (Signed) Mel Frederick, John M. Patton, Roger Laufenburger.

Mr. Frederick moved that the foregoing recommendations and Conference Committee Report on H. F. No. 892 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 892: A bill for an act relating to labor, veterans; encouraging the employment of Vietnam-era veterans by requiring the listing of job openings with the department of manpower services.

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

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

And the roll being called, there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### FIRST READING OF HOUSE BILLS

H. F. No. 2477: A bill for an act relating to water pollution control; authorizing municipalities to let individual contracts for the joint design and construction of sewage treatment facilities.

H. F. No. 2930: A bill for an act relating to the city of Brooklyn Park; appropriating funds for special assessments levied by the city against property of the North Hennepin community college.

H. F. No. 3422: A bill for an act relating to the establishment of a new route to the Minnesota trunk highway system to serve the Minnesota zoological garden in Dakota county, Minnesota; appropriating money therefor; establishing deadlines for construction thereof.

H. F. No. 3436: A bill for an act relating to the state building code; adopting the uniform fire code.

H. F. No. 3506: A bill for an act relating to the department of public safety, advancing the availability of appropriations for license plates, and appropriating additional moneys therefor.

H. F. No. 3507: A bill for an act relating to education; education planning innovative developmental evaluative services and programs; modifying certain appropriations; amending Minnesota Statutes 1971, Section 3.926, Subdivision 2; and Laws 1973, Chapter 768, Section 2, Subdivisions 4, and 7.

H. F. No. 2525: A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter

438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371 as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55, as amended by Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapter 236, 237, 238, 373, 451, 497, 523 and Extra

Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35 as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556 as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and 611, and Chapter 851, as amended by Laws 1973, Chapter 695, 950 as amended by Laws 1973, Chapter 372, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

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

#### REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk, with the exception of S. F. No. 3109, be now adopted. The motion prevailed.

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

H. F. No. 3479: A bill for an act relating to retirement; benefits payable to certain retired elected state officials.

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

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

S. F. No. 3210: A bill for an act relating to taxation; extending option to employ certified assessor; amending Minnesota Statutes, 1973 Supplement, Section 270.493.

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

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

S. F. No. 3277: A bill for an act relating to taxation; disallow-



ing certain interest costs to determine occupation tax due; amending Minnesota Statutes 1971, Section 298.03.

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

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

H. F. No. 2923: A bill for an act relating to reimbursement of nonpublic school pupil expenditures in certain cases; amending Minnesota Statutes 1971, Section 290.086, by adding a subdivision.

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

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

H. F. No. 2670: A bill for an act relating to taxation; providing for notice of valuation of real property; amending Minnesota Statutes 1971, Section 273.121.

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

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

H. F. No. 1403: A bill for an act relating to the state building code; authorizing municipalities to impose certain fire prevention standards; amending Minnesota Statutes 1971, Section 16.851.

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

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

S. F. No. 3109: A bill for an act relating to the capitol area architectural and planning commission, redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1 and 2, and by adding a subdivision; 16.02, Subdivisions 5, 6, 9, 10, 14, and 25; 16.025, Subdivision 1; 16.22; 16.23; 16.25; 16.32, by adding a subdivision; 16.72, by adding a subdivision; 16.82, Subdivision 1; 138.53, by adding a subdivision; 138.68; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; and 138.67, Subdivision 3.

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

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

"Section 1. Minnesota Statutes 1971, Section 15.50, Subdivision 1, is amended to read:

15.50 [CAPITOL AREA ARCHITECTURAL AND PLANNING COMMISSION.] Subdivision 1. (a) The legislature finds that the purposes of the commission are to (1) preserve the dignity and , beauty and architectural integrity of the capitol and , the buildings immediately adjacent to it and the capitol grounds ; (2) protect, enhance, and increase the open spaces within the capitol area when deemed necessary and desirable for the improvement of the public enjoyment thereof ; (3) develop proper approaches to the capitol area for pedestrian movement, the highway system, and mass transit system so that the area achieves its maximum importance and accessibility; and (4) establish a flexible framework for growth of the capitol buildings which will be in keeping with the spirit of the original design.

(b) A capitol area architectural and planning commission, herein referred to as the commission, consisting of seven members is hereby created. The ~~governor~~ lieutenant governor shall be a member of the commission. Three members shall be appointed by the governor, at least two of whom shall not be residents of Ramsey county, by and with the advice and consent of the senate; three members shall be appointed by the mayor of the city of Saint Paul, with the advice and consent of the city council. Each person appointed to the commission shall qualify by taking the oath of office.

(c) The term of all appointed members of the commission is four years ; ~~except that one of the members first appointed by the governor and one of the members first appointed by the mayor shall be appointed for terms of two years. Thereafter the terms of such appointees shall be for four years.~~ Vacancies in any office shall be filled by the appointing authority and for the unexpired term. The term of the first members of the commission shall ~~commence on July 1, 1967.~~

(d) The ~~governor~~ lieutenant governor is the chairman of the commission. The attorney general is the legal advisor to the commission. The commission may elect a vice chairman who may preside at meetings in the absence of the ~~governor~~ lieutenant governor and such other officers as it may deem necessary to carry out its duties.

(e) The commission shall select an executive secretary to serve the commission. It may employ such other officers and employees as it may deem necessary all of whom shall be in the classified service of the state civil service. The commission may contract for professional and other similar service on such terms as it may deem desirable.

(f) The members of the commission shall serve without compensation, but each shall be reimbursed for his expenses incurred in the performance of his duties , not including the chairman, shall receive upon application a sum of \$35 each for each day on which they are in attendance at meetings of the commission.

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, is amended to read:

Subd. 2. (a) The commission shall prepare, prescribe, and from time to time amend a comprehensive use plan for the capitol area, herein called the area which shall initially consist of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of the centerline of the Arch-Pennsylvania freeway and the centerline of Marion Street, thence southerly along the centerline of Marion Street to the north line of the right-of-way of Interstate Highway 94, thence easterly along the said north line to the centerline of Cedar Avenue, thence southeasterly along the centerline of Cedar Avenue to the centerline of Tenth Street, thence northeasterly along the centerline of Tenth Street to the centerline of Minnesota Street, thence northwesterly along the centerline of Minnesota Street to the centerline of Eleventh Street, thence northeasterly along the centerline of Eleventh Street to the centerline of Jackson Street, thence northwesterly along the centerline of Jackson Street to the centerline of the Arch-Pennsylvania freeway extended, thence westerly along the centerline of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin. Pursuant to the comprehensive plan, or any portion thereof, the commission may regulate, by means of zoning regulations adopted pursuant to the administrative procedures act, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. The violation of such zoning regulations shall be a misdemeanor. The commission may, at its option, proceed to abate any such violation by injunction. The commission and the city of St. Paul shall cooperate in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the commission and the provisions of the comprehensive plan.

(b) The commissioner of administration shall act as a consultant to the commission with regard to the physical structural needs of the state. He shall make studies and report the results to the commission when they request him to do so for their planning purpose.

(c) No public building, street, parking lot, or monument, or other construction shall be built or altered on any public lands within the area unless the plans for the same conforms to the comprehensive use plan as specified in clause (d) and to the requirement for competitive plans as specified in clause (e). No alteration substantially changing the external appearance of any existing public building approved in the comprehensive plan or *the exterior or interior design* of any *proposed* new public building the plans for which were secured by competition under clause (e), may be made without the prior consent of the commission. The commissioner of administration shall consult with the commission regarding internal changes having the effect of substantially altering the architecture of the interior of any proposed building.

(d) The comprehensive plan shall show the existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas and open spaces; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement shall be made to public lands or buildings in the area save with the written approval of the commission.

(e) The commission shall secure by competitions, plans for any new public building. Plans for any comprehensive plan, landscaping scheme, street plan, or property acquisition, which may be proposed, or for any proposed alteration of any existing public building, landscaping scheme or street plan may be secured by a similar competition. Such competition shall be conducted under rules prescribed by the commission and may be of any type which meets the competition standards of the American Institute of Architects. Designs selected shall become the property of the state of Minnesota and the commission may award one or more premiums in each such competition and may pay such costs and fees as may be required for the conduct thereof. At the option of the commission, plans for projects estimated to cost less than \$500,000 may be approved without competition provided such plans have been considered by the architectural committee described in clause (f). Plans for projects estimated to cost less than \$200,000 and for construction of streets need not be considered by the architectural committee if in conformity with the comprehensive plan.

(f) The commission shall not adopt any plan under clause (e) hereof unless it shall first receive the comments and criticism of a committee of three architects who have been selected and appointed as follows: one by the state arts council, one by the commission, and one by the Minnesota Society of the American Institute of Architects. Members of such committee shall not be contestants under clause (e) hereof. Such comments and criticism shall be a matter of public information. Such committee shall advise the commission on all architectural and planning matters. For that purpose:

(1) Such committee shall be kept currently informed concerning, and have access to, all data, including all plans, studies, reports and proposals, relating to the area as the same are developed or in the process of preparation whether by the ~~commission~~ *commissioner* of administration, the state planning director, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the commission or not retained and engaged in any work or planning relating to the area. A copy of any such data prepared by any public employee or agency shall be filed with the commission promptly upon completion;

(2) The commission may employ such stenographic or technical help as may be reasonable to assist such committee perform its duties;

(3) When so directed by the commission; such committee may serve as, and any member or members thereof may serve on, the jury or as professional advisor for any architectural competition. The commission shall select the architectural advisor and jurors for any competition with the advice of the committee.

(g) The comprehensive plan for the area shall be developed and maintained in close cooperation with the state planning agency and the planning department and the council for the city of Saint Paul and the State Arts Council, and no such plan or amendment thereof shall be effective without 90 days' notice to the planning department of the city of Saint Paul and the State Arts Council.

*(h) The commission and the commissioner of administration jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance and cleanliness of the public and ceremonial areas of the state capitol building. Pursuant to this power, the commission shall consult with the director of the Minnesota state historical society and receive his advice regarding the historic fidelity of plans for the capitol building. The standards and policies developed as herein provided shall be binding upon the commissioner of administration. The provisions of Minnesota Statutes, Sections 15.0411 to 15.0426 shall not apply to this clause.*

*(i) The commission in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for such a program.*

~~(h)~~ (j) The state shall, by the attorney general upon the recommendation of the commission and within appropriations available for that purpose, acquire by gift, purchase or eminent domain proceedings any real property situated in the area described in this section and it shall also have the power to acquire an interest less than a fee simple interest in the property, if it finds that it is needed for future expansion or beautification of the area.

*(k) All appropriations for the study and long range planning of land and building purchases, dispositions, and uses within the capitol area shall be appropriated directly to and shall be under the control of the commission. This provision shall apply to any act now in effect or hereafter enacted unless it shall be expressly provided in such act that this provision is superseded, modified, or repealed; however this provision shall not apply to appropriations for the architectural programming or design of new public buildings or for the remodeling of existing public buildings.*

~~(i)~~ (l) The commission is the successor of the state veterans' service building commission, and as such may adopt regulations and may reenact the regulations adopted by its predecessor under Laws 1945, Chapter 315, and acts amendatory thereof.

(j) (m) The commission shall meet at the call of the chairman and at such other times as it may prescribe.

(k) The members of the legislative building commission shall constitute an advisory commission to the capitol area architectural and planning commission. This architectural and planning commission may consult and confer with the advisory commission; but the advisory commission's recommendation shall be advisory only. The members of the advisory commission shall serve without compensation, but shall be reimbursed for their expenses when called upon to meet.

(l) (n) The commissioner of administration is authorized to and shall assign quarters in the state veterans service building to (1) the department of veterans affairs of which such part as the commissioner of administration and commissioner of veterans affairs may mutually determine shall be on the first floor above the ground and (2) the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available to such other state departments and agencies as he may deem desirable.

Sec. 3. Minnesota Statutes 1971, Section 15.50, Subdivision 6, is amended to read:

Subd. 6. (a) The city of Saint Paul shall have the power to convey without compensation therefor to the state any property owned by it within the boundaries of the capitol area pursuant to the plan adopted by the commission; and the state shall have the authority to transfer to the city of Saint Paul without compensation any property acquired by it for the purposes of Laws 1969, Chapter 1150, which lies within the street lines of the streets to be established as a part of the city's portion of said plan.

(b) The tax-forfeited lands which are held by the state in trust for the several taxing subdivisions of the state and which are within the boundaries of the capitol area as fixed by the plan recommended to the governor by the governor's advisory committee or by the plan adopted by the commission as provided in Laws 1969, Chapter 1150, shall not be subject to sale or repurchase under any act, now in effect or hereafter enacted unless it shall be expressly provided in such act that the provisions of Laws 1969, Chapter 1150, shall be superseded, modified or repealed.

(c) The county auditor of Ramsey county shall forthwith withdraw from sale or repurchase all lands referred to in clause (b) hereof.

(d) The commissioner of taxation shall have power upon application by the commission to release any lands referred to in clause (b) from the trust in favor of the taxing subdivisions of the state. Upon the execution of such release, the commissioner shall certify the fact of such release to the county auditor of Ramsey county. The forms of such release and certificate shall be prescribed by the attorney general.

(e) Any member of the commission, or any employee thereof, who shall be financially interested, either directly or indirectly, in the location of the approach to the capitol, or in any contract, or part thereof, for the construction of the approach, or for any work connected therewith, or for the furnishing of any supplies or material therefor or for the sale of any real property therefor, so as to receive any financial benefits therefrom, or the promise of any financial benefit therefrom, either by way of commission, rebate, bonus, division of profits, or otherwise, shall be guilty of a felony and shall be incapable of holding any office or employment under the state. Neither any member of the commission, nor any person employed or retained by the commission shall have any financial interest, direct or indirect, in any business enterprise or activity, or in the construction or maintenance of facilities for such enterprise or activity, within the capitol area for which approval of the commission is in any way required by law. Any person violating the provisions of this paragraph shall be guilty of a gross misdemeanor.

