

ONE HUNDRED TENTH DAY

St. Paul, Minnesota, Thursday, March 21, 1974.

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Bang	Hansen, Mel	Krieger	Olson, H. D.	Schrom
Bernhagen	Hanson, R.	Lewis	Olson, J. L.	Spear
Coleman	Hughes	Lord	O'Neill	Stassen
Davies	Humphrey	McCutcheon	Patton	Stokowski
Dunn	Jensen	Milton	Perpich, A. J.	Thorup
Fitzsimons	Josefson	Moe	Perpich, G.	Ueland
Frederick	Keefe, S.	Novak	Pillsbury	Wegener
Gearty	Kirchner	Olhoft	Purfeerst	Willet
Hansen, Baldy	Kowalczyk	Olson, A. G.	Renneke	

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

Prayer by the Chaplain.

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

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

Quorum present.

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

MEMBERS EXCUSED

Mr. Kleinbaum was excused from the Session of today. Mr. Brown was excused from the early part of today's Session. Mr. Lord was excused from the Session of today, beginning at 11

o'clock a.m. Mr. Hansen, Baldy was excused from the Session of today from 11:00 o'clock a.m. until 11:30 o'clock a.m. Mr. Nelson was excused from the Session of today, beginning at 3:00 o'clock p.m. Mr. Bernhagen was excused from the Session of today from 3:00 to 4:00 o'clock p.m. and from this evening's Session. Mr. Blatz was excused from the Session of today from 3:00 to 6:00 o'clock p.m. Mr. Knutson was excused from the Session of today, beginning at 4:45 o'clock p.m. Mr. Patton was excused from the Session of today, beginning at 6:00 o'clock p.m. Mr. Renneke was excused from this evening's Session.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 21, 1974

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 498, An act providing for the regulation of abortions; providing penalties; providing for records to be kept; repealing Minnesota Statutes 1971, Sections 617.18 and 617.19.

Sincerely,
Wendell R. Anderson, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1858, and repassed said bill in accordance with the report of the Committee, so adopted.

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

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 20, 1974

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2950:

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.

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

Knoll, Quirin and Knickerbocker have been appointed as such committee on the part of the House.

House File No. 2950 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 20, 1974

Mr. Humphrey moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2950, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

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

S. F. No. 2818: A bill for an act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

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

Cleary; Sieben, H. and Laidig

Senate File No. 2818 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 20, 1974

Mr. President:

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

S. F. No. 3163: A bill for an act relating to the city of St. Paul; authorizing the issuance of licenses for the sale of intoxicating liquor at the old federal courts building.

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

Hanson, Bennett and Faricy

Senate File No. 3163 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

Mr. President:

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

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

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

Stanton, Searle and Jaros

Senate File No. 3123 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

Mr. President:

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

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

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

Tomlinson; Pavlak, R. and Ferderer

Senate File No. 3311 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

Mr. President:

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

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

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

Casserly, Voss and Andersen, R.

Senate File No. 1759 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

Mr. President:

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

S. F. No. 2576: A bill for an act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivision 1 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

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

Sherwood; Lindstrom, J. and Stangeland

Senate File No. 2576 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 3202, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 3202: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

House File No. 3202 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 20, 1974

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3202

A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

March 14, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 3202, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments, and that H. F. No. 3202 be amended on page 1, line 8, by deleting "15" and inserting in lieu thereof "12".

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

House Conferees: (Signed) Joel Jacobs, Neil S. Haugerud, Thomas W. Newcome.

Senate Conferees: (Signed) Stanley N. Thorup, Jerald C. Anderson, Mel Frederick.

Mr. Thorup moved that the foregoing recommendations and Conference Committee Report on H. F. No. 3202 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 3202: A bill for an act relating to the city of Coon Rapids; authorizing the issuance of on-sale licenses for the sale of intoxicating liquor.

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

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

And the roll being called, there were yeas 48 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Milton	Solon
Arnold	Dunn	Kirchner	Moe	Spear
Ashbach	Fitzsimons	Knutson	North	Stassen
Bang	Frederick	Kowalczyk	Olson, A. G.	Stokowski
Berg	Gearty	Krieger	Olson, H. D.	Thorup
Bernhagen	Hansen, Baldy	Larson	Patton	Ueland
Blatz	Hanson, R.	Laufenburger	Perpich, A. J.	Wegener
Chenoweth	Hughes	Lewis	Pillsbury	Willet
Chmielewski	Humphrey	Lord	Schrom	
Coleman	Jensen	McCutcheon	Sillers	

Those who voted in the negative were:

Hansen, Mel	Novak	Olhoft	Olson, J. L.	Renneke
Josefson				

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

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a Conference Committee on H. F. No. 2675:

Messrs. Conzemius, Borden and Ogdahl. The motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of the day's proceedings. The following Senators answered to their names:

Anderson	Fitzsimons	Knutson	Olhoft	Spear
Ashbach	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bang	Gearty	Krieger	Olson, J. L.	Stokowski
Berg	Hansen, Baldy	Laufenburger	Patton	Thorup
Bernhagen	Hanson, R.	Lord	Perpich, A. J.	Ueland
Blatz	Hughes	McCutcheon	Perpich, G.	Wegener
Chenoweth	Humphrey	Milton	Purfeerst	Willet
Coleman	Josefson	Moe	Renneke	
Doty	Keefe, S.	Nelson	Schrom	
Dunn	Kirchner	Novak	Solon	

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

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. 1483: A bill for an act relating to liens for labor, services and material for the improvement of real estate; amending Minnesota Statutes, 1973 Supplement, Sections 514.01; and 514.05.

Senate File No. 1483 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Humphrey moved that the Senate do now concur in the amendments by the House to S. F. No. 1483 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1483 was read the third time, as amended by the House, and placed on its repassage.

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

And the roll being called, there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 1225: A bill for an act relating to corrections; regulating communication between inmates and the news media.

Senate File No. 1225 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Spear moved that the Senate do now concur in the amend-

ments by the House to S. F. No. 1225 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1225 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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Bernhagen 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 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. 3281: A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy.

Senate File No. 3281 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

CONCURRENCE AND REPASSAGE

Mr. Ueland moved that the Senate do now concur in the amendments by the House to S. F. No. 3281 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3281 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Novak	Schrom
Arnold	Fitzsimons	Knutson	Olhoft	Sillers
Ashbach	Frederick	Krieger	Olson, A. G.	Solon
Bang	Gearty	Larson	Olson, H. D.	Stassen
Berg	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Bernhagen	Hansen, Mel	Lewis	O'Neill	Thorup
Blatz	Hanson, R.	Lord	Patton	Ueland
Chenoweth	Hughes	McCutcheon	Perpich, A. J.	Wegener
Chmielewski	Humphrey	Milton	Perpich, G.	Willet
Coleman	Jensen	Moe	Pillsbury	
Davies	Josefson	Nelson	Purfeerst	
Doty	Keefe, J.	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 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. 2580: A bill for an act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.

Senate File No. 2580 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

CONCURRENCE AND REPASSAGE

Mr. Nelson moved that the Senate do now concur in the amendments by the House to S. F. No. 2580 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2580 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 4, as follows:

Those who voted in the affirmative were:

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

Messrs. Hansen, Baldy; Josefson; Patton and Renneke 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 has adopted the recommendation and report of the Conference Committee on House File No. 1292, and repassed said bill in accordance with the report of the Committee, so adopted.

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

House File No. 1292 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 20, 1974

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1292

A bill for an act authorizing the Minnesota peace officer training board to set minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state; amending Minnesota Statutes 1971, Section 626.843, Subdivision 1.

