

## ONE HUNDRED SEVENTH DAY

St. Paul, Minnesota, Monday, March 18, 1974.

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

## CALL OF THE SENATE

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

|           |               |              |                |           |
|-----------|---------------|--------------|----------------|-----------|
| Arnold    | Fitzsimons    | Keefe, S.    | Milton         | Schaaf    |
| Ashbach   | Frederick     | Kirchner     | Olhoff         | Schrom    |
| Bernhagen | Gearty        | Kleinbaum    | Olson, H. D.   | Spear     |
| Borden    | Hansen, Baldy | Kowalczyk    | Olson, J. L.   | Stokowski |
| Chenoweth | Hansen, Mel   | Larson       | Patton         | Tennessen |
| Coleman   | Hanson, R.    | Laufenburger | Perpich, A. J. | Thorup    |
| Conzemius | Humphrey      | Lewis        | Perpich, G.    | Ueland    |
| Davies    | Jensen        | Lord         | Pillsbury      | Wegener   |
| Dunn      | Josefson      | McCutcheon   | Purfeerst      | Willet    |

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:

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

Quorum present.

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

## MEMBERS EXCUSED

Mr. Anderson was excused from the Session of today, Tuesday and Wednesday. Mr. Hughes was excused from the Session of today and Tuesday. Messrs. O'Neill and Sillers were excused

from the Session of today. Mr. Keefe, J. was excused from the early part of today's Session. Mr. Patton was excused from the Session of today, beginning at 1:15 o'clock p.m.

#### EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Alec G. Olson  
President of the Senate

Sir:

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

S. F. No. 767, An act relating to public health; authorizing the state board of health to prescribe fees for certain services provided by the board; appropriating money; amending Minnesota Statutes 1971, Chapter 144, by adding a section.

S. F. No. 1099, An act relating to taxation; sales and use tax; exempting purchases by certain senior citizen organizations; amending Minnesota Statutes 1971, Section 297A.25, Subdivision 1.

S. F. No. 1174, An act relating to corrections; study and diagnosis of children and youth committed to the commissioner of corrections; amending Minnesota Statutes 1971, Sections 242.385, Subdivision 1; 260.151, Subdivision 1; and 260.175; repealing Minnesota Statutes 1971, Sections 242.385, Subdivision 2; and 242.386.

S. F. No. 1269, An act relating to employees' benefits; providing an exemption for the sale of securities to an employee stock ownership trust and tax exemptions and deductions for contributions to an employee stock ownership trust; amending Minnesota Statutes, 1973 Supplement, Section 290.01, by adding a subdivision; Minnesota Statutes 1971, Sections 290.21, Subdivision 3; 290.26, by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 291.05; and 292.04.

S. F. No. 1427, An act relating to contracts; providing, on the termination of certain contracts, for the repurchase of implements, machinery, attachments and parts held for retail sale.

S. F. No. 1591, An act relating to agriculture, disposal of animal carcasses by renderers and pet food processors; amending Minnesota Statutes 1971, Section 35.82, Subdivisions 2 and 3; and by adding a subdivision; repealing Minnesota Statutes 1971, Section 35.82, Subdivision 1a.

S. F. No. 2055, An act relating to taxation; providing for increase in fee for issuance of certain deeds by commissioner of revenue; amending Minnesota Statutes 1971, Sections 282.33, Subdivision 1; and 282.36.

S. F. No. 2353, An act relating to the definition of a person; changing the word man to person in certain statutes; amending

Minnesota Statutes 1971, Sections 35.07; 35.08; 43.09, Subdivision 2; 65A.26; 66A.29; 67A.16, Subdivision 2; 84.14, Subdivision 1; 121.301; 164.02, Subdivision 1; 183.22; 183.39, Subdivision 1; 219.25; 368.65; 375.35; 376.61; and 447.04.

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

S. F. No. 2586, An act relating to Clay county; authorizing expenditure of federal revenue sharing funds for certain purposes.

S. F. No. 2684, An act authorizing the city of Fairmont to designate, regulate, maintain, and improve streets in the central business district as a mall and to levy special assessments and taxes and issue bonds for this purpose; amending Laws 1965, Chapter 70, Section 1, Subdivision 1, and by adding a subdivision; repealing Laws 1965, Chapter 70, Section 1, Subdivision 2, and Section 2, Subdivision 2.

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

S. F. No. 2780, An act relating to the county of Hennepin license bureau; providing for the transfer of the licensing duties of the clerk of district court.

S. F. No. 2796, An act relating to federal emergency loans to individuals; capacity of individuals to contract and give security therefor; repealing Minnesota Statutes, 1973 Supplement, Sections 17.74; and 17.75.

S. F. No. 2860, An act relating to state lands; directing conveyance of certain state lands in Isanti county to Cambridge memorial hospital.

S. F. No. 2910, An act relating to elections; providing for the preparation, furnishing and disposition of election materials; amending Minnesota Statutes 1971, Sections 204.18, Subdivision 1; 204.24, Subdivision 1; and 204.25.

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

S. F. No. 3001, An act relating to historic sites; designating the boundaries of the historic hill district in Ramsey county; amending Minnesota Statutes, 1973 Supplement, Section 138.73, Subdivision 23.

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

S. F. No. 3053, An act relating to the determination of the front-

age assessments for the extension of water service in the city of St. Paul; repealing Special Laws 1885, Chapter 110, Section 26; and Laws 1951, Chapter 272.

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

S. F. No. 3267, An act relating to the city of St. Cloud; property assessment as a function of the city assessor.

Sincerely,  
Wendell R. Anderson, Governor

### INTRODUCTION OF BILLS

Mr. Olson, J. L. introduced—

S. F. No. 3575: A bill for an act relating to the city of Worthington; appropriating funds for special assessments levied by the city against Worthington community college for street improvements on streets abutting its property.

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

Mr. Novak, for the Committee on Finance introduced—

S. F. No. 3576: A bill for an act relating to claims against the state; appropriating moneys for the payment thereof; amending Minnesota Statutes 1971, Section 3.732, Subdivisions 2, 4 and 5.

Which was read the first time and under the rules of the Senate, laid over one day.

### MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 498: A bill for an act providing for the regulation of abortions; providing penalties; providing for records to be kept; repealing Minnesota Statutes, Sections 617.18 and 617.19.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 15, 1974

Mr. President:

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

S. F. No. 2501: A bill for an act relating to game and fish;

distribution of certain proceeds from hunting leases; amending Minnesota Statutes 1971, Section 97.49, Subdivision 3.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

Mr. President:

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

S. F. No. 3105: A bill for an act relating to predators; county or town bounties; amending Minnesota Statutes 1971, Section 348.12.

Senate File No. 3105 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

#### CONCURRENCE AND REPASSAGE

Mr. Larson moved that the Senate do now concur in the amendments by the House to S. F. No. 3105 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3105 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 50 and nays 8, as follows:

Those who voted in the affirmative were:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| Arnold      | Dunn          | Kleinbaum    | North          | Purfeerst |
| Ashbach     | Fitzsimons    | Knutson      | Novak          | Renneke   |
| Bang        | Gearty        | Kowalczyk    | Ogdahl         | Schaaf    |
| Bernhagen   | Hansen, Baldy | Krieger      | Olhoft         | Solon     |
| Blatz       | Hansen, Mel   | Larson       | Olson, A. G.   | Stassen   |
| Borden      | Hanson, R.    | Laufenburger | Olson, H. D.   | Stokowski |
| Brown       | Humphrey      | Lewis        | Olson, J. L.   | Thorup    |
| Chenoweth   | Jensen        | Lord         | Patton         | Ueland    |
| Chmielewski | Josefson      | McCutcheon   | Perpich, A. J. | Wegener   |
| Conzemius   | Kirchner      | Moe          | Pillsbury      | Willet    |

Those who voted in the negative were:

|         |        |             |       |           |
|---------|--------|-------------|-------|-----------|
| Coleman | Doty   | Perpich, G. | Spear | Tennessen |
| Davies  | Milton | Schrom      |       |           |

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

**MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

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

S. F. No. 919: A bill for an act relating to intoxicating liquor; issuance of licenses to private persons in municipalities operating municipal stores; amending Minnesota Statutes 1971, Section 340.353, Subdivision 5.