Sec. 4. Minnesota Statutes 1971, Section 16.02, Subdivision 5, is amended to read:

Subd. 5. To cause to be prepared plans and specifications for the construction, alteration, or enlargement of all state buildings, structures, and other improvements except highways and bridges; to approve such plans and specifications; *provided that the preparation of such plans and specifications for the capitol area as defined in Minnesota Statutes 1971, Section 15.50 shall not be initiated, contracted for, or conducted without consultation with the capitol area architectural and planning commission insofar as such plans and specifications involve the public and ceremonial areas and the exterior of the capitol building and the lobbies, public concourses, and other features of other public buildings in the capitol area which the capitol area architectural and planning commission may deem to possess architectural significance, and provided further that the commissioner shall not approve or adopt any such plans and specifications for the capitol area unless such plans and specifications have received the approval of the capitol area architectural and planning commission*; to advertise for bids and award all contracts in connection with such improvements; to supervise and inspect all work relating thereto; after any contract for such an improvement is let, to approve all lawful changes in plans and specifications, *provided that the capitol area architectural and planning commission is advised of and gives its approval to, all such changes affecting projects within the capitol area as provided for in this subdivision*; to approve estimates for payment; and to accept such improvements when completed according to such plans and specifications.

Sec. 5. Minnesota Statutes 1971, Section 16.02, Subdivision 6, is amended to read:

Subd. 6. To maintain and operate the state capitol building and grounds, *subject to whatever standards and policies may be set for the appearance and cleanliness thereof by the capitol area architectural and planning commission and the commissioner of ad-*

*ministration pursuant to Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clause (h), state office building, historical society building, the Normandale, Anoka-Ramsey, North Hennepin, Lakewood, Metropolitan, and South East Metropolitan Junior Colleges, the manpower services buildings in Minneapolis and St. Paul, the state department of health building, the surplus property building, and the grounds appertaining thereto, also, where deemed advisable and practicable by the commissioner, any other building or premises owned or rented by the state for the use of any state department or other administrative agency; provided, that this shall not apply to state hospitals or to educational, penal, correctional, or other institutions not enumerated in this subdivision the control of which is vested by law in some other agency.*

Sec. 6. Minnesota Statutes 1971, Section 16.02, Subdivision 9, is amended to read:

*Subd. 9. To supervise and control the making of necessary repairs to all state buildings and structures, except structures, other than buildings, under the control of the state highway department ; provided that all repairs to the public and ceremonial areas and the exterior of the state capitol building shall be carried out subject to the standards and policies of the capitol area architectural and planning commission and the commissioner of administration adopted pursuant to Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clause (h) .*

Sec. 7. Minnesota Statutes, 1973 Supplement, Section 16.02, Subdivision 10, is amended to read:

*Subd. 10. [RENTAL OF LAND.] To rent land and other premises when necessary for state purposes. No such land or premises shall be rented for a term exceeding two years at a time; except that, with the approval of the legislative advisory committee, the commissioner may lease land or premises for a term not exceeding five years, subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use ; provided further that the rental of non-state owned land and buildings, or substantial portions thereof, by the commissioner within the capitol area as defined in Minnesota Statutes 1971, Section 15.50 shall not take place unless the commissioner first consults with the capitol area architectural and planning commission . Lands needed by the department of highways for storage of vehicles or road materials may be rented for a term not exceeding five years without the approval of the legislative advisory committee, such leases for terms over two years being subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use.*

Sec. 8. Minnesota Statutes 1971, Section 16.025, Subdivision 1, is amended to read:

**16.025 [PERFORMANCE OF CERTAIN WORK FOR STATE AGENCIES.] Subdivision 1. [NATURE OF WORK.]** The com-



missioner of administration may repair, alter, or construct machinery, furniture, or other property for any officer, department, or agency of the state, or construct any partition or alter any arrangement of an office upon written requisition by such officer or the head of such department or agency. *Any such requisitions involving the public or ceremonial areas of the state capitol building shall be executed in conformance with the policies and standards set for the capitol by the capitol area architectural and planning commission and the commissioner of administration pursuant to Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clause (h).* Such requisition shall be subject to the allotment and encumbrance provisions of Laws 1939, Chapter 431. In addition to the foregoing, the commissioner may provide centralized operation and maintenance services, excluding janitorial cleaning, for such state owned buildings as are specified in section 16.02, subdivision 6. The commissioner shall charge and collect for such services in the manner prescribed in section 16.025, subdivision 2 for repairs, alteration, or construction.

Sec. 9. Minnesota Statutes 1971, Section 16.22, is amended to read:

16.22 [RIGHTS AND POWERS TRANSFERRED TO COMMISSIONER; EXCEPTIONS.] All the rights, powers, and duties now by law imposed upon and vested in the commission of administration and finance, the constituent members thereof, the state printing commission, and the state expert printer, except those transferred by Laws 1939, Chapter 431, to the state auditor and the public examiner, are hereby transferred to and imposed upon the commissioner of administration. The commissioner of administration shall appoint a qualified printer, who shall be known as the state printer, and may delegate to him the exercise of the existing rights, powers, and duties heretofore appertaining to the state printing commissioner and the state expert printer, subject to the control of the commissioner. The commission of administration and finance is hereby abolished. The state printing commission is hereby abolished. The offices of comptroller, commissioner of the budget, commissioner of purchases, and state expert printer are hereby abolished. All the rights, powers and duties of the governor relating to the control, care, operation, and maintenance of the state capitol and grounds and to the appointment of employees therefor are hereby transferred to, vested in, and imposed upon the commissioner of administration; *provided that these rights, powers, and duties relating to the state capitol and grounds shall be exercised by the commissioner of administration according to the standards and policies for the appearance and cleanliness thereof set by the capitol area architectural and planning commission and the commissioner of administration pursuant to Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clause (h).*

Sec. 10. Minnesota Statutes 1971, Section 16.23, is amended to read:

16.23 [OFFICE SPACE ASSIGNED.] The commissioner shall assign and reassign the office space in the capitol and other state

buildings so far as necessary to carry out the purposes of Laws 1939, Chapter 431, and to make an equitable division of available space among the several departments and agencies. *The commissioner's assignments in the capitol shall be in keeping with the ceremonial character of the building and shall follow guidelines for the public and ceremonial areas of the capitol set by the capitol area architectural and planning commission.*

Sec. 11. Minnesota Statutes 1971, Section 16.32, is amended by adding a subdivision to read:

*Subd. 3. Notwithstanding any provision of this section to the contrary, plans for proposed new buildings and for features of existing public buildings in the capitol area which the capitol area architectural and planning commission shall deem to possess architectural significance shall be subject to the provisions of Minnesota Statutes, 1973 Supplement, Section 15.50, Subdivision 2, Clauses (c) and (e).*

Sec. 12. Minnesota Statutes 1971, Section 138.53, is amended by adding a subdivision to read:

*Subd. 58. The Minnesota state capitol in St. Paul.*

Sec. 13. Minnesota Statutes 1971, Section 138.68, is amended to read:

138.68 [SUPERVISION OF PRESERVATION.] The works of art in the public and ceremonial areas of the state capitol are declared to possess historical value for the people of Minnesota. The Minnesota state historical society and the capitol area architectural and planning commission shall approve the design, structural composition, and location ; ~~repair or removal of all public~~ monuments, memorials or works of art presently located in the public and ceremonial areas of the state capitol or which shall be placed in such public or ceremonial areas after June 4, 1971. No ~~public~~ monument, memorial or work of art shall be relocated or removed from, or placed in such areas or altered or repaired in any way without the approval of the Minnesota state historical society. *The Minnesota state historical society shall have final authority over the disposition of any monuments, memorials or works of art removed from the state capitol or the capitol grounds.*

Sec. 14. Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; and 138.67, Subdivision 3, are repealed."

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

"A bill for an act relating to the capitol area architectural and planning commission, redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1, 6; 16.02, Subdivisions 5, 6 and 9; 16.025, Subdivision 1; 16.22; 16.23; 16.32, by adding a subdivision; 138.53, by adding a subdivision; and 138.68; Minnesota Statutes, 1973 Supplement, Sections 15.50, Subdivision 2; 16.02, Subdivision 10; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; 138.67, Subdivision 3."

And when so amended the bill do pass.

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

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

H. F. No. 1409: A bill for an act relating to the policemen's relief association in the city of New Ulm, and membership in the public employees police and fire fund.

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

Page 1, line 1, before "Contributions" insert "Notwithstanding any other law,"

Page 1, line 2, strike "determined as a"

Page 1, strike lines 3, 4 and 5, and insert in lieu thereof "7 percent of the prevailing base pay of members of the association for the year 1975 and 8 percent of such prevailing base pay beginning January 1, 1976, and for each year thereafter."

Page 2, line 4, strike "may" and insert "shall"

Page 2, line 5, after "69" strike the comma, insert a period, and strike the rest of the line

Page 2, strike lines 6, 7 and 8

Page 2, line 18, strike "salary paid an employee" and insert "prevailing base pay of the highest ranking patrol officer"

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

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

H. F. No. 3312: A bill for an act relating to public employees; insurance benefits for retired employees; amending Minnesota Statutes, 1973 Supplement, Section 471.61, Subdivision 2a.

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

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

H. F. No. 1316: A bill for an act relating to the collection, security and dissemination of records and information by the state; providing penalties; amending Minnesota Statutes 1971, Chapter 16, by adding a section.

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 the following:

"Section 1. [POLICY AND PURPOSE.] The legislature finds that a more effective system is required to control the collection, storage, dissemination, and usage, by or on behalf of the state and its political subdivisions of data on individuals. Improvements in the organization and control of records are imperative to strengthen the administration of governmental programs, to assure the public's right to public information, and to guarantee protection of individual privacy. The legislature further finds that vigorous protection of individual privacy is an indispensable element of a fair and effective record-keeping system. The purposes of sections 1 to 8 are (1) to encourage more secure systems of records on individuals; (2) to establish more effective structures and procedures for the protection of individual privacy; and (3) to assure periodic reporting to the legislature and the general public concerning record-keeping.

Sec. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 8 the terms defined in this section have the meanings given them.

Subd. 2. "Commissioner" means the commissioner of the department of administration.

Subd. 3. "Data on individuals" includes all records, files and processes which contain any data on any individual and which is kept or intended to be kept on a permanent or semipermanent basis. It includes that collected, stored, and disseminated by manual, mechanical, electronic or any other means.

Subd. 4. "Individual" means a natural person.

Subd. 5. "Political subdivision" includes counties, municipalities, towns and school districts. It includes any nonprofit corporation which is a community action agency initially organized to qualify for public funds.

Subd. 6. "Responsible authority" at the state level means any office established by law as the body responsible for the collection and use of any set of data on individuals or summary data. "Responsible authority" in any political subdivision means the person designated by the governing board of that political subdivision, unless otherwise provided by state law. With respect to statewide systems, "responsible authority" means the state official involved, or if more than one state official, the official designated by the commissioner.

Subd. 7. "State" means the state, the university of Minnesota, and any office, officer, department, division, bureau, board, commission or agency of the state.

Subd. 8. "Statewide system" includes any record-keeping system in which data on individuals is collected, stored, disseminated and used by means of a system common to the state or common to the state and one or more of its political subdivisions.

Subd. 9. "Summary data" means statistical records and reports

derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.

Sec. 3. [REPORTS TO THE LEGISLATURE.] On or before December 1 of each year the commissioner shall prepare a report to the legislature. Summaries of the report shall be available to the public at a nominal cost. The report shall contain to the extent feasible at least the following information:

(a) A complete listing of all systems of data on individuals which is kept by the state and its political subdivisions, a description of the information contained therein, and the reason that the data is kept;

(b) A statement of which types of data on individuals, in the commissioner's opinion, are public records as defined by Minnesota Statutes, Section 15.17, which types of data are confidential and which types of data are neither;

(c) The title, name, and address of the responsible authority for the system and for each data bank and associated procedures:

(1) The categories and number of individuals in each category on whom data is or is expected to be maintained,

(2) The categories of data maintained, or to be maintained, indicating which categories are or will be stored in computer-accessible files,

(3) The categories of data sources,

(4) A description of all types of use made of data, indicating those involving computer-accessible files, and including all classes of users,

(5) The responsible authority's and the commissioner's policies and practices regarding data storage, duration of retention of data, and disposal thereof,

(6) A description of the provisions for maintaining the integrity of the data pursuant to section 4 (d), and

(7) The procedures pursuant to section 5 whereby an individual can (i) be informed if he is the subject of data in the system, (ii) gain access to the data, and (iii) contest its accuracy, completeness, pertinence, and the necessity for retaining it; and

(d) Any recommendations concerning appropriate legislation.

Sec. 4. [COMMISSIONER SHALL PROMULGATE RULES.] The commissioner shall with the advice of the intergovernmental information services advisory council promulgate rules and regulations, in accordance with Minnesota Statutes, Chapter 15, which shall apply to the state and political subdivisions and shall implement the enforcement and administration of the following:

(a) Collection of data on individuals and establishment of related files of the data shall be limited to that necessary for

the administration and management of programs enacted by the legislature or local governing body.

(b) Data on individuals shall be under the jurisdiction of the responsible authority. An individual shall be appointed to be in charge of each system containing data on individuals. The responsible authority shall document and file with the commissioner the nature of all data on individuals collected and stored and the need for and intended use of the data and any other information required by section 3. Use of data on individuals by other than the responsible authority or for other than intended uses, and the interrelation by manual, mechanical, or electronic means of data on individuals under the jurisdiction of two or more responsible authorities, may be permitted by the responsible authorities only when required by law or where clearly necessary to the health, safety or welfare of the public, or clearly in the interest of the individual involved.

(c) The use of summary data from data on individuals under the jurisdiction of one or more responsible authorities shall be permitted, subject to the requirements that the data be summarized by and under the direction of the responsible authority. Requests for use of the data must be in writing, stating the intended use and approved by the responsible authority. The responsible authority may, however, delegate such authority to the administrative officer responsible for any central repository of summary data. A reasonable fee may be charged for the summarization of data, and any additional cost caused by such summarization shall be borne by the requestor. Refusal of any request for use of summary data by the responsible authority or his delegate is appealable in accordance with Minnesota Statutes, Chapter 15. The responsible authority may delegate to a person outside of its agency, other than the requestor, its responsibility for summarizing data if it obtains a written agreement from the delegate providing for nondisclosure of data on individuals.