March 18, 1974

Honorable Martin O. Sabo
Speaker of the House of Representatives

Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees on the part of the House and the Senate, upon the disagreeing votes as to H. F. No. 1292, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1292 be amended as follows:

Page 2, line 2, after "mental" strike the comma and insert "and"

Page 2, line 2, after "educational" strike the comma

Page 2, line 3, strike "and moral"

Page 2, after line 7, insert

"(e) Minimum standards of conduct which would affect the performance of the individual in his duties as a peace officer;"

Reletter the clauses in order

Further, amend the title in line 4 after "mental" by deleting the comma and inserting "and", in line 4 by deleting ", and", and in line 5 by deleting "moral"

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

House Conferees: (Signed) Robert Ferderer, Paul McCarron, Robert L. Pavlak

Senate Conferees: (Signed) Rolf Nelson, John Milton, Allan Spear

Mr. Nelson moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1292 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

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

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

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

And the roll being called, there were yeas 52 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Krieger	Olhoft	Schrom
Arnold	Frederick	Larson	Olson, A. G.	Sillers
Ashbach	Gearty	Laufenburger	Olson, H. D.	Solon
Bang	Hansen, Mel	Lewis	O'Neill	Stassen
Berg	Hanson, R.	Lord	Patton	Stokowski
Bernhagen	Hughes	McCutcheon	Perpich, A. J.	Thorup
Blatz	Humphrey	Milton	Perpich, G.	Ueland
Chenoweth	Jensen	Moe	Pillsbury	Wegener
Chmielewski	Keefe, J.	Nelson	Purfeerst	
Coleman	Kirchner	North	Renneke	
Davies	Knutson	Novak	Schaaf	

Messrs. Fitzsimons; Hansen, Baldy; Josefson and Willet voted in the negative.

So the bill, as amended by the Conference Committee, 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. 3350: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation

bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority.

Senate File No. 3350 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

Mr. O'Neill moved that the Senate do not concur in the amendments by the House to S. F. No. 3350 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S. F. No. 3477: A bill for an act relating to Minnesota Statutes; providing for the correction or erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitious and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Sec-

tion 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

Senate File No. 3477 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 20, 1974

CONCURRENCE AND REPASSAGE

Mr. Anderson moved that the Senate do now concur in the amendments by the House to S. F. No. 3477 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3477: A bill for an act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Subdivision 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce 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. 1963: A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.13, Subdivisions 1 and 5; and 56.15, Subdivision 1.

Senate File No. 1963 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 20, 1974

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate do now concur in the amendments by the House to S. F. No. 1963 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1963: A bill for an act relating to small loans; increasing the maximum limit on loans; providing charges for examination; amending Minnesota Statutes 1971, Sections 56.01; 56.12; 56.13, Subdivisions 1 and 3; 56.15, Subdivision 1; 56.16 and 56.18.

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 51 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Davies; Perpich, A. J. and Perpich, G. 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 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. 2170: A bill for an act relating to the salary of county assessors; amending Minnesota Statutes 1971, Section 273.061, Subdivision 6.

Senate File No. 2170 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 20, 1974

CONCURRENCE AND REPASSAGE

Mr. Perpich, A. J. moved that the Senate do now concur in the amendments by the House to S. F. No. 2170 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2170 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce 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. 3246: A bill for an act relating to counties; authorizing county boards to issue obligations and levy special assessments for certain improvements to bodies of water; eliminating a levy limit exemption; amending Minnesota Statutes, 1973 Supplement, Sections 378.52, Subdivision 1; and 429.011, Subdivision 2a; repealing Minnesota Statutes, 1973 Supplement, Section 378.52, Subdivision 2.

Senate File No. 3246 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

Mr. Anderson moved that the Senate do not concur in the amendments by the House to S. F. No. 3246 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S. F. No. 3355.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 20, 1974

Mr. President:

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

H. F. Nos. 2046, 2760, 3499, 3670, 3561 and 3164.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 20, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 2046: A bill for an act relating to public welfare; defining certain recipients of assistance; amending Minnesota Statutes 1971, Section 256.73, by adding a subdivision.

H. F. No. 2760: A bill for an act relating to the Minnesota environmental conservation library; providing for its collections and use; appropriating money; amending Laws 1971, Chapter 864, Sections 1 and 2.

H. F. No. 3499: A bill for an act relating to the Minnesota historical society; commissioning paintings, including one depicting Indian life; appropriating money.

H. F. No. 3670: A bill for an act relating to Lake county; authorizing the sale of certain lands thereof for certain purposes and providing for the extension of certain sewage, water, and gas lines thereto.

H. F. No. 3561: A bill for an act relating to taxation; disallowing subtraction for shrinkage of iron ore to determine occupation tax due; providing for assessment of certain omitted property; amending Minnesota Statutes 1971, Sections 273.02, by adding subdivisions; and 298.03.

H. F. No. 3164: 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.

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk, with the exception of S. F. No. 2852 and H. F. Nos. 515 and 2334, be now adopted. The motion prevailed.

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

H. F. No. 515: A bill for an act relating to the metropolitan council; providing for election of council members from designated districts; amending Minnesota Statutes 1971, Sections 202.03, Subdivision 1; 473B.02, Subdivisions 1, 2, 3, and 4.

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

Strike all amendments previously made and further amend H. F. No. 515, the printed bill, as follows:

Page 1, strike lines 1 through 6 and insert:

"Section 1. Minnesota Statutes, 1973 Supplement, Section 202.-03, Subdivision 1, is amended to read:

202.03 [NONPARTISAN NOMINATION.] Subdivision 1. [OFFICES, BALLOT.] The chief justice and the associate justices of the supreme court, judges of the district, probate and county courts, *all members of the metropolitan council*, and all elective county officers shall be nominated upon separate nonpartisan ballots, as hereinafter provided. The ballot shall be designated "ballot of candidates to be nominated without party designation." "

Further, amend the title as follows:

Second line, strike "1971, Sections" and insert ", 1973 Supplement, Section"

Second line, after "Subdivision 1;" insert "and Minnesota Statutes 1971, 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. Lewis questioned the reference thereon and, under Rule 35, the bill was re-referred to the Committee on Rules and Administration.

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

H. F. No. 2334: A bill for an act relating to child welfare; requiring agency placement prior to adoption; amending Minnesota Statutes 1971, Section 259.22.

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

Page 1, after line 5, insert:

"Subd. 2. No petition for adoption shall be filed unless the child sought to be adopted has been placed by the commissioner of public welfare, his agent, or a licensed child-placing agency. The provisions of this subdivision shall not apply if

(a) the child is over 14 years of age;

(b) the child is sought to be adopted by a step-parent;

(c) the child is sought to be adopted by a relative related by blood or marriage within the third degree;

(d) the child has been lawfully placed under the laws of another state while the child and petitioner resided in that other state; or

(e) the court waives the requirement of placement in the best interests of the child or petitioners.

Subd. 3. This act shall not apply to placements made prior to August 1, 1974. Any placement made prior to that date may be finalized by a petition for adoption."

Page 1, strike lines 6-10

Page 2, strike lines 1-3

And when so amended the bill do pass.

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

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

S. F. No. 2852: A bill for an act relating to taxation and assessment of property; providing for disbursement of funds derived from tax assessments on agricultural and certain recreational lands to school districts on or before certain dates each year; amending Minnesota Statutes, 1973 Supplement, Section 124.03, Subdivision 3.

Reports the same back with the recommendation that the bill be returned to its author.

Pursuant to Rule 56, a roll call was taken on the motion of Mr. Jensen that S. F. No. 2852 be recommended to pass.

There were yeas 4 and nays 10 as follows:

Messrs. Bang, Jensen, O'Neill and Sillers voted in the affirmative.

Those who voted in the negative were: Messrs. Anderson; Borden; Coleman; Konzemius; Gearty; Laufenburger; Olson A. G.; Perpich, A. J.; Schrom and Wegener.

The bill failed to pass the Committee on Taxes and Tax Laws.

MINORITY REPORT

We, the undersigned members of the Senate Committee on Taxes and Tax Laws, submit the following Minority Report with respect to S. F. No. 2852:

That S. F. No. 2852, a bill for an act relating to taxation and assessment of property; providing for disbursement of funds derived from tax assessments on agricultural and certain recreational lands to school districts on or before certain dates each year; amending Minnesota Statutes, 1973 Supplement, Section 124.03, Subdivision 3, be reported back with the recommendation that the bill do pass.

(Signed): Carl A. Jensen, Otto Bang, Jerome V. Blatz, Mel Frederick, Lew W. Larson, Joseph T. O'Neill, George S. Pillsbury, Douglas Sillers.

Mr. Coleman questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

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

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

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

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

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

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

S. F. No. 2707: A bill for an act creating a legislative commission to study revision of the laws relating to labor; appropriating money therefor.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred appointments submitted to the Senate by His Excellency, Governor Wendell R. Anderson, for confirmation and to be found in the Journal for the 104th day, reports the same back with the recommendation that said appointments be re-referred to the standing committees of the Senate as follows:

STATE BOARD OF HUMAN RIGHTS

David Lieberman, 4721 East Lake Harriet Boulevard, Minneapolis, Hennepin County, appointed effective January 1, 1973, for a term expiring January 1, 1976.