Senate File No. 919 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

Mr. Wegener moved that S. F. No. 919 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 3064: A bill for an act relating to game and fish; prohibiting the taking of smelt outside of a certain area.

Senate File No. 3064 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 15, 1974

**CONCURRENCE AND REPASSAGE**

Mr. Solon moved that the Senate do now concur in the amendments by the House to S. F. No. 3064 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3064 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 55 and nays 1, as follows:

Those who voted in the affirmative were:

|           |             |               |             |              |
|-----------|-------------|---------------|-------------|--------------|
| Arnold    | Brown       | Doty          | Hansen, Mel | Kleinbaum    |
| Bang      | Chenoweth   | Dunn          | Hanson, R.  | Knutson      |
| Berg      | Chmielewski | Fitzsimons    | Humphrey    | Larson       |
| Bernhagen | Coleman     | Frederick     | Jensen      | Laufenburger |
| Blatz     | Conzemius   | Gearly        | Josefson    | Lewis        |
| Borden    | Davies      | Hansen, Baldy | Kirchner    | Lord         |

|            |              |                |           |           |
|------------|--------------|----------------|-----------|-----------|
| McCutcheon | Novak        | Olson, J. L.   | Purfeerst | Stokowski |
| Milton     | Ogdahl       | Patton         | Renneke   | Thorup    |
| Moe        | Olhoft       | Perpich, A. J. | Schaaf    | Ueland    |
| Nelson     | Olson, A. G. | Perpich, G.    | Schrom    | Wegener   |
| North      | Olson, H. D. | Pillsbury      | Solon     | Willet    |

Mr. Krieger voted in the negative.

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

#### MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2990:

H. F. No. 2990: A bill for an act relating to retirement; coverage for certain employees at the state reformatory for men; amending Minnesota Statutes, 1973 Supplement, Section 352.91.

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

Patton, Moe and Larson have been appointed as such committee on the part of the House.

House File No. 2990 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 15, 1974

Mr. Kleinbaum moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2990, 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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2264: A bill for an act authorizing the commissioner of administration to acquire certain lands for the commissioner of natural resources for wildlife management areas, spawning areas, and trout stream management and angling by the public.

Senate File No. 2264 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 14, 1974

**CONCURRENCE AND REPASSAGE**

Mr. Wegener moved that the Senate do now concur in the amendments by the House to S. F. No. 2264 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2264 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| Arnold      | Davies        | Kowalczyk    | Novak          | Schaaf    |
| Rang        | Doty          | Krieger      | Oedahl         | Schrom    |
| Berg        | Dunn          | Larson       | Olhoft         | Solon     |
| Bernhagen   | Fitzsimons    | Laufenburger | O'son, A. G.   | Spear     |
| Blatz       | Gearty        | Lewis        | Olson, H. D.   | Stokowski |
| Borden      | Hansen, Baldy | Lord         | Olson, J. L.   | Thorup    |
| Brown       | Hansen, Mel   | McCutcheon   | Perpich, A. J. | Ueland    |
| Chenoweth   | Hanson, R.    | Milton       | Perpich, G.    | Wegener   |
| Chmielewski | Humphrey      | Moe          | Pillsbury      | Willet    |
| Coleman     | Josefson      | Nelson       | Purfeerst      |           |
| Conzemius   | Knutson       | North        | Renneke        |           |

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

**MESSAGES FROM THE HOUSE—CONTINUED**

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3002:

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.

And the House respectfully requests that a Conference Committee of three members be appointed thereon: Andersen, R., Carlson, B. and Hagedorn have been appointed as such committee on the part of the House.

House File No. 3002 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 14, 1974

Mr. Ogdahl moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3002, 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.

**REPORTS OF COMMITTEES**

Mr. Coleman moved that the Committee Reports at the Desk with the exception of H. F. Nos. 3105, 3317, 798, 3157, 2773, 3473, 3129, 3281, 2601, 2243, 1740, 2992, 1991, 2872, 3556, 3027, 3512, 2920, 773, 3368, 1498, 2338, 2918, 3287, 3288, 1634, 1524, 2796, 3470, 3151, 1973, 3372 and S. F. No. 3211, be now adopted.

The motion prevailed.

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

H. F. No. 3105: A bill for an act relating to status of disappeared persons; providing for receivers and the possession, management, and disposition of property; providing for proceedings to establish the date of death of a person who has disappeared and the eligibility for life insurance payments prior to determination of death; amending Minnesota Statutes 1971, Sections 487.14; 487.27, Subdivision 3, as amended; 518.01; 525.71; 576.01; 576.04; 576.10; 576.12, by adding a subdivision; 576.14; 576.15; 576.16; and Chapter 576, by adding sections.

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

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

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

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

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

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

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

H. F. No. 798: A bill for an act relating to the juvenile court; amending Minnesota Statutes 1971, Sections 260.015, Subdivision 5; and 260.185, Subdivision 1.

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

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

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

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

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, Chapter 504, is amended by adding a section to read:

[504.22] [DEFINITIONS, DISCLOSURE AND ACTIONS.]  
*Subdivision 1. As used in this section,*

(a) "tenant" shall have the meaning assigned to it in section 566.18, and

(b) "owner" shall mean one or more persons, jointly or severally, in whom is vested a legal or beneficial interest in the premises.

*Subd. 2. There shall be disclosed to the tenant either in the rental agreement or otherwise in writing prior to commencement of the tenancy the name and address of:*

(1) *the person authorized to manage the premises; and*

(2) *an owner of the premises or an agent authorized by the owner to accept service of process and receive and give receipt for notices and demands.*

*Subd. 3. A printed or typewritten notice containing the information which must be disclosed under subdivision 2 shall be placed in a conspicuous place on the premises. This subdivision is complied with if notices posted in compliance with other statutes or ordinances contain the information required by subdivision 2.*

*Subd. 4. If subdivisions 2 and 3 have not been complied with and a person desiring to make service of process upon or give a notice or demand to the owner does not know the name and address of the owner or his agent, as that term is used in subdivision 2, then a caretaker or manager of the premises or an individual to whom rental payments for the premises are made shall be deemed to be an agent authorized to accept service of process and receive and give receipt for notices and demands on behalf of the owner. In case of service of process upon or receipt of notice or demand by a person who is deemed to be an agent pursuant to this subdivision, this person shall give the process, notice, or demand, or a copy thereof, to an owner personally or shall send it by certified mail, return receipt requested, to an owner at the owner's last known address.*

*Subd. 5. No action to recover rent or possession of the premises shall be maintained unless the information required by this section has been disclosed to the tenant in the manner provided herein, or unless the information required by this section is known by or has been disclosed to the tenant at least 30 days prior to the initiation of such action.*

*Subd. 6. Any tenant who moves from or subleases the premises without giving the owner at least 30 days written notice shall void any provision of this act, as to such tenant.*

*Subd. 7. This section extends to and is enforceable against any successor owner, caretaker, manager, or individual to whom rental payments for the premises are made."*

Further, strike the title and insert:

"A bill for an act relating to real estate; disclosure of identity of owner and manager of rental property; defining terms; amending Minnesota Statutes 1971, Chapter 504, by adding a section."

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

H. F. No. 2773: 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.

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

Page 1, line 7, after "*petition*" insert "*the iron range resources and rehabilitation commission for authority to petition*"

Page 2, after line 15, insert:

*"Subd. 7. The provisions of this section shall not apply in the boundary waters canoe area."*

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

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

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

H. F. No. 3473: A bill for an act relating to the western Lake Superior sanitary district; providing for the district to regulate solid waste; amending Laws 1971, Chapter 478, Sections 1; 2, by adding subdivisions; 3, Subdivision 1; 5, by adding a subdivision; 7, by adding subdivisions; 8; and 14; and by adding a section.

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

Page 4, line 12, after "Sec. 9." insert "Laws 1971, Chapter 478, Section 8, is amended to read:

Sec. 8."

Page 5, line 3, after the period insert "*Revenues from the operation of disposal sites or facilities shall not be used to fund in whole or in part the maintenance or operation of the district disposal system as that term is defined in section 2 above.*"

Page 5, strike lines 4 through 8.