(d) Regarding the collection, storage, dissemination and use of data on individuals, the responsible authority shall establish reasonable and appropriate safeguards to assure that the data is accurate, complete and current. Emphasis shall be placed on the data security requirements of computerized files which are accessible directly via telecommunications technology, including security during transmission.

(e) Data on individuals shall be stored only so long as necessary to the administration of authorized programs or as authorized by statute.

Sec. 5. [RIGHTS OF SUBJECTS OF DATA.] The rights of individuals on whom the data is stored or to be stored and the responsibilities of the responsible authority shall be as follows:

(a) The purposes for which data on individuals is collected and used or to be collected and used shall be filed in writing by the responsible authority with the commissioner and shall be a matter of public record pursuant to section 3.

(b) An individual asked to supply personal data shall be informed of the purpose of intended uses of the requested data.

(c) An individual asked to supply personal data shall be informed whether he may refuse or is legally required to supply the requested data. He shall be informed of any known consequence arising from his supplying or refusing to supply the personal data.

(d) Data shall not be used for any purpose other than as stated in clause (a) of this section unless (1) the responsible authority first makes an additional filing in accordance with clause (a); (2) the legislature gives its approval by law; or (3) the individuals to whom the data pertain give their informed consent.

(e) Upon request to a responsible authority, an individual shall be informed whether he is the subject of stored data and if so, and upon his additional request, shall be informed of the content and meaning of the data recorded about him or shown the data without any charge to him. After an individual has been so informed, data need not be disclosed to him for six months thereafter unless a dispute or action pursuant to this section is pending. This clause does not apply to data on individuals which is defined by statute as confidential or to records relating to the medical or psychiatric treatment of the individual.

(f) An individual shall have the right to contest the accuracy or completeness of data about him. If contested, the individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days correct the data if the data is found to be inaccurate or incomplete and attempt to notify past recipients of the inaccurate or incomplete data, or notify the individual of disagreement. The determination of the responsible authority is appealable in accordance with Minnesota Statutes, Chapter 15. Data in dispute shall not be disclosed except under conditions of demonstrated need and then only if the individual's statement of disagreement is included with the disclosed data.

Sec. 6. [CIVIL PENALTIES.] Subdivision 1. Notwithstanding Minnesota Statutes, Section 466.03, a political subdivision, responsible authority or state which violates any provisions of sections 1 to 5 is liable to a person who suffers any damage as a result of the violation, and the person damaged may bring an action against the political subdivision, responsible authority or state to cover any damages sustained, plus costs and reasonable attorney fees. In the case of a willful violation, the violator shall, in addition, be liable to exemplary damages of not less than \$100, nor more than \$1,000 for each violation. The state is deemed to have waived any immunity to a cause of action brought under sections 1 to 5.

Subd. 2. A political subdivision, responsible authority or state which violates or proposes to violate sections 1 to 5 may be enjoined by the district court. The court may make an order or

judgment as may be necessary to prevent the use or employment by any person of any practices which violate sections 1 to 5.

Subd. 3. An action filed pursuant to sections 1 to 5 may be commenced in the county in which the individual alleging damage or seeking relief resides, or in the county wherein the political subdivision exists, or, in the case of the state, any county.

Sec. 7. [PENALTIES.] Any person who willfully violates the provisions of sections 1 to 5 or any lawful rules and regulations promulgated thereunder is guilty of a misdemeanor. Any public employee who willfully violates sections 1 to 5 may be suspended without pay or discharged after a hearing as prescribed by law.

Sec. 8. [APPLICATION.] Sections 1 to 5 shall not apply to data on individuals relating to criminal histories, criminal records or criminal investigations. Nothing in sections 1 to 5 shall be construed to restrict or modify right of access to public records guaranteed by Minnesota Statutes, Section 15.17, or by any other statute."

Further amend by striking the title and insert in lieu thereof:

"A bill for an act relating to the collection, security and dissemination of records and information by the state and its political subdivisions; providing a civil cause of action; providing penalties."

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

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

H. F. No. 3015: A bill for an act relating to the powers of the attorney general; providing for investigation by the attorney general of suspected violations of business, commerce, trade and anti-trust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2.

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 the following:

"Section 1. Minnesota Statutes 1971, Section 325.8021, is amended to read:

325.8021 [AUTHORITY OF THE ATTORNEY GENERAL.] The attorney general may investigate any alleged violation of sections 325.8011 to 325.8028 and if he has reasonable cause to believe that a violation is imminent, is occurring or has occurred, he may institute on behalf of the state of Minnesota, any of its departments and agencies, or any of its political subdivisions a court action seeking appropriate relief. *The investigatory authority of the attorney general under sections 325.8011 to 325.8028 shall in-*



*clude, but not be limited to, the authority provided for in Minnesota Statutes, Section 325.907.*

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 1, is amended to read:

325.907 [ADDITIONAL DUTIES OF THE ATTORNEY GENERAL.] Subdivision 1. [INVESTIGATE OFFENSES AGAINST THE PROVISIONS OF CERTAIN DESIGNATED SECTIONS; ASSIST IN ENFORCEMENT.] The attorney general shall investigate violations of the law of this state respecting unfair, discriminatory and other unlawful practices in business, commerce, or trade, and specifically, but not exclusively, the act against unfair discrimination and competition (sections 325.02 to 325.075), the fair trade act (sections 325.08 to 325.14), the unlawful trade practices act (sections 325.141 to 325.148), the automobile dealer's antioercion act (sections 325.15 to 325.24), the *anti-trust act* (sections 325.8011 to 325.8028), section 325.905 and other laws against false or fraudulent advertising, the antidiscrimination acts contained in section 325.82, the act against monopolization of food products (section 325.83), and the prevention of consumer fraud act (sections 325.78 to 325.80) and assist in the enforcement of those laws as in this section provided.

Sec. 3. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 2, is amended to read:

Subd. 2. [ATTORNEY GENERAL TO ASSIST IN DISCOVERY AND PUNISHMENT OF ILLEGAL PRACTICES.] When the attorney general, from information in his possession, has reasonable ground to believe that any person has ~~within one year~~ violated, or is about to violate, any of the laws of this state referred to in subdivision 1, he shall have power to investigate those violations, or suspected violations, and to take such steps as are necessary to cause the arrest and prosecution of all persons violating any of the statutes specifically mentioned in subdivision 1 or any other laws respecting unfair, discriminatory, or other unlawful practices in business, commerce, or trade. *In connection with investigation under this section the attorney general upon specifying the nature of the violation or suspected violation may obtain discovery from any person regarding any matter, fact or circumstance, not privileged, which is relevant to the subject matter involved in the pending investigation, in accordance with the provisions of this subdivision. The discovery may be obtained without commencement of a civil action and without leave of court, except as expressly required by the provisions of subdivision 2a. The applicable protective provisions of rules 26.02, 30.02, 30.04 and 31.04 of the rules of civil procedure for the district courts shall apply to any discovery procedures instituted pursuant to this section. The attorney general or any person to whom discovery is directed may apply to and obtain leave of the district court in order to reduce or extend the time requirements of this subdivision, and upon a showing of good cause the district court shall order such a reduction or extension. In order to obtain discovery, the attorney general may:*

- (a) *Serve written interrogatories on any person. Within 20 days*

*after service of interrogatories, separate written answers and objections to each interrogatory shall be mailed to the attorney general.*

*(b) Upon reasonable written notice of no less than 15 days, require any person to produce for inspection and copying any documents, papers, books, accounts, letters, photographs, objects, or tangible things which are in his possession, custody, or control.*

*(c) Upon reasonable written notice of no less than 15 days, take the testimony of any person by deposition as to any fact or opinion relevant to the subject matter involved in the pending investigation. For the purposes of this subdivision the term "person" has the meaning specified in section 325.78.*

Sec. 4. Minnesota Statutes 1971, Section 325.907, is amended by adding a subdivision to read:

*Subd. 2a. [FAILURE TO COMPLY.] If any person fails or refuses to answer interrogatories, to produce materials, or to be examined under oath, as required by the provisions of subdivision 2, the attorney general may give notice that he will apply to a district court, and the court, on a showing by the attorney general of cause therefor, may issue such order as may be required to compel compliance with the discovery procedures authorized by this section.*

Sec. 5. Minnesota Statutes 1971, Section 325.907, is amended by adding a subdivision to read:

*Subd. 2b. [ASSURANCE OF DISCONTINUANCE.] The attorney general may accept an assurance of discontinuance of any act or practice he deems to be in violation of the laws referred to in subdivision 1 from any person he alleges is engaging in, or has engaged in, the act or practice. The assurance may include a stipulation for the performance, provision or payment by the alleged violator of any remedies allowable under subdivision 3a. Any assurance shall be in writing and shall be filed with and subject to the approval of the district court of the county in which the alleged violator resides or has his principal place of business or in Ramsey county. An assurance shall not be considered an admission of a violation for any purpose. Failure to comply with the assurance of discontinuance shall be punishable as contempt. For the purposes of this subdivision the term "person" has the meaning specified in section 325.78.*

Sec. 6. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 3, is amended to read:

*Subd. 3. [INJUNCTIVE RELIEF.] In addition to the penalties provided by law for violation of the laws referred to in subdivision 1, specifically and generally, whether or not injunctive relief is otherwise provided by law, the courts of this state are vested with jurisdiction to prevent and restrain violations of those laws and to require the payment of civil penalties. Whenever it shall appear to the satisfaction of the attorney general that any of those laws has been or is being violated, or is about to be violated, he shall be entitled, on behalf of the state; (a) to sue for and have injunctive*

relief in any court of competent jurisdiction against any such violation or threatened violation without abridging the penalties provided by law; and (b) to sue for and recover for the state, from any person who is found to have violated any of the laws referred to in subdivision 1, a civil penalty, in an amount to be determined by the court, not in excess of \$25,000. All sums recovered by the attorney general under this subdivision section shall be deposited in the general fund of the state treasury.

Sec. 7. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 3a, is amended to read:

Subd. 3a. [DAMAGES.] In addition to the remedies otherwise provided by law, any person injured by a violation of any of the laws specified referred to in subdivision 1 may bring a civil action and recover damages, together with costs and disbursements, including costs of investigation and reasonable attorney's fees, and receive other equitable relief as determined by the court. *The court may, as appropriate, enter a consent judgment or decree without the finding of illegality. In any action brought by the attorney general pursuant to this section, the court may award any of the remedies allowable under this subdivision.*

Sec. 8. Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivision 3b, is amended to read:

Subd. 3b. [ORDERS AND JUDGMENTS PRIMA FACIE EVIDENCE.] Any permanent injunction, judgment or order of the court made pursuant to subdivision 3 shall be prima facie evidence in an action brought under subdivision 3a that the defendant used or employed an act or practice in violation of the laws referred to in subdivision 1, provided that this subdivision shall not apply to consent judgments or decrees where the court makes no finding of illegality, including assurances of discontinuance pursuant to subdivision 2b.

Sec. 9. [EFFECTIVE DATE.] This act shall be effective the day next following its final enactment."

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

"A bill for an act relating to commercial law; providing for investigation by the attorney general of suspected violations of business, commerce, trade and antitrust laws; prescribing penalties; providing for assurances of discontinuance and recovery of costs; amending Minnesota Statutes 1971, Sections 325.8021; 325.907, by adding subdivisions; and Minnesota Statutes, 1973 Supplement, Section 325.907, Subdivisions 1, 2, 3, 3a, and 3b."

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

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

H. F. No. 530: A bill for an act relating to wild animals; designating timber wolves as big game animals and prescribing powers and duties of the commissioner of natural resources in relation

thereto; amending Minnesota Statutes 1971, Section 97.40, Subdivision 8; 98.46, Subdivisions 2, 4 and 14; 99.25, Subdivision 7; 100.26, Subdivision 1; 100.27, Subdivision 9; and 100.29, Subdivision 14.

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

Page 1, strike lines 1 to 14

Page 2, strike lines 1 to 15, and insert in lieu thereof:

"Section 1. Minnesota Statutes 1971, Section 97.488, is amended to read:

97.488 [PROTECTION OF THREATENED AND ENDANGERED SPECIES.] Subdivision 1. [PROHIBITION.] Notwithstanding any other provision of law, the *taking*, import, transport, or sale of any endangered species of ~~fish or wildlife~~ *wild animal*, or hides or other parts thereof, or the sale or possession with intent to sell any article made in whole or in part from the skin, hide, or other parts of any endangered species of ~~fish or wildlife~~ *wild animal* is prohibited, except under license or permit of the commissioner of natural resources as provided in subdivision 6.

Subd. 2. [DESIGNATION.] The following species of wild animals are hereby designated as endangered species: leopard (*Panthera pardus*); snow leopard (*Panthera uncia*); clouded leopard (*Neofelis nebulosa*); tiger (*Panthera tigris*); cheetah (*Acinonyx jubatus*); alligators; eaiman or crossbill of the order *Crocodylia*; visuna (*Viengna vieugna*); red wolf (*Canis niger*). After July 1, 1972, the following species shall be designated as endangered: jaguar (*Panthera onca*); ocelot (*Felis pardalis*); or margay (*Felis wiedii*). The commissioner of natural resources may shall designate other species as endangered, by adoption of a regulation to that effect pursuant to sections 15.0411 to 15.0422, designate any species of wild animal as either:

(1) *Endangered*, upon a showing that such species is seriously threatened with extinction throughout all or a significant portion of its range; or

(2) *Threatened*, upon a showing that such species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.

A designation by the secretary of the interior that a species is *threatened* or endangered shall be a *prima facie* showing for this purpose. The commissioner may shall withdraw designation in the same manner. The timber wolf (*Canis lupus*) may not be designated as an endangered species by the commissioner pursuant to this section except that the commissioner may establish sanctuaries pursuant to section 99.25 for the timber wolf (*Canis lupus*). Until the commissioner adopts such regulation, those species designated as endangered by Section 4(c) (3) of the Endangered Species Act of 1973 (PL 93-205) at the time of enactment thereof shall be considered endangered within the meaning of this section.