Rita Keyes, 116 2nd Avenue S.W., Pipestone, Pipestone County, appointed effective January 1, 1974, for a term expiring January 1, 1977.

Andrew Haines, East First National Bank Building, St. Paul, Ramsey County, appointed effective January 1, 1974, for a term expiring January 1, 1977.

Clarence Harris, 1579 Grand View Avenue East, North St. Paul, Ramsey County, appointed effective January 1, 1974, for a term expiring January 1, 1977.

Dulcie Alfton, 1814-11th Avenue South, Minneapolis, Hennepin County, appointed effective January 1, 1974, for a term expiring January 1, 1977.

John Redhorse, Legal Rights Center, 808 East Franklin, Minneapolis, Hennepin County, appointed effective January 1, 1974, for a term expiring January 1, 1977.

Chuck Lilligren, 1156 Andover Boulevard N.E., Anoka, Anoka County, appointed effective January 1, 1974, for a term expiring January 1, 1977.

Elizabeth Gurno, 171 Reservation Road, Cloquet, Carlton County, appointed effective March 6, 1974, for a term expiring January 1, 1977; to the Committee on Governmental Operations.

TAX COURT

Harry Munger, 2921 North 22nd Avenue West, Duluth, St. Louis County, appointed effective February 25, 1974, for a term expiring March 1, 1979; to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Novak from the Committee on Finance, to which was 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 as amended by the Committee on Governmental Operations be amended as follows:

In the amendment to page 3, line 2, after "fees greater than" strike "\$25,000" and insert "\$20,000"

In the amendment to page 3, line 27, strike "\$25,000" and insert "\$20,000"

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

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

H. F. No. 2125: A bill for an act relating to education; providing for waiver of tuition for foreign students; appropriating money.

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

Page 1, line 6, strike "institutions" and insert in lieu thereof "higher education coordinating commission"

Page 2, line 10, after "home" and before the period insert "within one year of completing their education and have not returned to the United States for five years as permanent residents"

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

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

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

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

Page 1, line 1, strike "state auditor" and insert in lieu thereof "commissioner of finance"

Page 2, after line 4, insert the following sections:

"Sec. 2. [TRANSPORTATION BOND AUTHORIZATION AND APPROPRIATION.] The commissioner of finance is authorized and directed, upon request of the director of the state planning agency, to issue and sell Minnesota state transportation bonds in accordance with the provisions of section 4 of this act, and Article IX, Section 6 of the Constitution, in an aggregate principal amount not to exceed \$50,000,000 which sum, or so much thereof as shall be required, is appropriated from the proceeds of the bonds to the Minnesota state transportation fund created in section 3, and shall be used, with any other money in that fund, solely for the purpose of providing money which is hereby appropriated from that fund to the director of the state planning agency for grants to subdivisions of the state, according to the definition of "subdivision" in section 3, subdivision 1, for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the provisions of section 3. This appropriation shall not lapse until the purpose for which it is made has been accomplished or abandoned. The amount of each grant approved for disbursement from the Minnesota state transportation fund shall be and remain appropriated for that purpose until the grant is fully disbursed or part or all thereof is revoked by the state planning agency. Grants appropriated pursuant to this section shall not exceed \$9,000,000 in any one fiscal year of the state of Minnesota.

Sec. 3. [MINNESOTA STATE TRANSPORTATION FUND.] Subdivision 1. A Minnesota state transportation fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of state bonds and any other money appropriated to the fund and grants disbursed from the fund to subdivisions of the state for the acquisition and betterment of public land and buildings and other public improvements of a capital nature needed to provide adequate public transportation in urban areas, in accordance with the long range state policies and purposes defined in subdivision 2, and in accordance with standards established in regulations to be adopted by the state planning agency pursuant to law, and to be prepared in consultation with the regional development commissions and the metropolitan council established under the provisions of Minnesota Statutes, Sections 462.381 to 462.396 and Chapter 473B, referred to in this section as "regional planning agencies", and in consultation with the "subdivisions" defined and referred to in this section. "Subdivisions" referred to in this section include the metropolitan transit commission created by Minnesota Statutes, Chapter 473A, and any other public body now or hereafter given power by law or a city charter to operate public transportation facilities in any defined area, and any city outside the area of operation of such a public body.

Subd. 2. It is the policy of the state to assist its subdivisions in providing, so far as possible, public transportation facilities in all urban areas within the state by providing state funding for public transportation capital improvements. The state planning agency and regional planning agencies are directed to prepare and revise

annually a program of capital grants to subdivisions for specific projects which will implement this policy. Capital costs eligible to be paid from such grants shall include all expenses of the kinds enumerated in Minnesota Statutes, Section 475.65.

Subd. 3. The state planning agency shall promulgate regulations for the administration of grants authorized to be made from the fund.

Subd. 4. The regulations of the state planning agency shall provide that a high priority shall be given to applications from subdivisions which, because of limited tax base, excessive bonded indebtedness, or critical conditions of public transportation service, would face extreme financial hardship without assistance from the state transportation fund, and to applications for systems to serve more than one municipality.

Subd. 5. Applications by subdivisions for grants from the fund shall be made through regional planning agencies to the state planning agency, on forms requiring information prescribed by the regulations of the state planning agency. The regional agency shall certify to the state planning agency those applications which appear to meet the program of capital grants and the standards and criteria set forth by the state planning agency and the regulations promulgated hereunder, and the state planning agency shall direct grants to be disbursed from the fund on the basis of the standards, criteria and priorities established in its regulations and in this section; provided that no disbursement shall be made until and unless the regional planning agency has by resolution determined the total estimated cost of the project, and ascertained that its financing is assured by the appropriation of the proceeds of bonds or other funds of the subdivision sufficient to pay the estimated cost in excess of the grant, including funds to be granted to it by the federal government if the state planning agency ascertains that such funds are then appropriated and allocated by the federal government to projects within the state and that the subdivision has complied with all conditions under federal law and regulations for a grant of the nature and in the amount involved.

Sec. 4. [MINNESOTA STATE TRANSPORTATION BONDS.] Subdivision 1. For the purpose of providing money appropriated to subdivisions of the state from the Minnesota state transportation fund for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed to provide adequate public transportation in urban areas in accordance with the provisions of section 3, when authorized by law and requested by the director of the state planning agency, the commissioner of finance shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be issued pursuant to this section only as authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for this purpose. Any act authorizing the issuance of bonds for this purpose, together with this section, constitutes complete authority for such issue, and such bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. Upon request and authorization as provided in subdivision 1 the commissioner of finance shall sell and issue Minnesota state transportation bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such rate or rates, maturing in such amounts and on such dates, without option of prepayment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks within or outside this state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations, as the commissioner of finance shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 15.0411 to 15.0422. The bonds shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The commissioner of finance shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the state transportation fund, and the amounts necessary therefor are appropriated from that fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to the amount so appropriated.

Subd. 4. The commissioner of finance shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state transportation bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota state transportation bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year in an amount equal to the approximate average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. The premium and accrued interest received on each issue of Minnesota state transportation bonds shall be credited to the bond account. In order to reduce the amount of taxes otherwise required to be levied, there shall also be credited to the bond account from the general fund in the state treasury, on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand therein, to pay all Minnesota state transportation bonds and interest thereon due and to become due

to and including July 1 in the second ensuing year. All money so credited and all income from the investment thereof is annually appropriated to the bond account for the payment of such bonds and interest thereon, and shall be available in the bond account prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4. The commissioner of finance and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 6. On or before December 1 in each year the commissioner of finance shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota state transportation bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all such bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from such proceeds, and the whole thereof, or so much as may be necessary, is appropriated for such payments. If at any time there is insufficient money from the proceeds of such taxes to pay the principal and interest when due on Minnesota state transportation bonds, such principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated.

Sec. 5. [SEVERABILITY.] The invalidity of any provision of this act shall not affect the validity of the remainder of the act.

Sec. 6. [EFFECTIVE DATE.] This act is effective on the day following final enactment."