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

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

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

H. F. No. 3129: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to receive and administer conservation restrictions by gift, purchase or exchange.

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

Page 1, line 3, strike "receive and administer," and insert "acquire"

Page 2, line 9, strike "department" and insert "commissioner"

Page 2, line 14, strike "plan" and insert "plat"

Page 2, strike line 25

Further amend the title as follows:

Page 1, lines 1 and 2, strike "receive and administer" and insert "acquire"

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

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

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

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

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

H. F. No. 2601: A bill for an act relating to natural resources; directing the commissioner of natural resources to acquire necessary easements to provide public access to a certain lake in St. Louis county; appropriating money therefor.

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

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. 2243: A bill for an act providing for the creation, organization, administration, and functions of a Hennepin-Scott Minnesota river bridge authority as a local government unit; authorizing the authority to acquire, construct, finance, operate, and maintain a bridge and the approaches thereto across the Minnesota river connecting state highway 101 and Hennepin county state aid highway 18; repealing Laws 1971, Chapter 739.

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

Page 5, line 27, strike "have significant potential" and insert "be state action having significant"

Page 5, after line 28, insert the following:

"Sec. 4. Notwithstanding any law to the contrary, all vehicles owned by public transit systems as defined by Minnesota Statutes 1971, Section 473A.01, subdivisions 8 and 9, shall be entitled to free use of any bridge constructed by the authority."

Renumber the sections accordingly

Further, amend the title in line 4 by striking "connecting state highway 101 and Hennepin county state aid highway 18"

And when so amended the bill be re-referred to the Committee on Metropolitan and Urban Affairs without recommendation.

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. 1740: A bill for an act relating to state agencies; requiring a state agency when referring any client to another state agency to furnish the agency to which such client is referred with copies of all records or other information pertaining to the claim, problem or subject for which such client was referred.

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

Page 1, line 4, after "shall" insert " , with the written permission of the client,"

And when so amended the bill do pass.

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

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

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

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

Page 1, line 12, strike the new language after the period

Page 2, lines 1 and 2, strike the new language

Page 2, after line 23, insert:

"Sec. 3. Minnesota Statutes 1971, Section 525.32, is amended to read:

525.32 [FILING BOND; WAIVER.] Every representative, except as provided by sections 525.551 and 48.82, before entering upon the duties of his trust shall file a bond in such amount as the court directs, with sufficient sureties, conditioned upon the faithful discharge of all the duties of his trust according to law. *The court shall waive the filing of a bond if the decedent's will expressly waives the requirement of any bond or if all of the beneficiaries of the decedent's estate are under no legal disability and sign and file with the court a waiver of any bond requirement.*

Sec. 4. Minnesota Statutes 1971, Chapter 525, is amended by adding a section to read:

[525.325] [DEMAND FOR BOND.] *Any person having an interest of more than \$1,000 in an estate or any creditor having a claim of more than \$1,000 against an estate may make and file with the court a written demand that the representative, other than a corporate representative, furnish and file a bond. Thereupon the court may, in its discretion, require a bond of the individual representative and fix the amount of such bond notwithstanding the provisions of Minnesota Statutes, Section 525.32. A copy of the court's order fixing the amount of the bond shall be served upon the representative in such manner as the court may direct. Upon service on the representative, the representative shall refrain from exercising any powers of his office except as necessary to preserve the estate. Failure of the representative to give suitable bond within ten days after service upon him of a copy of the court's order is cause for his removal and appointment of a successor*

*representative. If the person demanding the bond ceases to have a sufficient interest in the estate, the court may waive the bond requirement.*

Sec. 5. Minnesota Statutes 1971, Chapter 525, is amended by adding a section to read:

**[525.475] [DORMANT ESTATE; REMOVAL OF REPRESENTATIVE OR ATTORNEY.]** *(a) If a final decree is not entered in an estate within 18 months after the commencement of the proceeding and the estate is not open pursuant to an order extending time, the court shall order the personal representative and his attorney to show good cause why a final decree has not been entered.*

*(b) If good cause is not shown the court shall discharge the personal representative or instruct the personal representative to dismiss his attorney and employ another attorney if necessary to complete the administration.*

*(c) If good cause is shown, the court shall order that the time for administration of the estate be extended for an additional period not to exceed six months.*

*If a final decree is not entered within six months from the date of extension the court shall again order the personal representative and his attorney to show cause why a final decree has not been ordered pursuant to the provisions of this section.*

*(d) An attorney dismissed pursuant to this section and who is seeking attorney fees for services rendered to the estate has the burden of affirmatively proving that the estate has benefited from his services and that the benefits warrant the payment of the requested fee.*

Sec. 6. Minnesota Statutes 1971, Section 525.48, is amended to read:

**525.48 [FILING OF ACCOUNT.]** *(a) Within the time limited every representative shall file a verified account of his administration and petition the court to settle and allow his account and to assign the estate to the persons entitled thereto. The representative shall also account at such other times as the court may require; the hearing on such account shall be had upon such notice as the court may direct.*

*(b) The final account shall include a statement of attorney fees. This statement shall include the total fees charged to date and estimated future fees to be charged.*

Sec. 7. Minnesota Statutes 1971, Section 525.515, is amended to read:

**525.515 [BASIS FOR ATTORNEY'S FEES.]** *(a) Notwithstanding any law to the contrary, an attorney performing services for the estate at the instance of the representative shall have compensation therefor out of the estate as the court shall deem just and reasonable. In any proceeding under this section, fair and reasonable attorney's fees shall be based upon time spent, the*

~~complexity of any problems involved, and the value of the estate shall not be the controlling factor. Further, the provisions of this section shall not be limited to proceedings under section 525.51 but shall apply to all probate proceedings.~~

*(b) In determining what is a fair and reasonable attorney's fee the court shall give effect to a prior agreement in writing by a testator concerning attorney fees. Where there is no prior agreement in writing the court shall consider the following factors in determining what is a fair and reasonable attorney's fee:*

- (1) The time and labor required;*
- (2) The experience and knowledge of the attorney;*
- (3) The complexity and novelty of problems involved;*
- (4) The extent of the responsibilities assumed and the results obtained; and*
- (5) The sufficiency of assets properly available to pay for the services;*

*(c) An interested beneficiary under a will or heir may petition the probate court to review the attorney fees listed in section 6 of this act. In determining the reasonableness of the attorney fees, the court shall consider all the factors listed in clause (b) and the value of the estate shall not be the controlling factor.*

*(d) Unless previously agreed to in writing by the testator it is declared to be against the public policy of Minnesota for an award of attorney fees for services rendered to an estate to be based on a percentage of the estate."*

Renumber the remaining section

Further amend the title as follows:

Second line, After "estates;" insert "bond requirements of estates; duties of the personal representative and attorney; attorney's fees;"

Third line, After "1971," strike "Section" and insert "Sections 525.32; 525.48; 525.515; and"

Third line, After "adding" strike "a section" and insert "sections"

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. 1991: A bill for an act relating to county or municipal hospitals; permitting the use of certified public accountants to audit and examine their books in lieu of the public examiner.

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

Page 1, line 4, strike "public examiner" and insert "state auditor"

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. 2872: A bill for an act relating to public safety; providing for emergency measures to meet disasters; vesting certain powers in the governor and executive council; amending Minnesota Statutes 1971, Section 9.061.

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

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

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

H. F. No. 3556: A bill for an act relating to Dakota county; authorizing the Dakota county board to appropriate funds necessary to the effective operation of the Dakota county nursing service committee and establish per diem rates for members thereof.

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

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

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

H. F. No. 3027: A bill for an act relating to housing and redevelopment authorities; changing classification of certain regulated property and necessary findings; amending Minnesota Statutes 1971, Sections 462.415, Subdivision 4; 462.421, Subdivision 11; 462.425, Subdivision 1; 462.426, Subdivision 1; and 462.445, Subdivision 4.

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

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

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

H. F. No. 3512: A bill for an act relating to the city of St. Paul; increasing the maximum amount of severance pay; increasing the authorized tax levy for severance pay; amending Laws 1959, Chapter 690, Sections 2 and 3, as amended.