*Subd. 3. [STUDIES.] The commissioner of natural resources may conduct such investigations as he shall deem appropriate to determine the status and requirements for survival of any resident species of wild animal.*

*Subd. 4. [MANAGEMENT.] Notwithstanding any other provision of law, whenever any resident species of wild animal has been designated as threatened or endangered pursuant to this section, the commissioner of natural resources may undertake such management programs and in connection therewith issue such orders and promulgate such regulations as he deems necessary to bring the species to a point at which it is no longer threatened or endangered. Subject to the provisions of subdivision 6, management programs for endangered or threatened species may include, but need not be limited to, methods and procedures such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, transplantation and regulated taking.*

*Subd. 5. [ENFORCEMENT.] Any peace officer or conservation officer, pursuant to chapter 626, may execute a warrant to search for and seize any goods, merchandise, or wildlife taken, sold or offered for sale in violation of this section, or any thing used in connection with a violation of this section. Seized property shall be held pending judicial proceedings. Upon conviction seized property is forfeit. Goods, merchandise, or wildlife shall be offered to a scientific or educational institution or destroyed.*

*Subd. 6. [GENERAL EXCEPTIONS.] The commissioner may permit, on prescribed conditions, ~~the importation of any species or subspecies subject to this section~~ any act otherwise prohibited by subdivision 1 for any of the following purposes:*

*(1) Zoological, educational or scientific ~~purposes~~ study;*

*(2) Enhancement of the propagation or survival of the affected species; or*

*(3) Prevention of injury to persons or property, provided that for the purpose of preventing such injury no member of an endangered species may be destroyed until all alternatives, including but not limited to live trapping and transplantation, have been evaluated and rejected.*

*He may permit, on prescribed conditions, the propagation of a species or subspecies for its preservation. A member of a threatened or endangered species may be captured or destroyed without permit by any person when necessary in an emergency to avoid an immediate and demonstrable threat to human life or property.*

*Subd. 7. [APPLICATION.] This section shall not ~~only~~ apply to ~~fish or wildlife~~ retroactively or so to prohibit importation into this state and subsequent possession, transport and sale of wild animals or hides or other parts thereof legally imported into the United States or legally acquired and exported from another ~~country~~ territory, state, possession or political subdivision of the*

*United States and imported, transported or sold solely for the purpose of serving as a pet.*

Subd. 6 8. [VIOLATIONS.] A violation of this section is a misdemeanor."

Page 3, strike lines 24 to 30

Page 3, line 33, after "animal" and before "with" insert "or timber wolf"

Renumber the sections accordingly

Further amend the title as follows:

Page 1, line 1 strike "designating timber wolves as big game animals" and insert "providing for the management of threatened and endangered species of wild animals"

Page 1, line 2, after "thereto;" insert "providing a penalty;"

Page 1, line 3, strike "Section 97.40, Subdivision 8" and insert "Sections 97.488"

Page 1, line 3, strike "Subdivisions 2, 4 and" and insert "Subdivision"

Page 1, line 4, strike "100.27, Subdivision 9;"

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

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

S. F. No. 2059: A bill for an act relating to taxation; mining of iron ore; providing for the county assessor to engage in exploratory work in order to ascertain the existence of unmined iron ore; and providing for condemnation proceedings in certain cases.

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

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

"Section 1. Minnesota Statutes 1971, Chapter 298, is amended by adding a section to read:

[298.46] [EXPLORATORY DRILLING FOR IRON ORE.]  
*Subdivision 1. It is hereby declared to be in the public interest of this state as a whole, and in particular with respect to counties or other political subdivisions, to encourage the location of all deposits of iron ore hitherto unknown to such political subdivisions, that may be susceptible of economic exploitation.*

*Subd. 2. When in the opinion of the duly constituted authorities of a taxing district there are in existence reserves of unmined iron ore located in such district, these authorities may petition the iron range resources and rehabilitation commission for authority to petition the county assessor to verify the existence of such reserves*

*and to ascertain the value thereof by drilling in a manner consistent with established engineering and geological exploration methods, in order that such taxing district may be able to forecast in a proper manner its future economic and fiscal potentials.*

*Subd. 3. If the fee owner of the land on which the unmined iron ore is believed to be located, or the owner of a mineral interest therein, refuses to permit the county assessor to ascertain the value of unmined iron ore believed to be located on such land, the county attorney, acting in the name of the county may institute proceedings under Minnesota Statutes, Chapter 117, for the express purpose of being granted an easement which would permit the county assessor to verify whether or not such land does, in fact, contain reserves of unmined iron ore.*

*Subd. 4. When the county assessor has verified the existence of reserves of iron ore and has ascertained the value of such reserves, or in the alternative has failed to locate any reserves susceptible of being economically exploited, he shall notify the county attorney, and the county attorney shall then, by appropriate means, request the district court to discharge the easement secured for the purpose stated above.*

*Subd. 5. The cost of such exploration or drilling plus any damages to the property which may be assessed by the district court shall be paid by the iron range resources and rehabilitation commission from amounts appropriated to that commission under Minnesota Statutes, Section 298.22. The iron range resources and rehabilitation commission shall be reimbursed for one-half of the amounts thus expended. Such reimbursement shall be made by the taxing districts in the proportion that each such taxing district's levy on the property involved bears to the total levy on such property. Such reimbursement shall be made to the iron range resources and rehabilitation commission in the manner provided by Minnesota Statutes, Section 298.221.*

*Subd. 6. If any taxing district refuses to pay its share of the reimbursement as provided in subdivision 5, the county auditor is hereby authorized to reduce payments required to be made by the county to such taxing district under other provisions of law. Thereafter he shall draw his warrant, which shall be deposited with the state treasury in accordance with Minnesota Statutes, Section 298.221, to the credit of the iron range resources and rehabilitation commission.*

*Sec. 2. In the event that the county assessor ascertains that there are in existence reserves of unmined iron ore previously unreported, he shall transmit all the relevant information to the commissioner of revenue as soon as expedient.*

*Sec. 3. This act is effective the day following final enactment."*

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

*"A bill for an act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence*

of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section."

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

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

H. F. No. 2844: A bill for an act relating to the Minnehaha creek watershed district; providing for taxes.

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

Page 1, line 4, strike "not to exceed three mills"

Page 1, line 5, after "the" and before "district" insert "Minnehaha creek watershed"

Page 1, line 5, after "district" strike ", or \$125,000, whichever is the lesser" and insert "sufficient to raise an amount each year of up to, but not to exceed, an amount of \$125,000"

Page 1, line 6, after "the" and before "levy" add "administrative"

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

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

H. F. No. 3242: A bill for an act relating to the city of Minneapolis; increasing the membership of the city of Minneapolis housing and redevelopment authority, and providing terms therefor.

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

Page 1, line 2, after "Notwithstanding" strike "the provisions of"

Page 1, line 3, after "Subdivision 5" strike "to the contrary"

Page 1, line 6, after "for" insert "initial"

Page 1, line 6, strike "Thereafter"

Page 1, strike line 7

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

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

H. F. No. 2236: A bill for an act relating to courts; salaries



of county court judges; amending Minnesota Statutes 1971, Section 487.05.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 15A.083, Subdivision 2, is amended to read:

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] Notwithstanding any other provision of the law, the following salaries shall be paid annually to the enumerated judicial officers:

(1) Judge of a county court (learned in the law)	\$25,000	\$29,000
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Judge of a county court (not learned in the law)	21,000	
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~~(2) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.~~

~~(3) (2) Judges of the county municipal courts, the municipal court of the city of St. Paul, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, Carver and, Dakota and St. Louis . . . . \$29,000.~~

~~(4) (3) If any judge enumerated in this subdivision dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.~~

Sec. 2. Minnesota Statutes 1971, Section 487.05, is repealed.

Sec. 3. This act is effective the day following final enactment."

Further amend the title as follows:

Line 1 of the title, strike "1971" and insert ", 1973 Supplement"

Line 2 of the title, before "Section 487.05" insert "15A.083, Subdivision 2; and repealing Minnesota Statutes 1971,"

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

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

S. F. No. 2900: A bill for an act relating to highways; abolishing certain standing appropriations to the department of highways; amending Minnesota Statutes 1971, Section 161.50, Subdivisions 1 and 2; repealing Laws 1965, Chapter 863, Section 11.

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

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

S. F. No. 3244: A bill for an act creating a legislative commission to study the state banking laws for appropriate revision; appropriating money therefor.

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

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

S. F. No. 3270: A bill for an act relating to taxation; general property taxes; exemptions; providing an exemption for modifications to a dwelling to accommodate physically handicapped residents; amending Minnesota Statutes, 1973 Supplement, Section 272.02, Subdivision 1.

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

Page 4, strike lines 22 through 28

Page 5, strike line 1 and insert in lieu thereof:

*"(16) Any modification, whether in existence at the effective date of this act or made subsequent thereto, to a building or facility other than a building or facility subject to the provisions of Minnesota Statutes 1971, Sections 471.465 to 471.469, of the type contemplated by those sections, which is for the sole purpose of accommodating a physically handicapped resident of that building or facility. Physically handicapped means sight disabilities, hearing disabilities, disabilities of incoordination, disabilities of aging, and any other disability that significantly reduces mobility, flexibility, coordination, or perceptiveness."*

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

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

S. F. No. 2222: A bill for an act relating to the metropolitan council; granting the metropolitan council the powers of a municipal housing and redevelopment authority in the metropolitan area; imposing a tax on mortgages in the seven-county metropolitan area; amending Minnesota Statutes 1971, Section 287.05, by adding a subdivision.

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

Page 6, strike lines 3 and 4

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

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

H. F. No. 3329: A bill for an act relating to taxation; providing for assessment of property in certain years; amending Minnesota Statutes 1971, Section 273.17, Subdivision 1.

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

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

H. F. No. 2517: A bill for an act relating to taxation; providing for declaration of value attached to transfers of real property; amending Minnesota Statutes 1971, Section 287.241, Subdivisions 2 and 3.

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

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

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

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

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

H. F. No. 234: A bill for an act relating to taxation; definition of terms in relation to the motor vehicle excise tax; amending Minnesota Statutes 1971, Section 297B.01, Subdivision 7.

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

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

H. F. No. 2668: A bill for an act relating to taxation, providing for hearings before the commissioner in certain property tax reductions, amending Minnesota Statutes 1971, Section 270.19.

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

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

H. F. No. 2866: A bill for an act relating to the city of Saint Paul; providing for and authorizing said city to issue its general obligation bonds for urban renewal development purposes and for rehabilitation loans; amending Laws 1963, Chapter 881, Sec-

tions 1, as amended; 2; and 3; and repealing Laws 1973, Chapter 395, Section 2.

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

Page 2, line 4, strike "both"

Page 2, line 4, after "within" strike "and without"

Page 3, strike lines 27 through "rehabilitation loans." in line 31 and insert in lieu thereof a new sentence reading:

*"Therefore, in the event that the city, by resolution of the city council, determines that sufficient money is not available from the United States government or from other public or private sources to persons of low and moderate income, then the city council by resolution from time to time may issue its general obligation bonds in a total aggregate amount of not to exceed \$2,000,000 for the purpose of making such rehabilitation loans in urban renewal development and code enforcement areas from time to time designated pursuant to the provisions of subdivision 1, clause (a) hereof."*

Page 3, after line 10, insert a new clause (d) to read:

*"(d) Notwithstanding any other provision of law or charter to the contrary, and in addition to the authority granted in this subdivision, the council of the city of Saint Paul may make local improvements in the city, either within or without urban renewal or code enforcement areas, as authorized by Minnesota Statutes, Section 429.021, and as authorized by law may acquire land and buildings associated with rehabilitation programs adopted by the city council, and to pay for all or a portion of the costs of such local improvements and acquisition the council may by resolution from time to time issue its general obligation bonds in a total aggregate amount of not to exceed \$3,000,000."*

Page 3, line 11, strike "(d)" and insert in lieu thereof "(e)"

Page 4, after line 32, add a new section to read:

"Sec. 4. Laws 1973, Chapter 326, Section 4, is amended to read:

~~Sec. 4. This act shall be effective only after its approval by a majority of the governing body of the city of Saint Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021.~~ *The city of Saint Paul, for the purpose of providing moneys for the operation and maintenance of the swimming pools authorized herein, is hereby authorized and empowered, by resolution of its council, in addition to all other powers possessed by said city and in addition to and in excess of any tax or levy limitations otherwise imposed by law or charter, to levy taxes annually in an amount not to exceed in any one year an amount equal to 15/100 of one mill upon each dollar of the assessed valuation of all taxable property in said city. Independent School District No. 625, for the purpose of providing moneys for the operation and maintenance of the swimming pools authorized herein, is hereby authorized and empowered, by resolution of its board, in addition to all other powers possessed by said district and in addition to and in excess of*

*any tax or levy limitations otherwise imposed by law, to levy taxes annually in an amount not to exceed in any one year an amount equal to 45/100 of one mill upon each dollar of the assessed valuation of all taxable property in the city of Saint Paul."*

Page 4 after line 32 add a new section to read:

Sec. 5. Laws 1973, Chapter 326, is amended by adding a section to read:

*Sec. 5. This act shall become effective only after its approval by a majority of the governing body of the city of Saint Paul and a majority of the school board of Independent School District No. 625 and upon compliance with the provisions of Minnesota Statutes, Section 645.021."*

Further amend the title as follows:

Page 1, line 2 of the title after "loans;" insert "providing money for the maintenance of swimming pools"

Page 1, line 3 of the title after "3;" insert "Laws 1973, Chapter 326, Section 4, and by adding a section;"

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

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

S. F. No. 1934: A bill for an act relating to health; state payments to counties and cities for public health nursing services; amending Minnesota Statutes 1971, Sections 145.08, Subdivision 1; and 145.125, Subdivision 1.

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

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

"Section 1. Minnesota Statutes 1971, Section 145.08, Subdivision 1, is amended to read:

145.08 [EMPLOYMENT, APPROPRIATION.] Subdivision 1. [APPROPRIATION FOR COMPENSATION AND EXPENSES; EXCEPTION.] Every board of county commissioners; ~~except in counties new or hereafter having a population of 550,000 or more;~~ and every city council; village council; school board and town board is hereby authorized and empowered to employ and to make appropriations for the compensation and necessary expenses of public health nurses and home health service personnel, for such duties as may be deemed necessary.