Further, amend the title as follows:

Page 1, line 1 of the title, after "trunk highway" and before "bonds" insert "and Minnesota state transportation"

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

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

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

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

Page 2, line 3, reinstate the stricken language

Page 2, line 5, reinstate the stricken language

Page 2, lines 6 through 8, reinstate the stricken language

Page 13, line 23, strike "1974" and insert "1975"

Page 13, line 25, strike "1974" and insert "1975"

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

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

H. F. No. 3335: A bill for an act relating to taxation; allowing county treasurer additional time after settlement to make distribution; amending Minnesota Statutes, 1973 Supplement, Section 276.11.

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

Page 2, line 2, before "days interest" Strike "60" and insert "45"

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 452 and 3267 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
452	884				
3267	3366				

Pursuant to Rule 49 the Committee recommends that H. F. No. 452 be amended as follows:

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

"Section 1. [TITLE.] This act shall be known as the Minnesota crime victims reparations act.

Sec. 2. [DEFINITIONS.] For the purposes of this act the following terms shall have the meanings given them:

(1) "Accomplice" means any person who would be held criminally liable for the crime of another pursuant to Minnesota Statutes, Section 609.05.

(2) "Board" means the crime victims reparation board established by section 5.

(3) "Claimant" means a person entitled to apply for reparations pursuant to this act.

(4) "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to him, from:

(a) the offender;

(b) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;

(c) social security, medicare, and medicaid;

(d) state required temporary non-occupational disability insurance;

(e) workmen's compensation;

(f) wage continuation programs of any employer;

(g) proceeds of a contract of insurance payable to the victim for economic loss which he sustained because of the crime;

(h) a contract providing prepaid hospital and other health care services, or benefits for disability; or

(i) any private source as a voluntary donation or gift.

The term does not include a life insurance contract.

(5) (a) "Crime" means conduct that

(i) occurs or is attempted in this state,

(ii) poses a substantial threat of personal injury or death, and

(iii) is included within the definition of "crime" in Minnesota Statutes 1971, Section 609.02, Subdivision 1, or would be included within that definition but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state.

(b) A crime occurs whether or not any person is prosecuted or convicted but the conviction of a person whose acts give rise to the claim is conclusive evidence that a crime was committed unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or rehearing has been ordered.

(c) "Crime" does not include conduct arising out of the use of a motor vehicle, as defined in Minnesota Statutes, Section 169.01, Subdivision 2, an aircraft or watercraft unless

(i) the conduct was intended to cause personal injury or death, or

(ii) the use of the motor vehicle, aircraft or watercraft in the commission of a felony was a proximate cause of the victim's injury or death.

(6) "Dependent" means any person who was dependent upon a deceased victim for support at the time of the crime.

(7) "Economic loss" means actual economic detriment incurred as a direct result of injury or death.

(a) In the case of injury the term is limited to:

(i) reasonable expenses incurred for necessary medical, chiropractic, hospital, rehabilitative, and dental products, services, or accommodations, including ambulance services, drugs, appliances and prosthetic devices;

(ii) reasonable expenses incurred for psychological or psychiatric products, services or accommodations where the nature of the injury or the circumstances of the crime are such that the treatment is necessary to the rehabilitation of the victim;

(iii) loss of income the victim would have earned had he not been injured; and

(iv) reasonable expenses incurred for substitute child care or household services to replace those the victim would have performed had he not been injured.

(b) In the case of death the term is limited to:

(i) reasonable expenses incurred for funeral, burial or cremation;

(ii) reasonable expenses for medical, chiropractic, hospital, rehabilitative, psychological and psychiatric services, products or accommodations which were incurred prior to the victim's death and for which the victim's survivors or estate are liable;

(iii) loss of support, including contributions of money, products or goods, but excluding services which the victim would have supplied to his dependents if he had lived; and

(iv) reasonable expenses incurred for substitute child care and household services to replace those which the victim would have performed for the benefit of his dependents if he had lived.

(8) "Injury" means actual bodily harm including pregnancy and mental or nervous shock.

(9) "Victim" means a person who suffers personal injury or death as a direct result of (a) a crime; (b) the good faith effort of any person to prevent a crime; or (c) the good faith effort of any person to apprehend a person suspected of engaging in a crime.

Sec. 3. [ELIGIBILITY FOR REPARATIONS.] Subdivision 1. Except as provided in subdivision 2, the following persons shall be entitled to reparations upon a showing by a preponderance of the evidence that the requirements for reparations have been met:

(a) a victim who has incurred economic loss;

(b) a dependent who has incurred economic loss;

(c) the estate of a deceased victim if the estate has incurred economic loss;

(d) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 2, clauses (a) (i) and (a) (ii) for a victim;

(e) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 2. No reparations shall be awarded to a claimant otherwise eligible if

(a) the crime was not reported to the police within five days of its occurrence or, if it could not reasonably have been reported within that period, within five days of the time when a report could reasonably have been made;

(b) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials;

(c) the victim is the spouse of or a person living in the same household with the offender or his accomplice or the parent, child, brother or sister of the offender or his accomplice unless the board determined that the interests of justice otherwise require in a particular case;

(d) the claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice; or

(e) no claim was filed with the board within one year of victim's injury or death.

Sec. 4. [AMOUNT OF REPARATIONS.] Reparations shall equal economic loss except that:

(1) reparations shall be reduced to the extent that economic loss is recouped from a collateral source;

(2) reparations shall be reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom he claims; and

(3) reparations paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed \$15,000 plus attorney fees authorized by this act.

Sec. 5. [CRIME VICTIMS REPARATIONS BOARD.] Subdivision 1. There is created in the department of public safety, for budgetary and administrative purposes, the crime victims reparations board, which shall consist of three members appointed by the governor with the advice and consent of the senate. One of the members shall be designated as chairman by the governor and serve as such at his pleasure. At least one member shall be a person who is admitted to the bar of this state, and at least one member shall be a medical or osteopathic physician licensed to practice in this state.

Subd. 2. The term of office of each board member shall be six years except that of the members first appointed one each shall serve for terms of six, four, and two years. Any person appointed

to fill a vacancy shall be appointed for the remainder of the unexpired term.

Subd. 3. Members of the board shall serve part time and receive \$35 per diem and be reimbursed for reasonable and necessary expenses incurred in performance of their duties in the same manner and amount as state employees.

Sec. 6. [POWERS AND DUTIES OF THE BOARD.] Subdivision 1. [DUTIES.] In addition to carrying out any duties specified elsewhere in this act or in other law, the board shall:

(a) provide all claimants with an opportunity for hearing pursuant to Minnesota Statutes, Chapter 15;

(b) establish and maintain a principal office and other necessary offices and appoint employees and agents as necessary and fix their duties;

(c) promulgate within 90 days following the effective date of this act rules to implement this act, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings;

(d) publicize widely the availability of reparations and the method of making claims; and

(e) prepare and transmit annually to the governor and the legislature a report of its activities including the name of each claimant, a brief description of the facts in each case, the amount of reparation awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. [POWERS.] In addition to exercising any powers specified elsewhere in this act or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

(a) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;

(b) administer oaths and affirmations and cause to be taken affidavits and depositions within and without of this state;

(c) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;

(d) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;

(e) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(f) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under this act;

(g) determine and award reasonable attorneys fees to a claimant;

(h) grant emergency reparations pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(i) reconsider any decision granting or denying reparations or determining their amount.

Sec. 7. [DETERMINATION OF CLAIMS.] Subdivision 1. A claim, when accepted for filing, shall be assigned by the chairman to himself or to another member of the board.

Subd. 2. The board member to whom the claim is assigned shall examine the papers filed in support of the claim and cause an investigation to be conducted into the validity of the claim.

Subd. 3. The board member to whom a claim is assigned may decide the claim in favor of a claimant in the amount claimed on the basis of the papers filed in support of it and the report of the investigation of such claim. If the board member is unable to decide such claim upon the basis of the papers and report, he shall order a hearing.

Subd. 4. After examining the papers filed in support of the claim and the report of investigation, and after a hearing, if any, the board member to whom the claim was assigned shall make a decision either granting an award or deny the claim.

Subd. 5. The board member making a decision shall file with the board a written report setting forth such decision and his reasons therefor. The board shall notify the claimant and furnish him a copy of the report.