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

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

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

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

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

Page 2, line 14, after "trees," insert "(d) procedures for giving reasonable notice of inspection of private real property,"

Page 2, line 14, strike "(d)" and insert in lieu thereof "(e)"

Page 2, line 15, strike "(e)" and insert in lieu thereof "(f)"

Page 2, line 18, after "commissioner," insert "and reasonable notice of inspection having been given to the owner of real property,"

Page 2, line 20, after "commissioner." insert "Trees which are not removed or treated shall be declared a public nuisance and removed by the municipality which may assess the total expense or any part thereof to the property which expense shall become a lien on the property."

Page 2, line 21, before "such" insert "not more than 50 percent of"

Page 2, line 22, strike line 22 after "property." and strike lines 23 and 24

Page 2, line 30, after "Sec. 5." insert "Subdivision 1."

Page 2, after line 33, add new subdivision as follows:

"Subd. 2. Notwithstanding any law to the contrary, an owner of property on which shade trees are located may contract with a municipality to provide protection against the cost of treatment or removal of diseased shade trees or shade trees that will contribute to the spread of shade tree diseases. Under such contracts, the municipality shall pay for the removal or treatment under such terms and conditions as may be determined by the governing body of the municipality."

Page 3, line 23, after "authorized" insert ", upon prior notification,"

Page 4, after line 12 insert new section 9 as follows:

"Sec. 9. [DEPOSIT OF PROCEEDS IN SEPARATE FUND.] The proceeds of any tax levied, assessments and interest collected, or any certificates of indebtedness issued under sections 7 and 8 of this act shall be deposited in the municipal treasury in a separate fund and expended only for the purposes authorized by this act."

Page 4, line 15, after "and" insert "integrated control"

Page 4, line 15, after "for" strike "the control of"

Page 4, line 22, strike "solid waste division"

Page 4, after line 31 insert a new section 12 as follows:

"Sec. 12. [REPORT TO THE LEGISLATURE.] On or before January 31 of each succeeding year, the commissioner shall report to the legislature on the preceding year's plans and control programs which have been implemented for shade tree diseases in the metropolitan area."

Renumber sections accordingly.

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

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

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

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

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

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

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

H. F. No. 3368: A bill for an act relating to veterans; rewards and privileges; preference; removal; requiring a veteran to request in writing a hearing on removal; amending Minnesota Statutes 1971, Section 197.46.

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

Page 1, strike lines 9, 10 and 11 and insert in lieu thereof the following:

*"Any veteran who has been notified of the intent to discharge him from an appointed position or employment pursuant to this section shall be notified in writing of such intent to discharge and of his right to request a hearing within 60 days of receipt of the notice of intent to discharge. The failure of a veteran to request a hearing within the provided 60-day period shall constitute a waiver of his right to a hearing. Such failure shall also waive all other available legal remedies for reinstatement.*

*Request for a hearing concerning such a discharge shall be made in writing and submitted by mail or personal service to the employment office of the concerned employer or other appropriate office or person."*

Page 1, line 12, strike *"within 60 days will result in waiver of any rights to said hearing."*

Page 1, line 12, start a new paragraph with:

*"In all governmental subdivisions"*

Further, amend the title, Page 1, second line, after *"removal;"* insert *"requiring notification of intent to discharge to be in writing;"*

And when so amended the bill do pass.

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

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

H. F. No. 1498: A bill for an act providing for the authorization of personalized license plates for passenger automobiles and the imposition of fees therefor; and appropriating money.

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

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

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

H. F. No. 2338: A bill for an act relating to motor vehicle regulations; repealing Minnesota Statutes 1971, Sections 169.691 and 169.692.

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

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

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

H. F. No. 2918: A bill for an act relating to courts; witnesses; increasing the fee and mileage allowance paid to witnesses; amending Minnesota Statutes 1971, Section 357.22.

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

Page 1, line 8, after "(SIX CENTS PER)" insert "~~mile~~ 12 cents per mile."

Page 1, lines 8 to 10, strike the new language, beginning with the words "*the maximum*"

And when so amended the bill do pass.

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

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

H. F. No. 3287: A bill for an act relating to witness fees; amending Minnesota Statutes, 1973 Supplement, Section 357.24.

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

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

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

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

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

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

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

H. F. No. 1634: A bill for an act relating to commitment proceedings involving mentally ill and inebriate persons; amending Minnesota Statutes 1971, Sections 253A.02, Subdivisions 3 and 4; 253A.07, Subdivisions 13, 17, and 21; 253A.21, Subdivision 5, and by adding a subdivision; and 525.11.

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

Page 2, line 24, strike "*patients*" and insert "*patient's*"

Page 3, line 19, strike "*him/her*" and insert "*the person*"

Page 4, line 34, strike "8" and insert "6"

And when so amended the bill do pass.

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

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

H. F. No. 1524: A bill for an act relating to the metropolitan council; requirements to be met by the council in reviewing applications of governmental units, independent commissions, boards or agencies for federal programs; amending Minnesota Statutes 1971, Section 473B.06, Subdivision 8.

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

Page 1, line 9, after "area." insert "*Applications shall be reviewed primarily on their own merits. The council shall include in its comments an explanation of the manner in which relevant aspects of the development guide influenced the recommendations of the council.*"

Page 1, strike line 12 after "submitted."

Page 1, strike lines 13 and 14.

And when so amended the bill do pass.

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

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

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 amended as follows:

Page 1, line 26, strike "*of*" and insert "*after*"

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

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

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

H. F. No. 2796: A bill for an act relating to special school district No. 1 of the city of Minneapolis; compensation of directors of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 1, as amended.

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

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

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

H. F. No. 3470: A bill for an act relating to Special School District No. 1; partially restoring employees salary and retirement benefits withheld under law.

Reports the same back with the recommendation that 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. 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.

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

Page 1, line 5, strike "and any"

Page 1, line 6, strike "institution under their control"

Page 2, line 4, strike "or structure"

Page 2, line 5, strike "or structure"

Page 3, line 2, after "project" strike the comma and insert "with an estimated cost greater than \$250,000, or a planning project with estimated fees greater than \$25,000"

Page 3, line 3, after "except" strike "state, county and municipal highway departments and"

Page 3, line 17, after "designer" strike "whose home office shall"

Page 3, line 18, strike "be in the state of Minnesota"

Page 3, line 26, strike "\$215,000" and insert "\$250,000"

Page 3, line 27, strike "\$2,500" and insert "\$25,000"

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

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

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

H. F. No. 1973: A bill for an act relating to education, teacher certification; providing for the refund of renewal fees paid by mistake; amending Minnesota Statutes 1971, Section 125.08, as amended.

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

Page 1, line 1, strike "1971" and insert ", 1973 Supplement" and further strike "as amended by Laws 1973, Chapter 749,"

Page 1, line 2, strike "Section 5,"

Further, amend the title as follows:

Line 2, strike "1971" and insert ", 1973 Supplement" and further strike ", as amended"

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

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

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

H. F. No. 3372: A bill for an act relating to Independent School District No. 141; exempting Independent School District No. 141 from application of certain liquor laws.

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

Page 1, line 2, strike "near" and insert "within 1500 feet of"

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

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

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

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

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

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

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.

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

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

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

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

Page 2, line 6, after the dollar sign insert "50,000"

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

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

H. F. No. 1951 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate file as follows:

| CALENDAR OF    |          |                  |          |          |          |
|----------------|----------|------------------|----------|----------|----------|
| GENERAL ORDERS |          | ORDINARY MATTERS |          | CALENDAR |          |
| H.F. No.       | S.F. No. | H.F. No.         | S.F. No. | H.F. No. | S.F. No. |
|                |          |                  |          | 1951     | 2222     |

Pursuant to Rule 49 the Committee recommends that H. F. No. 1951 be amended as follows:

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

"Section 1. [FINDINGS AND DECLARATION OF POLICY.] It is hereby found and determined that: The conditions found to exist by the municipal housing and redevelopment act as amended continue to exist throughout the state and in the area in which the metropolitan council established by Minnesota Statutes, Chapter 473B, has jurisdiction; substandard, slum and blighted areas exist in the metropolitan area which cannot be redeveloped without government assistance; there is a shortage of decent, safe and sanitary dwelling accommodations available to persons of low and moderate income at rentals or prices they can afford; many municipalities in the metropolitan area are unable adequately to

provide the financing and staff necessary to an effective municipal housing and redevelopment authority; for each such municipality to establish a separate authority would result in an inefficient use of manpower and services; and there is therefore a need to enable the metropolitan council to make available to the municipalities in the metropolitan area those services provided for in the municipal housing and redevelopment act.