Sec. 2. Minnesota Statutes 1971, Section 145.125, is amended to read:

145.125 [COUNTY PUBLIC HEALTH NURSING SERVICE.] Subdivision 1. [STATE AID QUOTA: EMPLOYMENT OF NURSE.] A county shall be paid from the appropriation to

the state board of health for that purpose the sum of \$375 a quarter to aid in the payment of the cost of public health nursing. Each county with less than 50,000 population, which on May 1, 1971 had not established both a public health nursing service and a home health agency service shall receive \$7,500 in the biennium ending June 30, 1973, to establish these services. Each county with less than 20,000 population, which on May 1, 1971, had established only a public health nursing service shall receive \$2,500 in the biennium ending June 30, 1973, to establish a home health agency service, a group of counties, a city, or combination thereof, or a nursing district establishing a public health nursing service and a home health agency pursuant to section 145.08, subdivision 3, may apply for financial aid by submitting to the state board of health its work program and budget, following review and approval by the area-wide comprehensive health planning agency. The state board of health may approve the payment of aid if the plan is in accordance with the provisions of this section and with the regulations established by the state board of health relating to the provision of health services. The money appropriated to the counties in this section shall be used only for the purposes of this section. Those moneys not expended shall be deposited in the general fund of the state treasury. Two or more counties who by a joint powers agreement establish public health nursing or home health agency services or both, shall also qualify for payments under Laws 1971, Chapter 895. County boards or city clerks shall certify to the state board of health within 60 days from a quarter ending September 30, December 31, March 31, or June 30 respectively, the following facts:

(1) That the county, city, or nursing district is complying with the provisions of sections 145.08 to 145.12.

(2) That during the preceding quarter, stating the last date thereof, the county, city, or nursing district had employed a public health nurse who was approved and certified pursuant to section 145.10 and other qualified home health agency personnel.

(3) The name and address of each public health nurse and other qualified home health agency personnel employed during the preceding quarter, and the amount paid to such persons during each month of such quarter.

If a public health nurse was employed for less than a full quarter, the county shall be paid only the proportion of \$375 which the period of time for which such nurse was actually paid is to the full period of the quarter provided public health nursing and home health services in accordance with regulations established by the state board of health.

Subd. 2. [CERTIFICATE BY COUNTY BOARD; CERTIFICATE TO STATE AUDITOR.] At the end of each 60 day period provided for in subdivision 1, the state board of health shall certify to the state auditor, in the manner prescribed by law, the name of each such county, the amount to be paid to it, and that there are funds available for the payment thereof. Such certificate shall be supported by the certificate of the county board of such county. Thereupon, the state auditor shall draw his warrant upon

the state treasurer payable to the county for the amount so certified.

*Subd. 3. To determine the amount which may be paid participating counties, the board of health will apply the following formula:*

*(1) All 87 counties will be ranked in accordance with a formula involving three factors:*

*(a) per capita income;*

*(b) per capita taxable value; and*

*(c) per capita expenditure per 1,000 population for public health nursing purposes.*

*(2) Each county is then ranked as follows:*

*(a) on the basis of per capita income the ranking is from the lowest to the highest;*

*(b) per capita taxable value is ranked from lowest to highest;*

*(c) per capita expenditure is ranked from highest to lowest.*

*(3) The ranking given each county on each of the foregoing three factors is then totaled and the counties ranked in numerical order according to score.*

*(4) The total score for each county thus determined is then divided into a median total score. The median total score is the score obtained by that county ranked number 44 in the final ranking. The quotient thus obtained then becomes the computation factor for the county. This computation factor is then multiplied by a "dollar value", as fixed by the appropriation pursuant to this act, times the total county population. The resulting product is the amount of subsidy to which the county is eligible under this section; provided that each county shall receive a minimum of \$5,000 of subsidy per year. Notwithstanding any law to the contrary, the board of health, after notifying the committees on finance of the senate and appropriations of the house of representatives, may, at the end of any fiscal year, transfer any unobligated funds in any appropriation to the department of health to the appropriation under this act, which appropriation shall not cancel but is reappropriated for the purposes of this act.*

*Subd. 4. The state board of health shall not disburse any public health nursing funds to any county unless and until the county agrees to provide matching funds. County matching funds under this section may only be funds in excess of the amount spent by the county for public health nursing services during fiscal year 1973. The state board of health shall not disburse to any county, regardless of the amount of matching county funds available, a sum in excess of the amount of aid calculated for the county pursuant to the formula in subdivision 3; however, the board may disburse any lesser amount for which the county makes matching funds available. In meeting competing demands by counties for funding pursuant to this section, the board shall adopt the following priorities:*

*(1) Counties in which no public health nursing services are available;*

*(2) Counties in which no certified home health care agency exists; and*

*(3) All other counties.*

Sec. 3. Minnesota Statutes 1971, Section 145.123, Subdivision 1, is amended to read:

145.123 [PUBLIC HEALTH AND HOME HEALTH SERVICES.] Subdivision 1. [CHARGING OF FEES.] The county board of any county providing public health and home health services under Minnesota Statutes, Sections 145.08 and 145.12, and the governing body of a nursing district formed under section 145.08, subdivision 3, may charge and collect fees for such health services furnished to ~~ill or disabled~~ persons within the county or the nursing district. Payment, in whole or in part, for such services may be accepted from any person. Payment of any charges due may be billed to and accepted either from a local, county, state or federal public assistance agency or any combination thereof; or from any individual, governmental agency, or corporation, public or private, when such services are provided any person, including but not limited to a recipient of any type of social security aids administered by the federal or state governments, or a recipient of direct relief.

Sec. 4. [APPROPRIATION.] There is hereby appropriated to the state board of health the sum of \$113,696 for purposes of this act."

Further amend the title as follows:

Page 1, line 4, after "services;" insert "appropriating money;"

Page 1, line 6, after the semicolon insert "145.123, Subdivision 1;"

Page 1, line 6, strike ", Subdivision" and insert a period

Page 1, strike line 7

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

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

H. F. Nos. 2930, 3507 and 2525 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. 2930 and 3507 to the Committee on Finance.

H. F. No. 2525 to the Committee on Metropolitan and Urban Affairs.

Pursuant to Rule 49, this report was prepared and submitted by



the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

### SECOND READING OF SENATE BILLS

S. F. Nos. 3210, 3277, 2059, 2900, 3270, 2222, 3455 and 1934 were read the second time.

### SECOND READING OF HOUSE BILLS

H. F. Nos. 3479, 2923, 2670, 1403, 1409, 1316, 3015, 530, 2844, 3242, 2236, 3329, 2517, 234, 2668 and 2866 were read the second time.

### MOTIONS AND RESOLUTIONS

Messrs. Bang and Ogdahl introduced—

Senate Resolution No. 37: A senate resolution congratulating the Edina East Hornets, the 1974 Minnesota State High School Hockey Champions.

Which was referred to the Committee on Rules and Administration.

Mr. Perpich, G. moved that S. F. No. 2498 be taken from the table. The motion prevailed.

### CONCURRENCE AND REPASSAGE

Mr. Perpich, G. moved that the Senate do now concur in the amendments by the House to S. F. No. 2498 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2498 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Kleinbaum moved that S. F. No. 2853, No. 10 on the Calendar, be stricken and placed at the top of General Orders. The motion prevailed.

Mr. Stokowski moved that the name of Mr. Schaaf be added as co-author to S. F. No. 2296. 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.

### SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to waive the lie-over requirement on Senate Files on the Calendar. The motion prevailed.

### THIRD READING OF SENATE BILLS

S. F. No. 2832: A bill for an act relating to courts; judges retirement, definitions and effective date; amending Laws 1973, Chapter 744, Section 1, Subdivision 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 3059: A bill for an act relating to the counties of Hennepin and Ramsey; providing for boards of seven members; providing for redistricting commissions; amending Minnesota Statutes 1971, Section 375.01; repealing Special Laws 1871, Chapter 73, Sections 1, 2, 3, 4, and 5; Special Laws 1891, Chapter 438, as amended; and Laws 1963, Chapter 789.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Novak	Purfeerst
Arnold	Dunn	Kleinbaum	Olhoft	Spear
Berg	Fitzsimons	Laufenburger	Olson, A. G.	Stokowski
Borden	Gearty	Lewis	Olson, H. D.	Tennessen
Chenoweth	Hanson, R.	Lord	Olson, J. L.	Wegener
Chmielewski	Hughes	McCutcheon	Patton	Willet
Coleman	Humphrey	Milton	Perpich, A. J.	
Conzemius	Jensen	Moe	Perpich, G.	
Davies	Keefe, S.	North	Pillsbury	

Those who voted in the negative were:

Ashbach	Hansen, Baldy	Krieger	Schrom	Stassen
Bernhagen	Hansen, Mel	Larson	Sillers	Ueland
Brown	Josefson	Ogdahl		
Frederick	Kowalczyk	O'Neill		

So the bill passed and its title was agreed to.

S. F. No. 3422: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of architectural and professional services in the construction of an adult detention, and juvenile center, and security treatment facility at St. Paul-Ramsey hospital.

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

The question being taken on the passage of the bill,

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

And the roll being called, there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Milton	Perpich, A. J.
Ashbach	Doty	Keefe, S.	Novak	Perpich, G.
Bang	Gearty	Kirchner	Ogdahl	Sillers
Chenoweth	Hansen, Mel	Kleinbaum	Olson, A. G.	Stassen
Chmielewski	Hughes	Laufenburger	Olson, H. D.	Stokowski
Coleman	Humphrey	Lord	O'Neill	

Those who voted in the negative were:

Arnold	Fitzsimons	Larson	Olson, J. L.	Tennessen
Berg	Frederick	Lewis	Patton	Thorup
Bernhagen	Hansen, Baldy	McCutcheon	Pillsbury	Ueland
Borden	Hanson, R.	Moe	Purfeerst	Wegener
Brown	Josefson	Nelson	Renneke	Willet
Conzemius	Kowalczyk	North	Schrom	
Dunn	Krieger	Olhoft	Spear	

So the bill failed to pass.

S. F. No. 3120: A bill for an act relating to waters; creating the Battle Creek watershed district comprised of lands within the counties of Ramsey and Washington.

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 30 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Milton	Perpich, A. J.
Ashbach	Doty	Kleinbaum	North	Perpich, G.
Borden	Gearty	Larson	Novak	Spear
Chenoweth	Humphrey	Laufenburger	Olhoft	Stokowski
Chmielewski	Keefe, J.	Lewis	Olson, A. G.	Tennessen
Coleman	Keefe, S.	Lord	O'Neill	Thorup

Those who voted in the negative were:

Arnold	Fitzsimons	Josefson	Olson, J. L.	Stassen
Bang	Frederick	Kowalczyk	Patton	Ueland
Berg	Hansen, Baldy	Krieger	Pillsbury	Wegener
Bernhagen	Hansen, Mel	McCutcheon	Purfeerst	Willet
Brown	Hanson, R.	Moe	Renneke	
Conzemius	Hughes	Nelson	Schrom	
Dunn	Jensen	Ogdahl	Sillers	

So the bill failed to pass.

S. F. No. 3008: A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of necessary building and structures thereon; and appropriating moneys therefor.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 58 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Borden, Josefson and Ueland voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 3428: A bill for an act relating to the city of St. Paul; authorizing housing and rehabilitation loan and grant programs; providing for the issuance of general obligation bonds for such programs and for park improvement; amending Laws 1971, Chapter 773, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Fitzsimons	Jensen	Larson
Arnold	Chenoweth	Frederick	Josefson	Laufenburger
Ashbach	Chmielewski	Gearty	Keefe, J.	Lewis
Bang	Coleman	Hansen, Baldy	Keefe, S.	Lord
Berg	Conzemius	Hanson, R.	Kleinbaum	McCutcheon
Bernhagen	Doty	Hughes	Kowalczyk	Milton
Borden	Dunn	Humphrey	Krieger	Moe

Nelson	Olson, A. G.	Perpich, G.	Sillers	Thorup
North	Olson, H. D.	Pillsbury	Spear	Ueland
Novak	Olson, J. L.	Purfeerst	Stassen	Wegener
Ogdahl	O'Neill	Renneke	Stokowski	Willet
Olhoft	Perpich, A. J.	Schrom	Tennessen	

So the bill 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. 1795: A bill for an act relating to the Hennepin county conciliation court; amending Minnesota Statutes 1971, Sections 488A.14, Subdivision 5, and by adding a subdivision; 488A.16, Subdivisions 6 and 8; and 488A.17, Subdivisions 2, 4 and 5.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Fitzsimons	Jensen	Krieger
Arnold	Chmielewski	Frederick	Josefson	Larson
Ashbach	Coleman	Gearty	Keefe, J.	Laufenburger
Bang	Conzemius	Hansen, Mel	Keefe, S.	Lewis
Bernhagen	Davies	Hanson, R.	Kirchner	Lord
Borden	Doty	Hughes	Kleinbaum	McCutcheon
Brown	Dunn	Humphrey	Kowalczyk	Milton

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

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2936: A bill for an act relating to the city of Minneapolis; abolishing the board of public welfare of said city.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 3002: A bill for an act relating to motor vehicles; interstate registration and reciprocity, withdrawal of vehicle from fleet; refund; amending Minnesota Statutes 1971, Section 168.187, Subdivision 15.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**NOTICE OF RECONSIDERATION**

Mr. Purfeerst gave notice of intention to move for reconsideration of S. F. No. 3422.

**SPECIAL ORDER**

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 1810, No. 52 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1810: A bill for an act providing standards and procedures for tax increment financing; authorizing municipalities to create development districts; authorizing the issuance of bonds to carry out development programs in development districts; authorizing tax increment financing for the payment of principal and interest on such bonds; authorizing municipalities to assess the cost of operation against development districts; authorizing port authorities to segregate tax increments in industrial development districts; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1971, Chapter 273, by adding sections; Sections 462.585, Subdivision 1; and 458.192, Subdivision 1 and adding new subdivisions to the section; and repealing Minnesota Statutes 1971, Sections 462.545, Subdivision 5; 462.585, Subdivisions 2 and 3; and 474.10, Subdivisions 2 and 3.