Sec. 8. [CONSIDERATION OF DECISIONS BY FULL BOARD.] Subdivision 1. The claimant may, within 30 days after receipt of the report of the decision of the board member to whom his claim was assigned, make an application in writing to the board for consideration of the decision by the full board.

Subd. 2. Any member of the board may, within 30 days after the filing of the report, make an application in writing to the board for consideration of the decision by the full board.

Subd. 3. The board shall treat all claims considered pursuant to this section as contested cases within the meaning of Minnesota Statutes, Chapter 15.

Sec. 9. [REPARATIONS; HOW PAID.] Reparations may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or prorated over a period of time if the final award is made in installments. Reparations are exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The

board, in its discretion may order that all or part of the reparations awarded be paid directly to these suppliers.

Sec. 10. [SUBROGATION.] The state shall be subrogated, to the extent of reparations awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is or, if readily available to the victim or claimant would be, a collateral source.

Sec. 11. [MEDICAL PRIVILEGE.] There is no privilege as to communication or records relevant to an issue of the physical, mental, or emotional condition of the claimant or victim in a proceeding under this act in which that condition is an issue. Nothing contained in this section shall be interpreted to abridge the attorney-client privilege.

Sec. 12. [ENFORCEMENT OF BOARD'S ORDERS.] If a person refuses to comply with an order of the board or asserts a privilege to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a mental or physical examination.

Sec. 13. [USE OF RECORD OF CLAIM; EVIDENCE.] Neither a record of the proceedings on a claim, a decision of the board, nor the fact that an award has been made or denied shall be admissible as evidence in any criminal or civil action against the alleged offender, including an action by the state on its subrogation claim.

Sec. 14. [LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.] All law enforcement agencies investigating crimes shall provide forms to each person who may be eligible to file a claim pursuant to this act and to inform them of their rights hereunder. All law enforcement agencies shall obtain from the board and maintain a supply of all forms necessary for the preparation and presentation of claims.

Sec. 15. [FRAUDULENT CLAIMS.] Any person who knowingly makes a false claim under this act shall be guilty of a gross misdemeanor.

Sec. 16. [EFFECTIVE DATE.] This act shall apply to claims arising as a result of crimes committed or attempted on or after January 2, 1975.

Sec. 17. [APPROPRIATIONS.] The sum of \$25,000 is hereby appropriated from the general fund in the state treasury to the department of public safety for the organization, operation, administration and staffing of the crime victims reparation board effective January 2, 1975."

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

"A bill for an act relating to crimes and criminals; providing compensation for victims of violent crimes; providing a penalty; appropriating money."

And when so amended, H. F. No. 452 will be identical to S. F. No. 884 and further recommends that H. F. No. 452 be given its second reading and substituted for S. F. No. 884 and S. F. No. 884 be indefinitely postponed.

Pursuant to Rule 49 the Committee recommends that H. F. No. 3267 be amended as follows:

Page 3, lines 6 to 13, restore the stricken language and delete the underscored language

And when so amended, H. F. No. 3267 will be identical to S. F. No. 3366 and further recommends that H. F. No. 3267 be given its second reading and substituted for S. F. No. 3366 and S. F. No. 3366 be indefinitely postponed.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 2760, 3499 and 2046 for comparison to companion Senate Files, reports the following House Files were found to have no companion Senate Files on Senate Calendars and are recommended to be re-referred to their respective Committees as follows:

H. F. No. 2760 to the Committee on Finance.

H. F. No. 3499 to the Committee on Governmental Operations.

H. F. No. 2046 to the Committee on Health, Welfare and Corrections.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 3308, 2707 and 2604 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3140, 3151, 2125, 2360, 3335, 452 and 3267 were read the second time.

MOTIONS AND RESOLUTIONS

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

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

Mr. Kowalczyk moved that his name be added as co-author to S. F. No. 3579. The motion prevailed.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on S. F. No. 1759:

Messrs. Chenoweth; Keefe, J. and Schaaf. The motion prevailed.

RECONSIDERATION

Mr. Laufenburger moved that the motion adopted on March 19, 1974 in which the Senate did not concur in the amendments by the House to S. F. No. 1769 be now reconsidered. The motion prevailed. So the motion was reconsidered.

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate do now concur in the amendments by the House to S. F. No. 1769 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1769: A bill for an act relating to the practice of chiropractic; prescribing minimum academic requirements for licensure and renewal of licensure; amending Minnesota Statutes 1971, Section 148.06.

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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

RECONSIDERATION

Mr. Josefson moved that the vote whereby H. F. No. 932 failed to pass the Senate on March 19, 1974, be now reconsidered.

The question being taken on adoption of the motion,

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

And the roll being called, there were yeas 14 and nays 43, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Baldy	Keefe, S.	Perpich, G.	Spear
Blatz	Hanson, R.	Krieger	Pillsbury	Ueland
Coleman	Jensen	Larson	Solon	

Those who voted in the negative were:

Anderson	Doty	Kirchner	North	Renneke
Arnold	Dunn	Knutson	Novak	Schrom
Bang	Fitzsimons	Laufenburger	Olhoft	Sillers
Berg	Frederick	Lewis	Olson, A. G.	Stassen
Bernhagen	Gearty	Lord	Olson, H. D.	Stokowski
Borden	Hansen, Mel	McCutcheon	Olson, J. L.	Tennessee
Chmielewski	Hughes	Milton	Patton	Thorup
Conzemius	Humphrey	Moe	Perpich, A. J.	
Davies	Josefson	Nelson	Purfeerst	

The motion did not prevail. So the vote was not reconsidered.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a Conference Committee on H. F. No. 2675 from 9:30 a.m. until 10:30 a.m. and from 7:30 p.m. on:

Messrs. Conzemius, Borden and Ogdahl. The motion prevailed.

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a meeting of the Lobbyist Registration Committee:

Messrs. Conzemius, McCutcheon and Knutson. The motion prevailed.

Pursuant to Rule 40, Mr. Jensen moved that S. F. No. 2852 be withdrawn from the Committee on Rules and Administration and placed on General Orders.

The question being taken on adoption of the motion,

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

The question being taken on adoption of the motion to excuse,

And the roll being called, there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gearty	Milton	Perpich, G.	Tennessee
Arnold	Hughes	Moe	Purfeerst	Thorup
Chenoweth	Humphrey	North	Schaaf	Wegener
Chmielewski	Keefe, S.	Novak	Schrom	Willet
Conzemius	Laufenburger	Olhoft	Solon	
Davies	Lewis	Olson, A. G.	Spear	
Doty	McCutcheon	Perpich, A. J.	Stokowski	

The motion did not prevail.

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

The question recurred on the motion of Mr. Jensen to withdraw S. F. No. 2852.

And the roll being called, there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Spear
Arnold	Doty	McCutcheon	Perpich, A. J.	Stokowski
Borden	Gearty	Milton	Perpich, G.	Tennessee
Chenoweth	Hughes	Moe	Purfeerst	Thorup
Chmielewski	Humphrey	North	Schaaf	Wegener
Coleman	Keefe, S.	Novak	Schrom	Willet
Conzemius	Laufenburger	Olhott	Solon	

The motion did not prevail.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1530

A bill for an act relating to education; authorizing and prohibiting fees for public education.

March 19, 1974

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 1530, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1530 be further amended as follows:

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

"Section 1. This act may be cited as "The Minnesota Public School Fee Law."

Sec. 2. [GENERAL POLICY.] It is the policy of the state of Minnesota that public school education shall be free and no pupil shall be denied an education because of economic inability to furnish educational books and supplies necessary to complete educational requirements necessary for graduation. Any practice leading to suspension, coercion, exclusion, withholding of grades or diplomas, or discriminatory action based upon nonpayment of fees denies pupils their right to equal protection and entitled privileges. It is recognized that school boards do have the right to accept voluntary contributions and to make certain charges and to establish fees in areas considered extra curricular, non-curricular or sup-

plementary to the requirements for the successful completion of a class or educational program. No public school board may require, except as authorized by sections 3 and 5, the payment of fees.