Sec. 2. [DEFINITIONS.] Subdivision 1. Unless the context clearly indicates otherwise, the following terms, for the purposes of this act, shall have the meanings ascribed to them in this section.

Subd. 2. The terms defined in the municipal housing and redevelopment act shall, for the purposes of this act, have the meanings given them in that act.

Subd. 3. "Council" shall mean the metropolitan council created by Minnesota Statutes, Section 473B.02.

Subd. 4. "Metropolitan area" means the area in which the council has jurisdiction under Minnesota Statutes, Section 473B.02.

Subd. 5. "Comprehensive development guide" means that document prepared by the council pursuant to Minnesota Statutes, Section 473B.06, Subdivision 5.

Sec. 3. [POWERS.] Subdivision 1. In addition to, and not in limitation of, all other powers invested in it by law, the council, and the members thereof, shall have, throughout the metropolitan area, the same functions, rights, powers, duties, privileges, immunities and limitations as are provided for housing and redevelopment authorities created for municipalities, and for the commissioners of such authorities. The provisions of Minnesota Statutes, Sections 462.411 to 462.711 and of all other laws relating to housing and redevelopment authorities shall be applicable to the council when functioning as an authority, except as herein provided or as clearly indicated otherwise from the context of such laws. Minnesota Statutes, Section 462.425 shall have no application to the council nor to any municipality or county within which the council undertakes a project. Any municipality or county, and the governing bodies of any municipality or county, within and for which the council undertakes a project shall have all the powers, authority and obligations granted to municipalities and counties by the provisions of Minnesota Statutes, Sections 462.411 to 462.711 and all other laws relating to housing and redevelopment authorities. The council may plan and propose projects within the boundaries of any municipality, and may otherwise exercise the powers of an authority at any time; provided, however, that the council shall not implement any housing project, housing development project, redevelopment project or urban renewal project within the boundaries of any municipality or county without the prior approval of the governing body of the municipality or county in which any such project is to be located; and provided further that the council shall not propose any project to the governing body of a municipality or county having an active authority created pursuant to Minnesota Statutes, Section 462.425, or pur-

suant to special legislation, without first submitting the proposed project to the municipal or county authority for its review and recommendations; and provided further that as to any project proposed by the council and approved by the municipality or county, the council shall not undertake the project if within 60 days after it has been proposed, the municipality or county agrees to undertake the project. All plans and projects of the council shall be consistent with the comprehensive development guide.

Subd. 2. [TECHNICAL ASSISTANCE.] The council may provide technical assistance to existing municipal or county housing and redevelopment authorities at the request of such authorities.

Subd. 3. [COOPERATION WITH OTHER GOVERNMENT AGENCIES.] The council may cooperate with or act as agent for the federal government, the state government, or any agencies or instrumentalities thereof, in carrying out the provisions of any federal or state legislation relating to the general purposes of the municipal housing and redevelopment act.

Subd. 4. [CITIZEN PARTICIPATION.] The council shall, as part of any project proposal to a municipality, propose a means for citizens substantially affected by the proposed project to participate in the formulation and carrying out of projects undertaken by the council pursuant to the terms of this act.

Subd. 5. [PROJECT; REPORTS.] The council shall prepare a detailed report on the progress of any project it undertakes. The report shall be filed with the legislature not later than January 15 of each year.

Sec. 4. [EFFECT UPON MUNICIPAL AND COUNTY HOUSING AND REDEVELOPMENT AUTHORITIES.] Nothing in this act shall be construed to impair the powers and obligations of municipal, county or multi-county housing and redevelopment authorities within the metropolitan area.

Sec. 5. [FINANCES.] Subdivision 1. The council shall allocate the net unreimbursed costs of any project which it undertakes to the municipality or group of municipalities or county for which the project is undertaken. The governing body of each such municipality or county shall impose taxes or other revenue measures to provide funds necessary to pay the allocated costs, and the governing body of each such municipality or county shall have all the powers, authority and obligation granted to authorities by Minnesota Statutes, Section 462.545 and all other provisions of law regarding the financing of such projects, provided that the council shall have the powers of an authority for purposes of applying for and receiving federal grants in connection with all projects which it undertakes.

Subd. 2. The council may expend for the purposes of this act any of the revenue derived pursuant to section 6 of this act, and any revenues derived pursuant to Minnesota Statutes, Section 473B.08.

Sec. 6. Minnesota Statutes 1971, Section 287.05, is amended by adding a subdivision to read:

*Subd. 3. In addition to the tax imposed in subdivision 1, a tax of five cents is hereby imposed upon each \$100, or fraction thereof, of the principal debt or obligation which is or may be secured by any mortgage of real property situated within the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington executed, delivered, and recorded or registered subsequent to the effective date of this act; provided, however, that said tax shall be imposed but once upon any mortgage and extension thereof. The proceeds of this tax paid to the treasurers of the seven counties under the provisions of sections 287.01 to 287.12 shall be apportioned to the council."*

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

"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."

And when so amended, H. F. No. 1951 will be identical to S. F. No. 2222 and further recommends that H. F. No. 1951 be given its second reading and substituted for S. F. No. 2222 and S. F. No. 2222 be indefinitely postponed.

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

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

H. F. Nos. 3105, 3317, 798, 3157, 2773, 3473, 3129, 3281, 2601, 2243, 1740, 2992, 1991, 2872, 3556, 3027, 3512, 773, 3368, 1498, 2338, 2918, 3287, 3288, 1634, 1524, 2796, 3470, 1973, 3372, 2920 and 3151.

Reports the same back with the recommendation that the bills receive the action of the previous referring committees.

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

## SECOND READING OF SENATE BILLS

S. F. Nos. 3179 and 3190 were read the second time.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 3105, 3317, 798, 3157, 2773, 3473, 3129, 3281, 2601, 1740, 2992, 1991, 2872, 3556, 3027, 3512, 773, 3368, 2338, 2918, 3287, 3288, 1634, 1524, 2796, 3470, 1973, 3372, 1951 and 3045 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. North moved that S. F. No. 2771 be stricken from General Orders and returned to the author. The motion prevailed.

Mr. North moved that S. F. No. 2327 be stricken from General Orders and returned to the author. The motion prevailed.

Mr. Conzemius moved that the name of Mr. Hughes be added as co-author to S. F. No. 3314. The motion prevailed.

Mr. Olson, J. L. moved that S. F. No. 3575 be withdrawn from the Committee on Local Government and re-referred to the Committee on Finance. The motion prevailed.

Mr. Stokowski moved that S. F. No. 3520 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 951:

Messrs. Keefe, S; Tennesen and Ashbach. The motion prevailed.

Mr. Coleman moved to take up the Senate Calendar at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

**THIRD READING OF HOUSE BILLS**

H. F. No. 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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| Arnold      | Dow           | Knutson      | Novak          | Schrom    |
| Bang        | Dunn          | Kowalczyk    | Ogdahl         | Solon     |
| Berg        | Fitzsimons    | Krieger      | Olthoff        | Spear     |
| Berahaugen  | Frederick     | Larson       | Olson, A. G.   | Stokowski |
| Blatz       | Gearty        | Laufenburger | Olson, J. L.   | Thorup    |
| Borden      | Hansen, Baldy | Lewis        | Patton         | Ueland    |
| Brown       | Hansen, Mel   | Lord         | Perpich, A. J. | Wegener   |
| Chenoweth   | Hanson, R.    | McCutcheon   | Perpich, G.    | Willet    |
| Chmielewski | Humphrey      | Milton       | Pillsbury      |           |
| Coleman     | Jensen        | Moe          | Purfeerst      |           |
| Conzemius   | Kirchner      | Nelson       | Renneke        |           |
| Davies      | Kleinbaum     | North        | Schaaf         |           |

So the bill passed and its title was agreed to.