Mr. Hansen, Baldy moved to amend the amendment placed on H. F. No. 1810 by the Committee on Taxes and Tax Laws adopted by the Senate on February 27, 1974, as follows:

Section 9, line 3, after "office" insert ", or agency, or municipal housing and redevelopment authority"

Section 9, clause (f) strike "relocation services" and insert "administration of any or all of the provisions of this act"

The motion prevailed. So the amendment was adopted.

Mr. Conzemius moved to amend the amendment placed on H. F. No. 1810 by the Committee on Taxes and Tax Laws adopted by the Senate on February 27, 1974, as follows:

Section 11, line 9, strike "All such housing and other facilities shall be in addition"

Section 11, strike lines 10 and 11

The motion prevailed. So the amendment was adopted.

**CALL OF THE SENATE**

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

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

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

Mr. Humphrey moved to amend the amendment placed on H. F. No. 1810 by the Committee on Taxes and Tax Laws, adopted by the Senate February 27, 1974, as follows:

Section 7, after the third paragraph, insert:

“(a) First, to that portion required to be contributed to an areawide tax base under Minnesota Statutes, Chapter 473F; and thereafter”

Reletter the clauses in section 7 in sequence

The motion prevailed. So the amendment was adopted.

H. F. No. 1810 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 53 and nays 8, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Keefe, J.	Moe	Pillsbury
Ashbach	Fitzsimons	Kirchner	Nelson	Purfeerst
Bang	Frederick	Kleinbaum	North	Renneke
Bernhagen	Gearty	Kowalczyk	Novak	Sillers
Borden	Hansen, Baldy	Krieger	Ogdahl	Stassen
Brown	Hansen, Mel	Larson	Olhoft	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Olson, A. G.	Ueland
Chmielewski	Hughes	Jewis	Olson, J. L.	Wegener
Coleman	Humphrey	Lord	O'Neill	Willet
Conzemius	Jensen	McCutcheon	Patton	
Doty	Josefson	Milton	Perpich, A. J.	

Those who voted in the negative were:

Berg	Keefe, S.	Perpich, G.	Tennessen	Thorup
Davies	Olson, H. D.	Spear		

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

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 2926, No. 82



on the General Orders Calendar, a Special Order to be heard immediately.

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

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:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 3331, No. 83 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3331: A bill for an act relating to taxes on and measured by net income; amending Minnesota Statutes 1971, Section 290.01, Subdivision 20, as amended.

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:

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

So the bill passed and its title was agreed to.

## SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 3328, No. 84 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3328: A bill for an act relating to taxation, defining persons eligible for income tax credit to include certain blind, disabled and elderly persons; amending Minnesota Statutes, 1973 Supplement, Section 290.0601, Subdivision 6.

Mr. Stassen moved to amend H. F. No. 3328, the printed bill, as follows:

Page 2, after line 24, insert:

"Sec. 4. Minnesota Statutes 1971, Section 290.09, is amended by adding a subdivision to read:

*Subd. 29. The amount the taxpayer has paid to others for board and room, transportation, tuition and book expenses of said taxpayer or any dependent taking a post-high school course of instruction in any accredited educational institution including state junior colleges, state or private colleges or universities, professional schools, vocational schools or accredited para-professional schools. The deduction for each dependent shall not exceed \$1,000 in one taxable year.*

*Sec. 5. Section 4 applies to taxable years commencing after December 31, 1973."*

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, third line of the title, strike "amending" and insert "providing for the treatment of college educational expenses of dependents for income tax purposes; amending Minnesota Statutes 1971, Section 290.09, by adding a subdivision; and"

## CALL OF THE SENATE

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

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

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

The question recurred on the amendment of Mr. Stassen.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 13 and nays 39, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Josefson	Krieger	Stassen
Bernhagen	Hansen, Mel	Keefe, J.	Patton	Ueland
Chmielewski	Jensen	Kowalczyk		

Those who voted in the negative were:

Anderson	Gearty	Lord	Olhoft	Solon
Arnold	Hansen, Baldy	McCutcheon	Olson, A. G.	Spear
Berg	Hughes	Milton	Olson, H. D.	Stokowski
Borden	Humphrey	Moe	O'Neill	Tennessee
Chenoweth	Keefe, S.	Nelson	Perpich, A. J.	Thorup
Coleman	Kleinbaum	North	Perpich, G.	Wegener
Conzemius	Laufenburger	Novak	Pillsbury	Willet
Davies	Lewis	Ogdahl	Purfeerst	

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

H. F. No. 3328 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House, First Reading of House Bills and Reports of Committees, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 951:

H. F. No. 951: A bill for an act relating to ethics in govern-

ment; 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.

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

Berg; Sieben, H. and Savelkoul have been appointed as such committee on the part of the House.

House File No. 951 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 12, 1974

Mr. North moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 951, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3533:

H. F. No. 3533: A bill for an act relating to the firemen's relief association of the city of Backus; providing that years of service with the Backus volunteer fire department shall be treated as years of service with the Backus firemen's relief association.

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

Sherwood, Patton and Laidig have been appointed as such committee on the part of the House.

House File No. 3533 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 12, 1974

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3533, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1136:

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

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

Prahl, Adams, S. and Anderson, I. have been appointed as such committee on the part of the House.

House File No. 1136 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 12, 1974

Mr. Perpich, A. J. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1136, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2728.

H. F. No. 2728: A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.

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

Menke, Cummiskey and Myrah have been appointed as such committee on the part of the House.

House File No. 2728 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 12, 1974

Mr. Borden moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2728, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1292:

H. F. No. 1292: A bill for an act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state; amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

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

Ferderer, McCarron and Pavlak, R. L. have been appointed as such committee on the part of the House.

House File No. 1292 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 12, 1974

Mr. Nelson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1292, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

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

H. F. Nos. 1069 and 2992.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 12, 1974

#### **FIRST READING OF HOUSE BILLS**

H. F. No. 1069: A bill for an act relating to probate proceedings; providing for informal administration of estates; amending Minnesota Statutes 1971, Sections 525.23; 525.33; 525.48; and 525.483.

H. F. No. 2992: A bill for an act relating to probate proceedings; regulating the inventory and appraisal of guardianships and de-

cedents' estates; amending Minnesota Statutes, 1973 Supplement, Section 525.33; Minnesota Statutes 1971, Chapter 525, by adding a section; repealing Minnesota Statutes, 1973 Supplement, Section 525.331.

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

### REPORTS OF COMMITTEES

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

H. F. Nos. 1069 and 2992 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. 1069 and 2992 to the Committee on Judiciary.

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

Mr. Coleman moved the adoption of the foregoing Committee Report. The motion prevailed. Report adopted.

### RECESS

Mr. Coleman moved that the Senate do now recess until 1:50 o'clock p. m. The motion prevailed.

The hour of 1:50 o'clock p. m. having arrived, the President called the Senate to order.

### CALL OF THE SENATE

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

Anderson	Doty	Humphrey	Moe	Purfeerst
Ashbach	Dunn	Josefson	Olhoft	Renneke
Berg	Fitzsimons	Keefe, S.	Olson, A. G.	Schrom
Bernhagen	Frederick	Kirchner	Olson, J. L.	Spear
Borden	Gearty	Laufenburger	Patton	Stokowski
Chmielewski	Hansen, Mel	Lewis	Perpich, A. J.	Tennessen
Conzemius	Hanson, R.	Lord	Perpich, G.	Willet
Davies	Hughes	Milton	Pillsbury	

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

### MEMBERS EXCUSED

Mr. Coleman was excused from the first hour of this afternoon's Session. Mr. Moe was excused from this evening's Session. Mr. Dunn was excused from this evening's Session, beginning at 8:00 o'clock p.m. Mr. Olson, J. L. was excused from this evening's Session, beginning at 10:00 o'clock p.m.

**MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Conzemius 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. Lewis in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Lewis reported that the committee had considered S. F. Nos. 1769, 1963, 2924, 3238, 3198, 3250, 3477, 3434, 3494, 2386, 2964, 2669, 2670 and 2161 which the committee recommends to pass.

S. F. Nos. 1486 and 779 which the committee recommends be returned to their authors.

S. F. No. 1879, which the committee recommends to pass with the following amendment offered by Mr. Laufenburger:

Mr. Laufenburger moved to amend S. F. No. 1879 as follows:

Strike everything after the enacting clause and insert the following:

“Section 1. [CITATION.] This act may be cited as “the insurance premium finance company act.”

Sec. 2. [DEFINITION.] Subdivision 1. For the purposes of this act, the words, terms and phrases defined in this section have the meanings ascribed to them except where the context clearly indicates a different meaning.

Subd. 2. “Insurance premium finance agreement” means an agreement by which an insured or prospective insured promises to pay to a premium finance company or to its assignee the amount advanced or to be advanced under the agreement to an insurer or to an insurance agent or broker in payment of premiums on an insurance policy together with a service charge. Any agreement to finance premiums is a premium finance agreement if an insurance policy, other than a life or disability insurance policy, is made the security or collateral for the repayment of the debt incurred under the agreement. Provided, however, an agreement to finance premiums for insurance which is included in a retail installment transaction or purchased in connection with a real estate transaction, mortgage, deed of trust or other security agreement is not a premium finance agreement. Provided further, that an agreement by an insurance company to finance policies written by companies other than itself or its parent company, its subsidiaries or companies with which it shares a common parent company is not a premium finance agreement.



Subd. 3. "Licensee" means a person licensed by the commissioner to engage in the business of insurance premium financing.

Subd. 4. "Commissioner" means the commissioner of banks.

Sec. 3. [LICENSES.] Subdivision 1. No person other than a savings and loan association, bank, savings bank, trust company, small loan company, industrial loan and thrift company or credit union may engage in the business of entering into insurance premium finance agreements unless licensed to do so by the commissioner. A violation of this subdivision is a misdemeanor.

Subd. 2. The applicant at the time of making application, shall pay to the commissioner the sum of \$250 as a fee for investigating the application, and the additional sum of \$100 as an annual license fee for a period terminating on May 31 of each year. In addition to the annual license fee, every licensee shall pay to the commissioner the actual costs of each examination as may be required to be conducted under the terms of the act.

Subd. 3. The person to whom the license or the renewal thereof may be issued shall file sworn answers to such interrogatories as the commissioner may require. The commissioner shall have authority, at any time, to require the applicant to fully disclose the identity of all stockholders, partners, officers and employees and he may, in his discretion, refuse to issue or issue a license in the name of any firm, partnership, or corporation if he is not satisfied with any officer, employee, stockholder or partner thereof, who may materially influence the applicant's conduct, meets the standards of this act.

Sec. 4. [ACTION BY COMMISSIONER ON APPLICATION.] Subdivision 1. Upon the filing of an initial application and the payment of the license fee, the commissioner shall make an investigation of each applicant. If a license has not been issued within 30 days after receipt of the application the commissioner shall, at the request of the applicant, give the applicant a full hearing.

Subd. 2. The commissioner shall issue or renew a license when he is satisfied that the person to be licensed:

(a) Is competent and trustworthy and intends to act in good faith in the financing of insurance premiums;

(b) Has a good business reputation and has had experience, training or education so as to be qualified in financing insurance premiums; and

(c) If a corporation, is a corporation incorporated under the laws of this state or a foreign corporation authorized to transact business in this state.

Sec. 5. [REVOCATION AND SUSPENSION OF LICENSES.] The commissioner may after a hearing revoke, suspend, or refuse to renew the license of any licensee if it appears to the commissioner that:

(a) The license was obtained by fraud;

(b) There was any misrepresentation in the application for the license;

(c) The holder of the license has otherwise shown himself untrustworthy or incompetent to finance insurance premiums, or is involved in any fraudulent, dishonest or deceptive practice; or

(d) The licensee has violated any of the provisions of this act or rules adopted pursuant to this act.

Sec. 6. [BOOKS AND RECORDS.] Subdivision 1. Every licensee shall maintain in this state records satisfactory to the commissioner of its premium finance transactions. The records shall be open to examination and investigation by the commissioner at any time during ordinary business hours. The commissioner may, at any time, require any licensee to bring these records to the commissioner's office for examination.

Subd. 2. Every licensee shall preserve its records of premium finance transactions for at least three years after making the final entry in respect to any premium finance agreement. The records may be preserved in photographic form.

Subd. 3. The commissioner shall make an examination of the affairs, business, office and records of each licensee at least once each year. Each licensee shall pay to the commissioner such amount for the cost of each examination as may be required under section 4, subdivision 2, and the commissioner may maintain an action for the recovery of such costs in any court of competent jurisdiction.

Sec. 7. [POWER TO MAKE RULES.] The commissioner shall promulgate any rules and regulations which may be necessary to the administration of this act.

Sec. 8. [PREMIUM FINANCE AGREEMENTS.] Subdivision 1. A premium finance agreement shall:

(a) Be dated and signed by or on behalf of the insured, and the printed portion thereof shall be in at least eight point type;

(b) Contain the name and place of business of the insurance agent or insurance broker negotiating the related insurance contract, the name and residence or the place of business of the insured as specified by him, the name and place of business of the premium finance company to which installments or other payments are to be made, a description of the insurance contracts including the term and type of policy, the premiums for which are advanced or are to be advanced under the agreement and the amount of the premiums therefor; and

(c) Set forth the following items where applicable:

(1) The total amount of the premiums,

(2) The amount of the down payment,

(3) The balance of premiums due, the amount financed (the difference between items (1) and (2) ),

- (4) The amount of the finance charge,
- (5) The amount of the flat service fee,
- (6) The total of payments (sum of items (3), (4) and (5) ).

Subd. 2. The items set forth in subdivision 1, clause (c) need not be stated in the sequence or order in which they appear and additional items may be included to explain the computations made in determining the amount to be paid by the insured.

Subd. 3. The information required by subdivision 1 shall only be required in the initial agreement where the premium finance agreement which has been entered into provides for open end terms defined as follows: An agreement which provides that additional premiums required on originally financed policies may be added from time to time on which a finance charge may be added for the remaining term of the original finance agreement. The \$10 flat service fee may not be collected on these additional premiums financed.