Sec. 3. [AUTHORIZED FEES.] Subdivision 1. A school board is authorized to require payment of fees in the following areas:

(a) in any program where the resultant product, in excess of minimum requirements and at the pupil's option, becomes the personal property of the pupil;

(b) Admission fees or charges for extra curricular activities, where attendance is optional;

(c) A security deposit for the return of materials, supplies, or equipment;

(d) Personal physical education and athletic equipment and apparel, although any pupil may provide his own if it meets reasonable requirements and standards relating to health and safety established by the school board;

(e) Items of personal use or products which a student may purchase at his own option such as student publications, class rings, annuals, and graduation announcements;

(f) Fees specifically permitted by any other statute;

(g) Field trips considered supplementary to a district educational program;

(h) Any authorized voluntary student health and accident benefit plan;

(i) For the use of musical instruments owned or rented by the district, a reasonable rental fee not to exceed either the rental cost to the district or the annual depreciation plus the actual annual maintenance cost for each instrument.

Subd. 2. Students may be required to furnish personal or consumable items including pencils, paper, pens, erasers and notebooks.

Subd. 3. This act shall not preclude the operation of a school store wherein pupils may purchase school supplies and materials.

Subd. 4. A school board may waive any such deposit or fee if any pupil or his parent or guardian is unable to pay it.

Sec. 4. [PROHIBITED FEES.] Subdivision 1. A school board is not authorized to charge fees in the following areas:

(a) Textbooks, work books, art materials, laboratory supplies, towels;

(b) Supplies necessary for participation in any instructional course except as authorized in sections 3 and 5;

(c) Field trips which are required as a part of a basic education program or course;

(d) Graduation caps, gowns, any specific form of dress necessary for any educational program, and diplomas;

(e) Instructional costs for necessary school personnel employed in any course or educational program required for graduation;

(f) Library books required to be utilized for any educational course or program;

(g) Admission fees, dues, or fees for any activity the pupil is required to attend;

(h) Any admission or examination cost for any required educational course or program;

(i) Locker rentals.

Subd. 2. No pupil's rights or privileges, including the receipt of grades or diplomas may be denied or abridged for non-payment of fees; but this provision shall not prohibit a school district from maintaining any action provided by law for the collection of such fees authorized by sections 3 and 5.

Sec. 5. Subdivision 1. Prior to the initiation of any fee not authorized or prohibited by sections 3 and 4, the local school board shall hold a public hearing within the district upon three weeks published notice in the district's official newspaper. The local school board shall notify the state board of any fee it proposes to initiate under this section. If within 45 days of this notification, the state board does not disapprove the proposed fee, the local school board may initiate the proposed fee.

Subd. 2. The state board pursuant to the administrative procedures act, Minnesota Statutes, Sections 15.04 to 15.0426, and consistent with the general policy of section 2 shall have the power to specify further authorized and prohibited fees and to adopt rules and regulations for the purposes of this act.

Sec. 6. This act shall not be construed to prohibit a school board from charging reasonable fees for goods and services provided in connection with any post-secondary instructional program, including but not limited to vocational-technical, adult veterans, continuing education, community services, evening school and general educational development programs.

Sec. 7. [EFFECTIVE DATE.] This act shall be effective on July 1, 1975."

Further delete the title in its entirety and insert in lieu thereof:

"A bill for an act relating to education; authorizing and prohibiting certain pupil fees."

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

Senate Conferees: (Signed) Ralph Doty, Gerald Willet, Robert Dunn.

House Conferees: (Signed) Mike Jaros, Carl Johnson, Gerald Knickerbocker.

Mr. Doty moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1530 be now adopted, and that the bill be repassed as amended by the Conference Committee.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 43 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olson, A. G.	Solon
Arnold	Dunn	Kowalczyk	Olson, H. D.	Spear
Ashbach	Fitzsimons	Laufenburger	O'Neill	Stassen
Borden	Frederick	Lewis	Patton	Stokowski
Brown	Hansen, Mel	McCutcheon	Perpich, A. J.	Ueland
Chmielewski	Hanson, R.	Milton	Perpich, G.	Wegener
Coleman	Hughes	North	Pillsbury	Willet
Conzemius	Humphrey	Novak	Renneke	
Davies	Jensen	Olhoft	Sillers	

Mr. Bernhagen voted in the negative.

The motion prevailed. So the recommendations and Conference Committee Report were adopted.

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

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

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

And the roll being called, there were yeas 41, and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	O'Neill	Tennessen
Arnold	Dunn	McCutcheon	Perpich, A. J.	Thorup
Ashbach	Fitzsimons	Milton	Perpich, G.	Ueland
Borden	Hansen, Mel	Nelson	Pillsbury	Wegener
Brown	Hughes	North	Sillers	Willet
Chmielewski	Humphrey	Novak	Solon	
Coleman	Jensen	Olhoft	Spear	
Conzemius	Kowalczyk	Olson, A. G.	Stassen	
Davies	Laufenburger	Olson, H. D.	Stokowski	

Those who voted in the negative were:

Bang	Blatz	Hanson, R.	Krieger	Patton
Berg	Frederick	Josefson	Ogdahl	Renneke
Bernhagen	Hansen, Baldy	Kirchner	Olson, J. L.	Schrom

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Davies moved that S. F. No. 1728 be taken from the table. The motion prevailed.

Mr. Davies moved that the Senate do not concur in the amendments by the House to S. F. No. 1728 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. O'Neill moved that S. F. No. 2367 be taken from the table. The motion prevailed.

Mr. O'Neill moved that the Senate do not concur in the amendments by the House to S. F. No. 2367 and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Anderson moved that H. F. No. 3372, No. 3 on the Calendar of Ordinary Matters, be stricken and placed at the top of General Orders. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated H. F. No. 3029, No. 106 on the General Orders Calendar, a Special Order to be heard immediately.

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

Mr. Humphrey moved to amend H. F. No. 3029, the printed bill, as follows:

Page 2, after line 23, insert:

"Sec. 2. Minnesota Statutes, 1973 Supplement, Section 256B.06, is amended by adding a subdivision to read:

Subd. 3. Notwithstanding any law to the contrary, a migrant agricultural worker who meets all of the eligibility requirements of this section other than that he has a permanent place of abode in another state, shall be eligible for medical assistance and shall have his medical needs met by the county in which he resides at the time of making application."

Page 2, line 25, strike everything after "3." and insert "Except for section 1, which is effective retroactive to January 1, 1974, this act is effective the day following its final enactment."

Further, amend the title as follows:

Second line, before "amending" insert "defining county of financial responsibility in medical assistance;"

Second line, after "Subdivision 1" insert ", and by adding a subdivision"

The motion prevailed. So the amendment was adopted.

H. F. No. 3029 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olson, J. L.	Spear
Ashbach	Dunn	Knutson	O'Neill	Stassen
Bang	Fitzsimons	Kowalczyk	Patton	Tennessee
Berg	Frederick	Laufenburger	Perpich, A. J.	Thorup
Bernhagen	Gearty	Lewis	Perpich, G.	Ueland
Blatz	Hansen, Mel	Milton	Pillsbury	Wegener
Brown	Hanson, R.	North	Purfeerst	Willet
Chmielewski	Hughes	Novak	Renneke	
Coleman	Humphrey	Olhoft	Schrom	
Conzemius	Jensen	Olson, A. G.	Sillers	
Davies	Josefson	Olson, H. D.	Colon	

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. 2236, No. 71 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2236: A bill for an act relating to courts; salaries of county court judges; amending Minnesota Statutes 1971, Section 487.05.

Mr. Dunn moved to amend the amendment placed on H. F. No. 2236 by the Committee on Finance, adopted by the Senate March 13, 1974, as follows:

Section 1, subdivision 2, in clause (1) strike "\$29,000" and insert "*Not less than \$25,000, nor more than \$29,000, as determined by resolution of the county board or boards.*"

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

Mr. Conzemius moved to amend the amendment placed on H. F. No. 2236, the printed bill, by the Committee on Judiciary, adopted by the Senate March 13, 1974, as follows:

Section 1, subdivision 2, clause (1), strike "\$29,000" and insert "\$27,000"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 35 and nays 19, as follows:

Those who voted in the affirmative were:

Arnold	Conzemius	Jensen	North	Pillsbury
Ashbach	Davies	Josefson	Olhoft	Purfeerst
Berg	Dunn	Kirchner	Olson, A. G.	Renneke
Bernhagen	Fitzsimons	Knutson	Olson, H. D.	Schaaf
Brown	Hansen, Baldy	Kowalczyk	Olson, J. L.	Sillers
Chenoweth	Hansen, Mel	Lewis	Perpich, A. J.	Solon
Coleman	Hanson, R.	Moe	Perpich, G.	Willet

Those who voted in the negative were:

Bang	Doty	Keefe, J.	O'Neill	Tennessen
Blatz	Frederick	Keefe, S.	Patton	Thorup
Borden	Gearty	McCutcheon	Spear	Ueland
Chmielewski	Humphrey	Milton	Stassen	

The motion prevailed. So the amendment was adopted.