H. F. No. 3276: A bill for an act relating to absent and disabled voters; providing for designation by county auditors of municipali-

ties where applications 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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 3035: A bill for an act relating to mass transit; approving an accelerated bus improvement program and providing funds therefor; setting bus fares; amending Minnesota Statutes 1971, Sections 473A.09, by adding a subdivision; 473A.111, Subdivision 4; and Minnesota Statutes, 1973 Supplement, Section 473A.111, Subdivision 1.

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

The question being taken on the passage of the bill,

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

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

Those who voted in the affirmative were:

|             |              |            |                |           |
|-------------|--------------|------------|----------------|-----------|
| Arnold      | Doty         | Lewis      | Ogdahl         | Schaaf    |
| Borden      | Dunn         | Lord       | Olhoff         | Solon     |
| Brown       | Gearty       | McCutcheon | Olson, A. G.   | Spear     |
| Chenoweth   | Humphrey     | Milton     | Olson, H. D.   | Stokowski |
| Chmielewski | Keefe, S.    | Moe        | Perpich, A. J. | Tennessee |
| Coleman     | Kirchner     | Nelson     | Perpich, G.    | Thorup    |
| Conzemius   | Kleinbaum    | North      | Purfeerst      | Wegener   |
| Davies      | Laufenburger | Novak      | Renneke        | Willet    |

Those who voted in the negative were:

|            |               |           |              |        |
|------------|---------------|-----------|--------------|--------|
| Bang       | Frederick     | Josefson  | Olson, J. L. | Ueland |
| Berg       | Hansen, Baldy | Knutson   | Patton       |        |
| Bernhagen  | Hansen, Mel   | Kowalczyk | Pillsbury    |        |
| Blatz      | Hanson, R.    | Krieger   | Schrom       |        |
| Fitzsimons | Jensen        | Larson    | Stassen      |        |

So the bill passed and its title was agreed to.

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 provisions 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.

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:

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

So the bill passed and its title was agreed to.

H. F. No. 3571: A bill for an act relating to the legislature; providing for the filing of reports with the legislature; amending Minnesota Statutes 1971, Chapter 3, by adding a section.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| Arnold      | Doty          | Kirchner     | Ogdahl         | Schaaf    |
| Bang        | Dunn          | Kowalczyk    | Olhoft         | Schrom    |
| Berg        | Fitzsimons    | Krieger      | Olson, A. G.   | Solon     |
| Bernhagen   | Frederick     | Larson       | Olson, H. D.   | Stassen   |
| Blatz       | Gearty        | Laufenburger | Olson, J. L.   | Stokowski |
| Brown       | Hansen, Baldy | Lord         | Patton         | Thorup    |
| Chenoweth   | Hansen, Mel   | McCutcheon   | Perpich, A. J. | Ueland    |
| Chmielewski | Hanson, R.    | Milton       | Perpich, G.    | Wegener   |
| Coleman     | Humphrey      | Moe          | Pillsbury      | Willet    |
| Conzemius   | Jensen        | North        | Purfeerst      |           |
| Davies      | Josefson      | Novak        | Renneke        |           |

Mr. Knutson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2967: 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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| Arnold      | Davies        | Josefson     | North          | Purfeerst |
| Bang        | Doty          | Kirchner     | Novak          | Renneke   |
| Berg        | Dunn          | Kleinbaum    | Ogdahl         | Schaaf    |
| Bernhagen   | Fitzsimons    | Knutson      | Olhoft         | Schrom    |
| Blatz       | Frederick     | Kowalczyk    | Olson, A. G.   | Solon     |
| Borden      | Gearty        | Krieger      | Olson, H. D.   | Stassen   |
| Brown       | Hansen, Baldy | Larson       | Olson, J. L.   | Stokowski |
| Chenoweth   | Hansen, Mel   | Laufenburger | Patton         | Thorup    |
| Chmielewski | Hanson, R.    | Lord         | Perpich, A. J. | Ueland    |
| Coleman     | Humphrey      | McCutcheon   | Perpich, G.    | Wegener   |
| Conzemius   | Jensen        | Moe          | Pillsbury      | Willet    |

So the bill passed and its title was agreed to.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Gearty moved that the name of Mr. Lord be added as co-author to S. F. No. 3482. The motion prevailed.

Pursuant to Rule 21, Mr. Borden moved that the following members be excused for a Conference Committee on H. F. No. 1292:

Messrs. Nelson, Milton and Spear. The motion prevailed.

Mr. Coleman moved to take up the Calendar of Ordinary Matters at this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

#### CALENDAR OF ORDINARY MATTERS

H. F. No. 2554: A bill for an act relating to counties; establishment and use of imprest cash funds in counties.

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 45 and nays 8, as follows:

Those who voted in the affirmative were:

|             |            |              |                |           |
|-------------|------------|--------------|----------------|-----------|
| Arnold      | Doty       | Kleinbaum    | Novak          | Purfeerst |
| Bang        | Dunn       | Knutson      | Ogdahl         | Renneke   |
| Bernhagen   | Fitzsimons | Kowalczyk    | Olhoft         | Schaaf    |
| Brown       | Frederick  | Krieger      | Olson, H. D.   | Solon     |
| Chenoweth   | Gearty     | Larson       | Olson, J. L.   | Stassen   |
| Chmielewski | Hanson, R. | Laufenburger | Patton         | Stokowski |
| Coleman     | Humphrey   | Lord         | Perpich, A. J. | Thorup    |
| Conzemius   | Jensen     | Moe          | Perpich, G.    | Wegener   |
| Davies      | Kirchner   | North        | Pillsbury      | Willet    |

Those who voted in the negative were:

|       |               |            |        |        |
|-------|---------------|------------|--------|--------|
| Berg  | Hansen, Baldy | Josefson   | Schrom | Ueland |
| Blatz | Hansen, Mel   | McCutcheon |        |        |

So the bill passed and its title was agreed to.

H. F. No. 2186: A bill for an act relating to the city of Alexandria; and the townships of Alexandria, Carlos, Hudson, and LaGrand in the county of Douglas; sanitary sewer board membership and operation in Alexandria Lake area sanitary district; amending Laws 1971, Chapter 869, Section 4, Subdivision 1.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

## MOTIONS AND RESOLUTIONS—CONTINUED

### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated H. F. No. 1835, No. 105 on the General Orders Calendar, a Special Order to be heard immediately.

### CALL OF THE SENATE

Mr. Davies imposed a call of the Senate for the proceedings on H. F. No. 1835. The following Senators answered to their names:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| Arnold      | Davies        | Knutson      | Olson, H. D.   | Solon     |
| Bang        | Doty          | Kowalczyk    | Olson, J. L.   | Stassen   |
| Berg        | Fitzsimons    | Laufenburger | Patton         | Stokowski |
| Bernhagen   | Frederick     | Lord         | Perpich, A. J. | Thorup    |
| Blatz       | Gearty        | McCutcheon   | Perpich, G.    | Ueland    |
| Borden      | Hansen, Baldy | Moe          | Pillsbury      | Wegener   |
| Brown       | Hansen, Mel   | North        | Purfeerst      |           |
| Chenoweth   | Hanson, R.    | Novak        | Renneke        |           |
| Chmielewski | Humphrey      | Ogdahl       | Schaaf         |           |
| Coleman     | Kirchner      | Olson, A. G. | Schrom         |           |

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

H. F. No. 1835: A bill for an act regulating public utilities furn-

ishing at retail natural, manufactured or mixed gas, or electric service; prescribing the duties of the public service commission; prohibiting conflicts of interest on the public service commission in relation thereto; appropriating money; prescribing penalties; increasing the membership of the public service commission; amending Minnesota Statutes 1971, Section 216A.03, Subdivision 1; and and Chapter 216A by adding a section.

Mr. Olson, A. G. moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49 and adopted by the Senate March 15, 1974, as follows:

Page 46, strike lines 16 through 28 and insert "shall refer the matter to the attorney general who shall take appropriate legal action."

Page 47, strike lines 1 through 10

Page 52, line 11, strike everything after the period

Page 52, strike lines 12 and 13

Page 53, line 28, strike "attorneys"

The motion prevailed. So the amendment was adopted.