Subd. 4. The premium finance company or the insurance agent shall deliver to the insured, or mail to him at his address shown in the agreement, a completed copy of that agreement.

Sec. 9. [MAXIMUM FINANCE CHARGE.] Subdivision 1. No person engaged in the business of financing insurance premiums may charge, contract for, receive or collect a finance charge plus flat service fee with respect to an insurance premium finance agreement other than as permitted by this section.

Subd. 2. The finance charge shall be computed on the balance of the premiums due, after subtracting the down payment made by the insured in accordance with the premium finance agreement, from the effective date of the insurance coverage, for which the premiums are being advanced, to and including the date when final installment of the premium finance agreement is payable.

Subd. 3. The finance charge shall be a maximum of \$8 per \$100 per year for amounts financed of \$300 or less and \$6 per \$100 per year on that amount financed over \$300 plus a flat rate service fee of \$10 per premium finance agreement. The flat service fee need not be refunded upon prepayment in full before maturity.

Subd. 4. The finance charge shall be computed on the principal balance of a premium finance agreement payable in substantially equal successive monthly installments over a period of one year. On a premium finance agreement providing for installments extending for a period of less than or greater than one year, the finance charge shall be computed proportionately.

Subd. 5. Notwithstanding the provisions of any premium finance agreement, any insured may prepay the obligation in full at any time. In such event he shall receive a refund credit. The amount of such refund credit shall represent at least as great a proportion of the finance charge as the sum of the periodic balances after the month in which prepayment is made bears to the sum of all periodic balances under the schedule of installments in the agreement. Where the amount of the refund is less than \$1, no

refund need be made. If, in addition to the finance charge, an additional flat service fee was imposed, the flat service fee need not be refunded nor taken into consideration in computing the refund credit.

Sec. 10. [DELINQUENCY CHARGES.] Subdivision 1. A premium finance agreement may provide for payment by the insured of a delinquency charge. The delinquency charge may be \$1 or five percent of the delinquent installment, but not more than \$5. The delinquency charge may be imposed upon any installment which is in default for a period of ten days or more.

Subd. 2. If the default results in the cancellation of any insurance contract listed in the agreement, the agreement may provide for payment by the insured of a cancellation charge equal to the difference between any delinquency or default charge imposed with respect to the installment in default and \$5. A premium finance agreement may also provide for the payment of statutory attorneys fees and statutory court costs if the agreement is referred for collection to an attorney not a salaried employee of the insurance premium finance company.

Sec. 11. [CANCELLATION OF INSURANCE CONTRACT UPON DEFAULT.] Subdivision 1. When a premium finance agreement contains a power of attorney or other authority enabling the insurance premium finance company to cancel any insurance contract listed in the agreement, the insurance contract or contracts shall not be cancelled by the premium finance company unless such cancellation is effectuated in accordance with this section.

Subd. 2. Not less than ten days' written notice shall be mailed to the insured setting forth the intent of the insurance premium finance company to cancel the insurance contract unless the default is cured prior to the date stated in the notice. The insurance agent or insurance broker indicated on the premium finance agreement shall also be mailed ten days' notice of this action.

Subd. 3. Pursuant to the power of attorney or other authority referred to above, the insurance premium finance company may cancel on behalf of the insured by mailing to the insurer written notice stating when thereafter the cancellation shall be effective, and the insurance contract shall be cancelled as if such notice of cancellation had been submitted by the insured himself, but without requiring the return of the insurance contract. In the event that the insurer or its agent does not provide the insurance premium finance company with a specific mailing address for the purposes of receipt of the above notice, then mailing by the insurance premium finance company to the insurer at the address which is on file and of record with the commissioner of insurance pursuant to the provisions of Minnesota Statutes, Chapters 60A and 72A shall be considered sufficient notice under this section. The insurance premium finance company shall also mail a notice of cancellation to the insured at his last known address and to the insurance agent or insurance broker indicated on the premium finance agreement.

Subd. 4. Where statutory, regulatory or contractual restrictions provide that the insurance contract may not be cancelled unless notice is given to a governmental agency, mortgagee, or other third party, the insurer shall give the prescribed notice on behalf of itself or the insured to the governmental agency, mortgagee or other third party within a reasonable time after the day it receives the notice of cancellation from the premium finance company. When the above restrictions require the continuation of insurance beyond the effective date of cancellation specified by the premium finance company, the insurance shall be limited to the coverage to which the restrictions relate and to the persons they are designed to protect.

Sec. 12. [APPLICATION OF UNEARNED PREMIUMS.] Subdivision 1. Whenever a financed insurance contract is cancelled, the insurer shall return whatever gross unearned premiums are due under the insurance contract to the premium finance company for the account of the insured or insureds. This action by the insurer shall be deemed to satisfy the insurer's obligations under the insurance contract which relate to the return of the unearned premiums.

Subd. 2. In the event that a premium is subject to an audit to determine the final premium amount, the gross unearned premium will be calculated upon the deposit premium and the insurer shall return whatever gross unearned premiums are due based upon the deposit rather than the actual unearned premium to the finance company for the account of the insured or insureds.

Subd. 3. Assigned risk policies shall be handled in conformance with sections 11 and 12, subdivisions 1 and 2.

Subd. 4. In the event that the crediting of returned premiums to the account of the insured results in a surplus over the amount due from the insured, the premium finance company shall refund such excess to the insured; provided, that no refund shall be required if it amounts to less than \$1.

Sec. 13. [EXEMPTION FROM FILING.] No filing of the premium finance agreement or recording of a premium finance transaction shall be necessary to perfect the validity of the agreement as a secured transaction as against creditors, subsequent purchasers, pledgees, encumbrances, successors or assigns.

Sec. 14. [PRE-EXISTING PREMIUM FINANCE AGREEMENTS.] Any premium finance agreements executed prior to the effective date of this act shall not be covered by the terms of this act. However, any amendments to pre-existing premium finance agreements shall be governed by these provisions.

Sec. 15. The provisions of Minnesota Statutes, Chapter 15, shall apply to this act."

S. F. No. 1123 which the committee reports progress, after the following motions:

Mr. Krieger moved to amend S. F. No. 1123 as follows:

Page 1, lines 17, 18 and 19, strike the new language

Page 1, line 28, before the period insert "*and health insurance as specified in subdivision 6a.*"

Page 2, after line 5, add a new section to read:

"Sec. 2. Minnesota Statutes 1971, Section 60A.15, is amended by adding a subdivision to read:

*Subd. 6a. Taxes on the premium an individual pays for health insurance directly increase the cost of medical care. The premium taxes are in reality a sales tax and help to make health insurance inaccessible to the economically disadvantaged and those on fixed incomes. It is the policy of the state of Minnesota that every person should have available to him the highest quality medical care at a reasonable cost. In furtherance of that policy all direct taxes on premiums paid for health insurance imposed by Minnesota Statutes, Section 60A.15, Subdivision 1, are declared to be against the policy of this state and are repealed. The commissioner of revenue shall make such rules and regulations as may be necessary to enforce the provisions of this section.*"

Page 2, line 7, strike "1973" and insert "1974"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 2, strike "requiring" and insert "excepting"

Line 7, before the period, insert ", and by adding a subdivision"

The question being taken on adoption of the amendment,

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The question being taken on the committee recommendation to pass S. F. No. 1123,

And the roll being called, there were yeas 16 and nays 42, as follows:

Those who voted in the affirmative were:

Borden	Hansen, Baldy	Lewis	Olhoff	Schrom
Conzemius	Hansen, Mel	Milton	Olson, A. G.	Stokowski
Davies	Hughes	Novak	Schaaf	Tennessen
Gearty				

Those who voted in the negative were:

Anderson	Dunn	Kleinbaum	Olson, J. L.	Solon
Arnold	Frederick	Kowalczyk	O'Neill	Spear
Ashbach	Hanson, R.	Krieger	Patton	Stassen
Bang	Humphrey	Laufenburger	Perpich, A. J.	Thorup
Berg	Jensen	Lord	Perpich, G.	Wegener
Bernhagen	Josefson	Nelson	Pillsbury	Willet
Brown	Keefe, J.	North	Purfeerst	
Chmielewski	Keefe, S.	Ogdahl	Renneke	
Doty	Kirchner	Olson, H. D.	Sillers	

The committee then progressed S. F. No. 1123.

S. F. No. 1999, which the committee recommends to pass with the following amendment offered by Mr. Chmielewski:

Strike everything after the enacting clause and insert:

"Section 1. [ROAD AND BRIDGE LEVY.] Subdivision 1. The county board of St. Louis county may levy for St. Louis county road and bridge purposes in 1974 not to exceed five and one-half mills on the dollar of taxable valuation in the county; in 1975, not to exceed seven mills; and in 1976 not to exceed 8.34 mills.

Subd. 2. As an alternate plan, the county board of St. Louis county may issue general obligation bonds in amounts not to exceed \$650,000 for the year 1975, \$650,000 for the year 1976, and \$550,000 for the year 1977.

Sec. 2. [EFFECT ON LEVY LIMITATIONS.] The increase in the taxes authorized by this act to be levied for road and bridge purposes by St. Louis county in levy years 1974 through 1976 shall be disregarded when computing levies permitted under levy limitations provided by Minnesota Statutes, Sections 275.50 to 275.56.

Sec. 3. [EFFECTIVE DATE.] This act is effective upon approval by the county board of St. Louis county, and upon compliance with Minnesota Statutes, Section 645.021."

S. F. No. 2731, which the committee recommends to pass with the following amendment offered by Mr. Ashbach:

Page 14, line 11, strike the period and insert a semicolon

Page 14, after line 11, insert:

*"(r) temporary or part-time service performed in the employ of a municipality in a playground, athletic, or recreational program."*

Page 14, line 17, strike the new language and reinsert the old language

Page 14, strike lines 21, 22, and 23

S. F. No. 3257, which the committee recommends to pass with the following amendments offered by Messrs. Tennessen and McCutcheon:

Mr. Tennessen moved to amend S. F. No. 3257 as follows:

Page 5, line 2, before the period insert “, and may be fined up to \$20”

Mr. McCutcheon moved to amend S. F. No. 3257 as follows:

Page 4, line 13, strike “and”

Page 4, after line 13, insert:

“(c) Any municipal peace officer while on duty; and”

Page 4, line 14, strike “(c)” and insert “(d)”

The question being taken on the committee recommendation to pass S. F. No. 3257,

And the roll being called, there were yeas 22 and nays 21, as follows:

Those who voted in the affirmative were:

Chmielewski	Gearty	Laufenburger	Olhoft	Tennessen
Coleman	Hansen, Mel	Lord	Schaaf	Thorup
Davies	Humphrey	Milton	Solon	
Doty	Josefson	Moe	Spear	
Frederick	Keefe, S.	North	Stokowski	

Those who voted in the negative were:

Arnold	Fitzsimons	Kowalczyk	Pillsbury	Wegener
Ashbach	Hansen, Baldy	Lewis	Renneke	
Berg	Hanson, R.	Olson, J. L.	Schrom	
Bernhagen	Jensen	Perpich, A. J.	Stassen	
Dunn	Kirchner	Perpich, G.	Ueland	

So the committee recommended S. F. No. 3257 to pass.

S. F. No. 3181, which the committee recommends to pass with the following amendment offered by Mr. Perpich, A. J.:

Page 1, line 12, strike “ice” and insert “boundary waters canoe area”

Page 1, line 12, after “day” insert “.”

Page 1, line 12, strike “upon completion of”

Page 1, strike all of line 13

S. F. No. 2003, which the committee recommends to pass.

The question being taken on the committee recommendation to pass S. F. No. 2003,

And the roll being called, there were yeas 20 and nays 15, as follows:



Those who voted in the affirmative were:

Bang	Fitzsimons	Josefson	Nelson	Spear
Brown	Frederick	Keefe, J.	North	Stassen
Davies	Hansen, Mel	Kirchner	Pillsbury	Tennessen
Doty	Humphrey	Milton	Schaaf	Ueland

Those who voted in the negative were:

Berg	Lewis	Olhoft	Perpich, G.	Solon
Hansen, Baldy	Moe	Olson, A. G.	Purfeerst	Stokowski
Hanson, R.	Novak	Olson, H. D.	Schrom	Willet

So the committee recommended S. F. No. 2003 to pass.

S. F. No. 2110, which the committee recommends to pass with the following amendment offered by Mr. Milton:

Page 2, line 4, strike "and thereafter when made necessary"

Page 2, strike line 5

Page 2, line 6, strike "suggested"

Page 2, line 7, after "criteria and" insert "suggested"

Page 3, line 3, after "and" insert "minimizing"

Page 3, strike lines 6, 7, 8 and 9 and reletter the remaining clauses

Page 3, line 12, after "of" insert "premature"

Page 3, line 21, after "standards" strike "and" and insert a comma

Page 3, line 22, after "criteria" strike the comma

Page 3, line 22, after "ordinances," insert "described in clauses (a), (b), (d), (f), (g) and (i)"

Page 3, line 25, strike ", where appropriate,"

Page 3, line 27, after "resources" insert a semicolon, strike the rest of the line, and insert "in preparation of these standards, criteria and model ordinances, described in clauses (c) and (e), the metropolitan council shall seek the assistance and approval of the soil and water conservation commission; in preparation of these standards, criteria and model ordinances, described in clause (h), the metropolitan council shall seek the assistance and approval of the department of agriculture."

Page 4, line 7, after "area" insert "shall be provided with standards, criteria and suggested model ordinances and"

Page 4, line 8, after "ordinances" strike the comma and insert "which provide for the protection of the resources described in section 3."

Page 4, line 8, strike "separately or"

Page 4, strike lines 9 through 18

Page 4, line 25, strike "The"

Page 4, strike lines 26 through 28

Page 5, strike line 1

Page 5, line 2, strike "and floodplain management."