H. F. No. 2236 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 32 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Laufenburger	Patton	Tennessen
Ashbach	Gearty	Lewis	Pillsbury	Thorup
Blatz	Humphrey	McCutcheon	Sillers	Ueland
Borden	Keefe, J.	Milton	Solon	Wegener
Chmielewski	Keefe, S.	Nelson	Spear	
Davies	Kirchner	Ogdahl	Stassen	
Doty	Krieger	O'Neill	Stokowski	

Those who voted in the negative were:

Arnold	Conzemius	Josefson	Olhoft	Renneke
Bang	Dunn	Knutson	Olson, A. G.	Schaaf
Berg	Frederick	Kowalczyk	Olson, H. D.	Schrom
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Willet
Brown	Hansen, Mel	Moe	Perpich, A. J.	
Chenoweth	Hanson, R.	North	Perpich, G.	
Coleman	Jensen	Novak	Purfeerst	

So the bill, as amended, failed to pass.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated H. F. No. 3506, No. 60 on the General Orders Calendar, a Special Order to be heard immediately.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Milton moved that H. F. No. 3159 be withdrawn from the Committee on Health, Welfare and Corrections and re-referred to the Committee on Finance. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 2:15 o'clock p.m. The motion prevailed.

The hour of 2:15 o'clock p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on S. F. No. 2933:

Messrs. Perpich, G. and Pillsbury. The motion prevailed.

Pursuant to Rule 21, Mr. Hughes moved that the following members be excused for a Conference Committee on H. F. No. 1810:

Messrs. Conzemius; Borden; Keefe, J.; Hansen, Baldy and Frederick. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated H. F. No. 3239, No. 101 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 3239: A bill for an act relating to aeronautics; appropriating and transferring certain funds.

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 39 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Mel	Laufenburger	Olson, H. D.	Sillers
Arnold	Hanson, R.	Lewis	Olson, J. L.	Solon
Ashbach	Hughes	Lord	Patton	Spear
Berg	Humphrey	McCutcheon	Perpich, A. J.	Tennessen
Bernhagen	Jensen	Moe	Perpich, G.	Ueland
Doty	Kirchner	Novak	Pillsbury	Wegener
Fitzsimons	Knutson	Olhoft	Purfeerst	Willet
Gearty	Kowalczyk	Olson, A. G.	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee on Finance, designated S. F. No. 3280, No. 102 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 3280: A bill for an act relating to economic development; appropriating money for the promotion of Minnesota agriculture.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kowalczyk	Novak	Renneke
Arnold	Gearty	Krieger	Olhoff	Sillers
Ashbach	Hansen, Mel	Laufenburger	Olson, A. G.	Stassen
Berg	Hanson, R.	Lewis	Olson, H. D.	Tennessen
Chmielewski	Hughes	Lord	Olson, J. L.	Ueland
Coleman	Humphrey	McCutcheon	Patton	Wegener
Davies	Jensen	Milton	Perpich, G.	Willet
Doty	Josefson	Moe	Pillsbury	
Dunn	Kirchner	North	Purfeerst	

So the bill 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. 858, No. 104 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 858: A bill for an act relating to the organization and operation of state government; creating a department of transportation; prescribing its duties and responsibilities; amending Minnesota Statutes 1971, Sections 123.18, Subdivision 1; 123.39, Subdivision 1; and 473A.06, Subdivision 3; repealing Minnesota Statutes 1971, Sections 4.20; 161.03; and 360.014.

Mr. Laufenburger moved to amend H. F. No. 858, the printed bill, as follows:

Page 4, strike lines 11 through 30, and insert the following:

"Subd. 7. The commissioner of transportation shall establish a transportation advisory committee.

The transportation advisory committee shall be composed of 25 members who shall be appointed by the governor. The governor shall provide for broad geographic representation and shall appoint one public official from each regional development commission and one from the metropolitan council, with the remaining positions filled by public members, at least six of whom shall be from the metropolitan council area. The transportation advisory committee shall elect a chairman and such other officers as they deem necessary. The transportation advisory committee shall concern itself with, and make recommendations on, such matters as the transportation advisory committee deems necessary. The advisory committee shall meet at the call of its chairman or the commissioner of transportation who shall act as the executive secretary of the committee."

The motion prevailed. So the amendment was adopted.

Mr. Stassen moved to amend H. F. No. 858, the printed bill, as follows:

Page 3, lines 32 and 33 strike "*for aeronautics*"

Page 5, strike lines 9 to 21

Renumber the sections in sequence

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 22 and nays 30, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Baldy	Kowalczyk	Patton	Thorup
Berg	Hanson, R.	Krieger	Pillsbury	Ueland
Doty	Jensen	Larson	Renneke	
Dunn	Josefson	Lewis	Schrom	
Fitzsimons	Knutson	Ogdahl	Stassen	

Those who voted in the negative were:

Arnold	Davies	Laufenburger	Olson, A. G.	Solon
Ashbach	Gearty	Lord	Olson, H. D.	Spear
Borden	Hansen, Mel	Milton	O'Neill	Stokowski
Chenoweth	Hughes	North	Perpich, A. J.	Tennessen
Chmielewski	Humphrey	Novak	Purfeerst	Wegener
Coleman	Keefe, S.	Olhoft	Sillers	Willet

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

Mr. Stassen then moved to amend H. F. No. 858, the printed bill, as follows:

Page 3, line 32, strike "*may*" and insert "*shall*"

Page 3, line 33, after "*and*" insert "*may appoint, with the approval of the commissioner of administration,*"

Page 3, lines 34 and 35, strike "*with the approval of the commissioner of administration*"

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

Mr. Laufenburger moved to amend H. F. No. 858, the printed bill, as follows:

Page 6, line 26, after "*system*" insert "*unless necessary to provide a coordinated state-wide system,*"

The motion prevailed. So the amendment was adopted.

Mr. Lord moved to reconsider the vote whereby the second Laufenburger amendment to H. F. No. 858 was adopted. The motion did not prevail. So the vote was not reconsidered.

H. F. No. 858 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 20 and nays 39, as follows:

Those who voted in the affirmative were:

Borden	Conzemius	Josefson	Novak	Purfeerst
Brown	Davies	Laufenburger	Olson, A. G.	Ueland
Chmielewski	Fitzsimons	Lord	Olson, H. D.	Wegener
Coleman	Hansen, Mel	Moe	Perpich, G.	Willet

Those who voted in the negative were:

Anderson	Frederick	Knutson	Ogdahl	Schaaf
Arnold	Gearty	Kowalczyk	Olhoft	Schrom
Bang	Hansen, Baldy	Krieger	Olson, J. L.	Sillers
Berg	Hanson, R.	Larson	O'Neill	Solon
Bernhagen	Hughes	Lewis	Patton	Spear
Chenoweth	Humphrey	McCutcheon	Perpich, A. J.	Stassen
Doty	Jensen	Milton	Pillsbury	Stokowski
Dunn	Kirchner	North	Renneke	

So the bill, as amended, failed to pass.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on S. F. No. 1759:

Messrs. Chenoweth; Keefe, J. and Schaaf. The motion prevailed.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on H. F. No. 1866:

Messrs. Moe, Tennesen and Kirchner. The motion prevailed.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on S. F. No. 2964:

Messrs. Moe; Perpich, G.; McCutcheon; Olson, J. L. and Kirchner. The motion prevailed.

Pursuant to Rule 21, Mr. Olhoft 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.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1728, pursuant to the request of the Senate:

Messrs. Davies, Lord and Knutson.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 3246, pursuant to the request of the Senate:

Messrs. Anderson, Chmielewski and Larson.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2950, pursuant to the request of the House:

Messrs. Humphrey; Keefe, J. and Borden.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2367, pursuant to the request of the Senate:

Messrs. O'Neill, Coleman, McCutcheon, North and Chenoweth.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 3350, pursuant to the request of the Senate:

Messrs. O'Neill, McCutcheon and Hughes.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 2964, pursuant to the request of the Senate:

Messrs. Moe; McCutcheon; Kirchner; Olson, J. L. and Perpich, G.