Mr. Doty moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49 and adopted by the Senate March 15, 1974, as follows:

Page 2, line 18, after "service" insert ", except to the extent service is furnished to consumers located outside the corporate limits of the municipality"

The question being taken on the adoption of the amendment,

Mr. Olson, A. G. moved that those not voting be excused voting. The motion prevailed.

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 15 and nays 31, as follows:

Those who voted in the affirmative were:

|        |            |            |        |           |
|--------|------------|------------|--------|-----------|
| Arnold | Fitzsimons | Josefson   | Moe    | Pillsbury |
| Bang   | Frederick  | Knutson    | North  | Stokowski |
| Doty   | Hanson, R. | McCutcheon | Ogdahl | Ueland    |

Those who voted in the negative were:

|           |               |           |                |           |
|-----------|---------------|-----------|----------------|-----------|
| Ashbach   | Davies        | Keefe, S. | Olson, A. G.   | Stassen   |
| Berg      | Dunn          | Kleinbaum | Olson, H. D.   | Tennessen |
| Bernhagen | Gearty        | Kowalczyk | Patton         | Thorup    |
| Blatz     | Hansen, Baldy | Larson    | Perpich, A. J. |           |
| Borden    | Hansen, Mel   | Lewis     | Perpich, G.    |           |
| Coleman   | Humphrey      | Lord      | Purfeerst      |           |
| Conzemius | Jensen        | Olhoft    | Schrom         |           |

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

Mr. Patton moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49 and adopted by the Senate March 15, 1974, as follows:

Page 32, line 5, after "revenue" insert "not to exceed the total for the preceding two years"

Page 33, line 14, after "revenue" insert "not to exceed the total for the preceding two years"

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

Mr. McCutcheon moved to amend H. F. No. 1835, the type-written bill, as amended pursuant to Rule 49, and adopted by the Senate March 15, 1974, as follows:

Page 1, after line 32, add the following:

"Insofar as the provisions of this chapter relate to regulation of the rates of public utilities and hearings connected with a change in the rates of public utilities within a city of the first class or within the boundaries of any of the governmental subdivision with which said city has a joint agreement and joint franchises establishing a rate procedure and public hearing afforded to the public utilities, they shall be considered supplementary and available to the city of the first class, upon its election, or to the city and any other governmental subdivisions so defined upon their joint election."

Page 10, line 20, after "Subdivision 1." and before "Unless" insert the following:

"Subject to the rights of a city of the first class and other governmental subdivisions to proceed in accordance with their franchises with the public utility as provided in Section 1 above, and"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 10 and nays 43, as follows:

Those who voted in the affirmative were:

|           |           |            |       |        |
|-----------|-----------|------------|-------|--------|
| Chenoweth | Keefe, S. | McCutcheon | North | Schaaf |
| Coleman   | Kleinbaum | Milton     | Novak | Spear  |

Those who voted in the negative were:

|             |               |              |                |         |
|-------------|---------------|--------------|----------------|---------|
| Arnold      | Dunn          | Josefson     | Olhoft         | Renneke |
| Ashbach     | Fitzsimons    | Keefe, J.    | Olson, A. G.   | Schrom  |
| Berg        | Frederick     | Kirchner     | Olson, H. D.   | Solon   |
| Bernhagen   | Gearty        | Knutson      | Olson, J. L.   | Stassen |
| Blatz       | Hansen, Baldy | Kowalczyk    | Patton         | Thorup  |
| Brown       | Hansen, Mel   | Krieger      | Perpich, A. J. | Ueland  |
| Chmielewski | Hanson, R.    | Laufenburger | Perpich, G.    | Willet  |
| Conzemius   | Humphrey      | Moe          | Pillsbury      |         |
| Davies      | Jensen        | Ogdahl       | Purfeerst      |         |

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

Mr. Coleman moved to amend H. F. No. 1835, the typewritten bill, as amended pursuant to Rule 49 and adopted by the Senate March 15, 1974, as follows:

Page 16, after line 19, insert:

"Sec. 22. Any municipality that regulates and controls the exercise of a public utility franchise by reason of its home rule charter on the effective date of this act is authorized to assist the public service commission as amicus curiae in any proceeding brought before the commission with respect to the rates, fares, prices, regulation or control of any utility operating therein. The annual cost of such amicus curiae representation shall be paid by the public service commission from sources designated in Section 62 of this act."

Renumber the sections in sequence

Page 26, line 12, strike "38" and insert "39"

Page 27, line 9, strike "36" and insert "37"

Page 29, line 4, strike "36" and insert "37"

Page 29, line 6, strike "41" and insert "42"

Page 29, line 29, strike "43" and insert "44"

Page 30, line 4, strike "38" and insert "39"

Page 30, line 27, strike "41" and insert "42"

Page 30, line 28, strike "38" and insert "39"

Page 31, line 1, strike "41" and insert "42"

Page 31, line 7, strike "37 through 41" and insert "38 through 42"

Page 33, line 17, strike "51" and insert "52"

Page 33, line 24, strike "44" and insert "45"

Page 54, line 28, strike "35" and insert "36"

Page 55, line 1, strike "43" and insert "44"

Page 55, line 1, strike "61 through 63" and insert "62 through 64"

Page 55, line 1, strike "68" and insert "69"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 54 and nays 4, as follows:

Those who voted in the affirmative were:

|             |               |              |                |           |
|-------------|---------------|--------------|----------------|-----------|
| Arnold      | Dunn          | Kleinbaum    | Novak          | Schaaf    |
| Bang        | Fitzsimons    | Kowalczyk    | Ogdahl         | Schrom    |
| Berg        | Frederick     | Krieger      | Olhoff         | Solon     |
| Bernhagen   | Gearty        | Larson       | Olson, A. G.   | Spear     |
| Blatz       | Hansen, Baldy | Laufenburger | Olson, H. D.   | Stassen   |
| Brown       | Hanson, R.    | Lewis        | Olson, J. L.   | Stokowski |
| Chenoweth   | Humphrey      | Lord         | Patton         | Tennesen  |
| Chmielewski | Josefson      | McCutcheon   | Perpich, A. J. | Thorup    |
| Coleman     | Keefe, J.     | Milton       | Perpich, G.    | Ueland    |
| Conzemius   | Keefe, S.     | Moe          | Purfeerst      | Willet    |
| Doty        | Kirchner      | North        | Renneke        |           |

Messrs. Ashbach; Davies; Hansen, Mel and Pillsbury voted in the negative.

The motion prevailed. So the amendment was adopted.

H. F. No. 1835 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 57 and nays 4, as follows:

Those who voted in the affirmative were:

|             |             |              |                |           |
|-------------|-------------|--------------|----------------|-----------|
| Arnold      | Doty        | Kleinbaum    | Olhoft         | Solon     |
| Ashbach     | Dunn        | Kowalczyk    | Olson, A. G.   | Spear     |
| Bang        | Fitzsimons  | Krieger      | Olson, H. D.   | Stassen   |
| Bernhagen   | Frederick   | Larson       | Olson, J. L.   | Stokowski |
| Blatz       | Gearty      | Laufenburger | Patton         | Tennessen |
| Borden      | Hansen, Mel | Lewis        | Perpich, A. J. | Thorup    |
| Brown       | Humphrey    | Lord         | Perpich, G.    | Ueland    |
| Chenoweth   | Jensen      | Milton       | Pillsbury      | Wegener   |
| Chmielewski | Josefson    | Moe          | Purfeerst      | Willet    |
| Coleman     | Keefe, J.   | North        | Renneke        |           |
| Conzemius   | Keefe, S.   | Novak        | Schaaf         |           |
| Davies      | Kirchner    | Ogdahl       | Schrom         |           |

Messrs. Berg; Hansen, Baldy; Hanson, R. and McCutcheon voted in the negative.