Page 5, line 2, after "The" insert "metropolitan"

Renumber the sections in sequence

The question being taken on the committee recommendation to pass S. F. No. 2110,

And the roll being called, there were yeas 29 and nays 17, as follows:

Those who voted in the affirmative were:

Borden	Hughes	Lord	Olhoft	Spear
Chenoweth	Humphrey	McCutcheon	Olson, A. G.	Stassen
Coleman	Keefe, J.	Milton	O'Neill	Stokowski
Davies	Keefe, S.	Nelson	Perpich, A. J.	Tennessee
Doty	Laufenburger	North	Perpich, G.	Wegener
Gearty	Lewis	Novak	Schaaf	

Those who voted in the negative were:

Arnold	Dunn	Josefson	Olson, J. L.	Renneke
Berg	Fitzsimons	Kowalczyk	Patton	
Brown	Frederick	Moe	Pillsbury	
Chmielewski	Hanson, R.	Olson, H. D.	Purfeerst	

So the committee recommended S. F. No. 2110 to pass.

S. F. No. 3194, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 1, line 20, before "To" insert "The purpose of this act is"

Page 2, line 12, before the period insert the words "and persons operating as frozen food processing plants as defined in Minnesota Statutes, Section 31.185"

Page 3, lines 9 and 10, strike "on a calendar year basis" and insert "annually"

Page 3, line 11, strike "January 1 and"

Page 4, line 21, strike "responsible"

Page 4, line 21, after "company" and before "in" insert "licensed to do business in this state, or meeting the requirements of section 5,"

Page 5, line 25, strike "and" insert "or"

Page 5, line 25, after "order," and before "revoke" insert "pursuant to the provisions of Minnesota Statutes, Chapter 15, and this subdivision,"

Page 12, line 2, after "manner" and before "interested" insert "financially"

S. F. No. 3407, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 1, strike all of section 1

Page 2, strike all of section 3

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 4, strike “, and” and insert a period

Strike lines 5 and 6

S. F. No. 2580, which the committee recommends to pass with the following amendment offered by Mr. Nelson:

Page 1, strike lines 19 through 28 and renumber the subdivisions accordingly

Page 6, line 19, strike “and his testimony may not be used” and insert a period

Page 6, strike lines 20 and 21

#### RECESS

Mr. Coleman moved that the committee do now recess until 8:00 o'clock p. m. The motion prevailed.

The hour of 8:00 o'clock p. m. having arrived, the Chairman called the committee to order.

S. F. No. 3076, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 2, line 16, strike the comma and insert a semicolon

Page 2, line 18, after “shall” insert “, *except where this reduction would render the commission ineligible for the federal aid involved,*”

Mr. Knutson moved to amend S. F. No. 3076 as follows:

Page 1, strike lines 21 through 28

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, lines 4 and 5, strike “setting bus fares;”

Lines 6 and 7, strike “Sections 473A.09, by adding a subdivision;” and insert “Section”

Mr. Kirchner moved a substitute amendment to amend S. F. No. 3076 as follows:

Page 1, line 24, after “a” insert “uniform”

Page 1, lines 24 and 25, strike “of not more than \$.25 per ride,”

The question being taken on adoption of the substitute amendment,

And the roll being called, there were yeas 15 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Baldy	Kirchner	Pillsbury
Bang	Fitzsimons	Jensen	Krieger	Renneke
Bernhagen	Frederick	Josefson	Olson, J. L.	Ueland

Those who voted in the negative were:

Berg	Gearty	Laufenburger	Olhoft	Solon
Borden	Hansen, Mel	Lewis	Olson, A. G.	Spear
Chenoweth	Humphrey	Lord	Olson, H. D.	Stassen
Coleman	Keefe, J.	McCutcheon	Perpich, G.	Stokowski
Conzemius	Keefe, S.	Milton	Purfeerst	Tennessee
Davies	Kleinbaum	North	Schaaf	Wegener
Doty	Knutson	Novak	Schrom	Willet

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

The question recurred on the Knutson amendment.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 20 and nays 28, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Hansen, Mel	Knutson	Pillsbury
Bang	Fitzsimons	Hanson, R.	Kowalczyk	Renneke
Berg	Frederick	Jensen	North	Stassen
Bernhagen	Hansen, Baldy	Josefson	Olson, J. L.	Ueland

Those who voted in the negative were:

Borden	Gearty	Lewis	Olson, H. D.	Stokowski
Chenoweth	Humphrey	Lord	Purfeerst	Tennessee
Coleman	Keefe, S.	McCutcheon	Schaaf	Wegener
Conzemius	Kirchner	Milton	Schrom	Willet
Davies	Kleinbaum	Olhoft	Solon	
Doty	Laufenburger	Olson, A. G.	Spear	

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

S. F. No. 3337, which the committee recommends to pass with the following amendment offered by Mr. Schaaf:

Page 3, line 18 and 19, reinstate the stricken language

Page 6, after line 21, insert:

"Sec. 9. Minnesota Statutes 1971, Section 94.15, is repealed."

Renumber the remaining section

Further, amend the title in line 17 after "section" by inserting  
"; repealing Minnesota Statutes 1971, Section 94.15"

S. F. No. 2315, which the committee recommends to pass.

The question being taken on the committee recommendation to pass S. F. No. 2315,

And the roll being called, there were yeas 37 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Conzemius	Humphrey	Milton	Schaaf
Bang	Davies	Jensen	North	Stassen
Berg	Doty	Keefe, J.	Olson, A. G.	Stokowski
Bernhagen	Fitzsimons	Kirchner	Olson, J. L.	Ueland
Brown	Frederick	Kleinbaum	O'Neill	Willet
Chenoweth	Gearty	Krieger	Pillsbury	
Chmielewski	Hansen, Baldy	Laufenburger	Purfeerst	
Coleman	Hanson, R.	Lewis	Renneke	

Those who voted in the negative were:

Borden	Knutson	Lord	Spear	Tennessen
Keefe, S.	Kowalczyk	Olhoft		

So the committee recommended S. F. No. 2315 to pass.

And then, on motion of Mr. Lewis, 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 for the balance of this evening's proceedings. The following Senators answered to their names:

Ashbach	Doty	Kleinbaum	Olson, J. L.	Stassen
Berg	Fitzsimons	Kowalczyk	Patton	Stokowski
Bernhagen	Gearty	Lewis	Perpich, G.	Tennessen
Borden	Hansen, Baldy	Lord	Pillsbury	Thorup
Brown	Hanson, R.	McCutcheon	Purfeerst	Ueland
Chenoweth	Humphrey	Ogdahl	Renneke	Willet
Coleman	Jensen	Olhoft	Schaaf	
Conzemius	Keefe, S.	Olson, A. G.	Schrom	
Davies	Kirchner,	Olson, H. D.	Spear	

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

##### MEMBERS EXCUSED

Mr. Nelson was excused from this evening's Session.

Pursuant to Rule 21, Mr. Thorup moved that the following members be excused for a Conference Committee on H. F. No. 2996:

Messrs. Anderson, Hughes, O'Neill, Sillers and Arnold. The motion prevailed.

##### APPOINTMENTS

Mr. Davies from the Committee on Committees, recommended that the following named Senators be and they hereby are ap-

pointed as a Conference Committee on H. F. No. 951, pursuant to the request of the House:

Messrs. Keefe, S., Ashbach, Tennesen.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. 1866, pursuant to the request of the House:

Messrs. Moe, Tennesen, Kirchner.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2728, pursuant to the request of the House:

Messrs. Borden, Pillsbury, Kleinbaum.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1136, pursuant to the request of the House:

Messrs. Perpich, A. J.; Arnold; Kowalczyk.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 3533, pursuant to the request of the House:

Messrs. Willet, Schrom, Brown.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1292, pursuant to the request of the House:

Messrs. Nelson, Milton, Spear.

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson, A. G. moved that H. F. No. 2444 be taken from the table. The motion prevailed.

H. F. No. 2444: A bill for an act relating to transportation; providing principal arterial highway funds for the appropriation of money to counties and municipalities of the state for the purposes of constructing and reconstructing the state's principal arterial highways, authorizing the issuance of state bonds for the purposes thereof and appropriating money in connection therewith; establishing the Minnesota state transportation fund for the appropriation of money to subdivisions of the state for public lands, buildings, and capital improvements needed for public transportation, authorizing the issuance of state bonds for the purposes of the transportation fund and appropriating money in connection therewith; amending Minnesota Statutes 1971, Sections 473A.065; and 473A.111, Subdivision 1.

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

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

And the roll being called, there were yeas 36 and nays 26, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Frederick	Knutson	O'Neill	Stassen
Bang	Hansen, Baldy	Kowalczyk	Patton	Ueland
Berg	Hansen, Mel	Krieger	Pillsbury	
Bernhagen	Hanson, R.	Larson	Renneke	
Brown	Jensen	Ogdahl	Schrom	
Fitzsimons	Josefson	Olson, J. L.	Sillers	

So the bill failed to pass.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to revert to the Order of Business of Messages from the House, First Readings of House Bills, Reports of Committees and Second Reading of Senate Bills, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

#### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 978:

H. F. No. 978: A bill for an act relating to tort liability of political subdivisions; extending governmental immunity from tort

liability for certain towns; amending Minnesota Statutes 1971, Section 466.12, Subdivision 4.

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

Peterson, Culhane and Wigley have been appointed as such committee on the part of the House.

House File No. 978 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 13, 1974

Mr. Wegener moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 978, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3202:

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.

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

Jacobs, Haugerud and Newcome have been appointed as such committee on the part of the House.

House File No. 3202 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 13, 1974

Mr. Thorup moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3202, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

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



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

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

Johnson, C., Jaros and Knickerbocker.

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

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 13, 1974

Mr. President:

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

H. F. Nos. 1835, 2156, 2974, 3045, 3151, 3279, 3321, 3433, 1834 and 3276.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 13, 1974

#### **FIRST READING OF HOUSE BILLS**

H. F. No. 1835: A bill for an act regulating public utilities furnishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission in relation thereto; prescribing penalties; increasing the membership of the public service commission; appropriating money; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1.

H. F. No. 2156: A bill for an act relating to occupations and professions; regulating the definition of the practice of professional engineering; amending Minnesota Statutes 1971, Section 326.02, Subdivision 3.

H. F. No. 2974: A bill for an act relating to the city of Coon Rapids; appropriating funds for special assessments levied by the city against property of Anoka-Ramsey community college.

H. F. No. 3045: A bill for an act relating to agriculture; agricultural commodities promotion; limiting per diem expenses allowed to members of advisory boards; appropriating money for use by the paddy wild rice industry advisory board; amending Minnesota Statutes, 1973 Supplement, Section 17.601.

H. F. No. 3151: A bill for an act relating to the state; creating a designer selection board to select architects and engineers for state building projects and prescribing its powers and duties.

H. F. No. 3279: A bill for an act relating to state government; empowering the commissioner of administration to assume management functions of dissolved agencies; allowing certain advance deposits to federal agencies; authorizing the use of state vehicles for the car pooling of state employees; updating the pro-

visions of surplus property sales; empowering political subdivisions to purchase real and personal property from the state; amending Minnesota Statutes 1971, Sections 16.02, by adding a subdivision; 16.096; 94.09, Subdivision 3; 94.12; 94.13; 94.14; 471.64; and Chapter 16, by adding a section; repealing Minnesota Statutes 1971, Section 94.15.

H. F. No. 3321: A bill for an act relating to county attorneys; authorizing county boards to provide that the office of county attorney be a full time position; amending Minnesota Statutes 1971, Chapter 388, by adding sections.

H. F. No. 3433: A bill for an act relating to the city of Hanska and independent school districts Numbers 88, 837, and 840; authorizing the acquisition and leasing of properties for educational purposes; prescribing powers and duties in relation thereto; and authorizing the issuance of bonds.

H. F. No. 1834: A bill for an act relating to civil defense; revising the provisions of the state civil defense law; enacting the Interstate Civil Defense and Disaster Compact; providing penalties; repealing Minnesota Statutes 1971, Chapter 12, as amended; and Laws 1951, Chapter 669.

H. F. No. 3276: A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipalities where application for ballots may be made; providing the duties of clerks for municipal elections; absentee voting for members of the armed forces; amending Minnesota Statutes, 1973 Supplement, Sections 207.03; 207.19; 207.20; and Minnesota Statutes 1971, Chapter 207, by adding a section.

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

S. F. No. 3244: A bill for an act creating a legislative commission to study the state banking laws for appropriate revision; appropriating money therefor.

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 under Joint Rule 20, together with the committee report thereon,

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

Reports the same back with the recommendation that the report from the Committee on Judiciary 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 was referred

H. F. No. 3102: A bill for an act relating to pharmacy; legend drugs, restrictions on the prescription and possession of legend drugs; relating to controlled substances; providing restrictions on the possession of controlled substances; amending Minnesota Statutes 1971, Sections 151.37, by adding a subdivision and 152.12, by adding a subdivision.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Health, Welfare and Corrections. Report adopted.

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

H. F. No. 2360: A bill for an act authorizing the issuance and sale of Minnesota trunk highway bonds under the provisions of Minnesota Constitution, Article IX, Section 6; and Article XVI, Section 12; and the expenditure of the proceeds thereof.

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred for proper reference under Rule 35,

S. F. No. 3211: A bill for an act relating to school districts; elections; providing for primary elections in certain cases; providing procedures therefor; amending Minnesota Statutes 1971, Section 123.32, Subdivisions 4 and 8, and by adding a subdivision.

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

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

H. F. Nos. 2156, 2974, 3045, 3151 and 3433 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. 2974, 3045 to the Committee on Finance.

H. F. No. 3151 to the Committee on Governmental Operations.

H. F. No. 2156 to the Committee on Labor and Commerce.

H. F. No. 3433 to the Committee on Taxes and Tax Laws.

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

#### **SECOND READING OF SENATE BILLS**

S. F. Nos. 3244 and 3433 were read the second time.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Schrom moved that the name of Mr. Wegener be shown as chief author and the name of Mr. Schrom be stricken as author to S. F. No. 637. The motion prevailed.

Mr. Perpich, A. J. moved that the name of Mr. Perpich, G. be added as co-author to S. F. No. 3181. The motion prevailed.

Mr. O'Neill moved that H. F. No. 2525 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Rules and Administration. The motion prevailed.

#### **NOTICE OF RECONSIDERATION**

Mr. Perpich, A. J. gave notice of intention to move for reconsideration of H. F. No. 3328.

#### **MOTIONS AND RESOLUTIONS—CONTINUED**

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, March 14, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.