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

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated H. F. No. 2950, No. 107 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2950: A bill for an act relating to the Minnesota housing finance agency; revising limitations upon agency bonds and notes; providing for rehabilitation loans and grants; appropriating money; amending Minnesota Statutes 1971, Sections 462A.02, Subdivisions 3, 6, and by adding a subdivision; 462A.03, by adding a subdivision; 462A.04, Subdivision 1; 462A.05, by adding subdivisions; 462A.07, Subdivisions 2, 3, 10, and by adding subdivisions; 462A.20, by adding a subdivision; 462A.21, Subdivisions 1 and 5, and by adding a subdivision; Minnesota Statutes, 1973 Supplement, Sections 462A.03, Subdivisions 9 and 11; 462A.06, Subdivision 11; 462A.08, Subdivision 1; 462A.21, Subdivisions 2, 3, 4, and by adding a subdivision; and 462A.22, Subdivision 1.

Mr. Humphrey moved to amend H. F. No. 2950, the printed bill, as amended by the Committee on Finance, adopted by the Senate on March 15, 1974, as follows:

In the amendment to page 2, line 15, second line, after "market" and before "that" insert "value"

In the amendment to page 3, line 5, after "and" reinstate "sanitary and" which was stricken by the amendment and strike "to be"

The motion prevailed. So the amendment was adopted.

## CALL OF THE SENATE

Mr. Humphrey imposed a call of the Senate for the proceedings on H. F. No. 2950. The following Senators answered to their names:

|             |            |            |                |           |
|-------------|------------|------------|----------------|-----------|
| Arnold      | Dunn       | Knutson    | Olson, A. G.   | Spear     |
| Ashbach     | Fitzsimons | Kowalczyk  | Olson, H. D.   | Stassen   |
| Bang        | Frederick  | Krieger    | Olson, J. L.   | Stokowski |
| Berg        | Gearty     | Larson     | Patton         | Tennessee |
| Blatz       | Hanson, R. | Lord       | Perpich, A. J. | Thorup    |
| Borden      | Humphrey   | McCutcheon | Perpich, G.    | Ueland    |
| Brown       | Jensen     | Milton     | Pillsbury      | Wegener   |
| Chenoweth   | Josefson   | Moe        | Purfeerst      | Willet    |
| Chmielewski | Keefe, J.  | North      | Renneke        |           |
| Coleman     | Keefe, S.  | Novak      | Schaaf         |           |
| Conzemius   | Kirchner   | Osdahl     | Schrom         |           |
| Davies      | Kleinbaum  | Olhoft     | Solon          |           |

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

Mr. Conzemius moved to amend H. F. No. 2950, the printed bill, as follows:

Page 7, line 24, after "\$100,000,000" insert "; \$2,000,000 of which shall be available to the Indian reservation business committees at Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Nett Lake, Red Lake, and White Earth reservations, in accordance with the requirements of this act, and the balance"

Page 7, line 26, after "\$500,000,000" insert "; \$8,000,000 of which shall be available to the Indian reservation business committees at Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Nett Lake, Red Lake, and White Earth reservations, in accordance with the requirements of this act, and the balance to be"

Mr. Olson, A. G. moved to amend the Conzemius amendment to H. F. No. 2950, the printed bill, as follows:

In the amendment to page 7, line 24, after "Red Lake", insert "Upper Sioux, Lower Sioux,"

In the amendment to page 7, line 26, after "Red Lake", insert "Upper Sioux, Lower Sioux,"

The motion prevailed. So the amendment to the Conzemius amendment was adopted.

The question recurred on the Conzemius amendment as amended,

The question being taken on adoption of the Conzemius amendment as amended,

And the roll being called, there were yeas 42 and nays 9, as follows:

Those who voted in the affirmative were:

|           |            |            |                |           |
|-----------|------------|------------|----------------|-----------|
| Arnold    | Dunn       | Krieger    | Olson, A. G.   | Stassen   |
| Ashbach   | Fitzsimons | Larson     | Olson, H. D.   | Stokowski |
| Berg      | Frederick  | Lewis      | Olson, J. L.   | Thorup    |
| Bernhagen | Gearty     | Lord       | Patton         | Ueland    |
| Blatz     | Hanson, R. | McCutcheon | Perpich, A. J. | Wegener   |
| Brown     | Josefson   | Milton     | Perpich, G.    | Willet    |
| Coleman   | Kirchner   | Moe        | Pillsbury      |           |
| Conzemius | Kleinbaum  | North      | Solon          |           |
| Doty      | Kowalczyk  | Olhoft     | Spear          |           |

Those who voted in the negative were:

|             |           |           |           |        |
|-------------|-----------|-----------|-----------|--------|
| Chenoweth   | Humphrey  | Keefe, S. | Ogdahl    | Schaaf |
| Hansen, Mel | Keefe, J. | Novak     | Furfecrst |        |

The motion prevailed. So the amendment was adopted.

Mr. Ashbach moved to amend H. F. No. 2950, the printed bill, as follows:

Page 7, line 24, strike "\$100,000,000" and insert "\$50,000,000"

The question being taken on the adoption of the amendment,

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

The question being taken on adoption of the amendment,

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

Those who voted in the affirmative were:

|           |               |            |              |           |
|-----------|---------------|------------|--------------|-----------|
| Ashbach   | Davies        | Hanson, R. | Kowalczyk    | Pillsbury |
| Bang      | Dunn          | Jensen     | Krieger      | Renneke   |
| Berg      | Fitzsimons    | Josefson   | Larson       | Stassen   |
| Bernhagen | Frederick     | Keefe, J.  | Nelson       | Ueland    |
| Blatz     | Hansen, Baldy | Kirchner   | Ogdahl       |           |
| Brown     | Hansen, Mel   | Knutson    | Olson, J. L. |           |

Those who voted in the negative were:

|             |            |              |                |          |
|-------------|------------|--------------|----------------|----------|
| Arnold      | Gearty     | Milton       | Perpich, A. J. | Tennesen |
| Borden      | Humphrey   | Moe          | Perpich, G.    | Thorup   |
| Chenoweth   | Keefe, S.  | North        | Schaaf         | Wegener  |
| Chmielewski | Kleinbaum  | Novak        | Schrom         | Willet   |
| Coleman     | Lewis      | Olhoff       | Solon          |          |
| Conzemius   | Lord       | Olson, A. G. | Spear          |          |
| Doty        | McCutcheon | Olson, H. D. | Stokowski      |          |

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

Pursuant to Rule 22, Mr. Kirchner moved to be excused from voting on H. F. No. 2950. The motion prevailed.

Pursuant to Rule 22, Mr. Dunn moved to be excused from voting on H. F. No. 2950. The motion prevailed.

Pursuant to Rule 22, Mr. Ueland moved to be excused from voting on H. F. No. 2950. The motion prevailed.

Mr. Coleman moved to amend H. F. No. 2950, the printed bill, as follows:

Page 4, line 2, after the period insert "*No loan for rehabilitation of owner occupied residential housing shall be denied solely because the loan will not be used for placing such residential housing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing.*"

Page 4, line 15, after the period insert "*No grant for rehabilitation of owner occupied residential housing shall be denied solely because the grant will not be used for placing such residential hous-*

*ing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing."*

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 2950, the printed bill, as follows:

Page 7, line 18, after "legislature." insert "Notwithstanding subdivision 5, the agency shall not, after July 1, 1975, expend moneys in the fund for the payment of salaries or the administrative costs of the agency except by specific appropriation by the legislature."

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 2950, the printed bill, as follows:

Page 7, line 7, after "\$" insert "3,000,000" and strike the comma

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

H. F. No. 2950 was read the third time, as amended, and placed on its final passage.

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

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

And the roll being called, there were yeas 34 and nays 23, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

|           |               |             |           |              |
|-----------|---------------|-------------|-----------|--------------|
| Ashbach   | Brown         | Hansen, Mel | Kowalczyk | Olson, J. L. |
| Bang      | Davies        | Hanson, R.  | Krieger   | Pillsbury    |
| Berg      | Fitzsimons    | Jensen      | Larson    | Renneke      |
| Bernhagen | Frederick     | Josefson    | Nelson    |              |
| Blatz     | Hansen, Baldy | Knutson     | Ogdahl    |              |

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Doty moved that the following members be excused for a Conference Committee on S. F. No. 1530:

Messrs. Willet, Doty and Dunn. The motion prevailed.

Mr. Coleman moved that H. F. No. 3230, No. 111 on General Orders, be stricken and placed on the Calendar of Ordinary Matters. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 11:00 o'clock a.m. Tuesday, March 19, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.