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

SUSPENSION OF RULES

Mr. Hansen, Baldy moved that an urgency be declared within the meaning of Article IV, Section 20, of the Constitution of Minnesota, with respect to S. F. No. 2707 and that the rules of the Senate be so far suspended as to give S. F. No. 2707, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

S. F. No. 2707: A bill for an act creating a legislative commission to study revision of the laws relating to labor; appropriating money therefor.

Mr. Hansen, Baldy moved to amend S. F. No. 2707 as follows:

Page 1, line 9, strike "10" and insert "12"

Page 1, line 11, strike "and"

Page 1, line 12, before the period, insert ", and two members appointed by the governor"

Page 1, after line 24, insert:

"Sec. 5. Members of the commission shall serve without compensation but shall be allowed and paid their actual traveling and other expenses necessarily incurred in the performance of their duties. The commission may purchase supplies, hire employees, and do all things reasonably necessary and convenient to carry out the purposes of this act. It shall use the available facilities and personnel of the legislature unless it by resolution determines a special need or reason exists for the use of other facilities or personnel. Reimbursement for expenses incurred shall be made pursuant to the rules governing state employees."

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Frederick moved to amend S. F. No. 2707 as follows:

Page 1, line 12, after "committees" insert "who shall appoint three members from the majority and two members from the minority"

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

S. F. No. 2707 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 45 and nays 5, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	Ogdahl	Schrom
Bang	Doty	Kirchner	Olhoft	Sillers
Berg	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Bernhagen	Frederick	Larson	Olson, J. L.	Spear
Borden	Hansen, Baldy	Laufenburger	Patton	Stokowski
Chenoweth	Hansen, Mel	Lewis	Perpich, A. J.	Thorup
Chmielewski	Hanson, R.	Lord	Perpich, G.	Ueland
Coleman	Hughes	Moe	Purfeerst	Wegener
Conzemius	Humphrey	Novak	Renneke	Willet

Those who voted in the negative were:

Anderson	Brown	Dunn	North	Pillsbury
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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. 485, No. 108 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 485: A bill for an act relating to the state junior college board; appropriating money for a special assessment.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Olson, H. D.	Spear
Arnold	Doty	Kirchner	Olson, J. L.	Stassen
Berg	Dunn	Laufenburger	Patton	Thorup
Bernhagen	Fitzsimons	Lewis	Perpich, A. J.	Ueland
Borden	Frederick	Lord	Perpich, G.	Wegener
Brown	Hansen, Mel	Moe	Pillsbury	Willet
Chenoweth	Hanson, R.	North	Purfeerst	
Chmielewski	Hughes	Novak	Renneke	
Coleman	Humphrey	Olhoff	Schrom	
Conzemius	Jensen	Olson, A. G.	Solon	

So the bill 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. 545, No. 107 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 545: A bill for an act relating to the Willmar state junior college; appropriating money to the city of Willmar for costs incurred on behalf of the college.

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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Olson, A. G.	Renneke
Arnold	Dunn	Kirchner	Olson, H. D.	Schrom
Berg	Fitzsimons	Laufenburger	Olson, J. L.	Solon
Bernhagen	Frederick	Lewis	O'Neill	Spear
Borden	Hansen, Mel	Lord	Patton	Stassen
Brown	Hanson, R.	Moe	Perpich, A. J.	Ueland
Coleman	Hughes	North	Perpich, G.	Wegener
Conzemius	Humphrey	Novak	Pillsbury	Willet
Davies	Jensen	Olhoff	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Novak, Chairman of the Committee

on Finance, designated S. F. No. 2913, No. 111 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 2913: A bill for an act relating to education; creating an advisory commission to study declining school enrollment and giving certain powers to the state board of education to implement its recommendations; appropriating money.

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 41 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Larson	Ogdahl	Solon
Arnold	Dunn	Laufenburger	Olson, A. G.	Spear
Bang	Gearty	Lewis	O'Neill	Thorup
Berg	Hansen, Baldy	Lord	Perpich, A. J.	Ueland
Borden	Hansen, Mel	McCutcheon	Pillsbury	Wegener
Chenoweth	Hughes	Milton	Purfeerst	
Coleman	Humphrey	Moe	Schaaf	
Conzernius	Keefe, J.	North	Schrom	
Davies	Kirchner	Novak	Sillers	

Those who voted in the negative were:

Bernhagen	Fitzsimons	Jensen	Olson, J. L.	Stassen
Brown	Frederick	Olhoft	Patton	Willet
Chmielewski	Hanson, R.	Olson, H. D.	Renneke	

So the bill 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. 389, No. 105 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 389: A bill for an act relating to public safety; fines and forfeited bail money from persons apprehended by the highway patrol; providing for the distribution and use of such money; amending Minnesota Statutes 1971, Section 299D.03, Subdivision 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Olhoft	Schaaf
Arnold	Dunn	Kirchner	Olson, A. G.	Schrom
Bang	Fitzsimons	Laufenburger	Olson, H. D.	Sillers
Bernhagen	Frederick	Lewis	Olson, J. L.	Solon
Brown	Gearty	Lord	O'Neill	Spear
Chenoweth	Hansen, Baldy	McCutcheon	Patton	Stassen
Chmielewski	Hansen, Mel	Milton	Perpich, A. J.	Thorup
Coleman	Hughes	Moe	Pillsbury	Ueland
Conzernius	Humphrey	North	Purfeerst	Wegener
Davies	Jensen	Novak	Renneke	Willet

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that S. F. No. 3575, No. 11 on the Calendar of Ordinary Matters, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

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.

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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, J.	Olson, H. D.	Sillers
Arnold	Dunn	Kirchner	Olson, J. L.	Solon
Berg	Fitzsimons	Laufenburger	O'Neill	Spear
Bernhagen	Gearty	Lord	Patton	Stassen
Brown	Hansen, Baldy	McCutcheon	Perpich, A. J.	Thorup
Chenoweth	Hansen, Mel	Moe	Pillsbury	Ueland
Chmielewski	Hanson, R.	North	Purfeerst	Wegener
Coleman	Hughes	Novak	Renneke	Willet
Conzemius	Humphrey	Olhoft	Schaaf	
Davies	Jensen	Olson, A. G.	Schrom	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 210, No. 116 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 210: A bill for an act relating to education; regulating the tenure of teachers and granting seniority rights; amending Minnesota Statutes 1971, Section 125.12, Subdivision 6.

Mr. Conzemius moved to amend H. F. No. 210, the unofficial engrossment, as follows:

Page 4, line 11, after "of" strike "6(b)" and insert "Subdivision 6b"

Page 6, line 4, after "1971," insert "Section 125.12,"

Page 6, line 12, after "1971," insert "Section 125.12,"

Page 7, line 12, after "1974" insert ", but shall not affect any termination proceedings commenced prior to its effective date except any teacher terminated under these prior proceedings shall have the reinstatement rights provided in section 4, subdivision 6b, clause (e)"

The motion prevailed. So the amendment was adopted.

Mr. Anderson moved to amend H. F. No. 210, the unofficial engrossment, as follows:

Page 5, line 19, after "*would*" insert "*result in the discontinuance of an extra-curricular or co-curricular activity or*"

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

Mr. North moved to amend H. F. No. 210, the unofficial engrossment, as follows:

Page 4, line 22, after "*year.*" insert "*“Certified”, as used in this subdivision, includes a major in the subject matter or field, or actual successful teaching of a course or program in the field within the past five years in the district.*"

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

H. F. No. 210 was read the third time, as amended, and placed on its final passage.

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

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

And the roll being called, there were yeas 51 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Kirchner	Olson, A. G.	Spear
Arnold	Doty	Kowalczyk	O'Neill	Stassen
Ashbach	Dunn	Laufenburger	Patton	Stokowski
Bang	Frederick	Lewis	Perpich, A. J.	Thorup
Berg	Gearty	Iord	Pillsbury	Ueland
Borden	Hansen, Mel	McCutcheon	Purfeerst	Wegener
Brown	Hanson, R.	Milton	Renneke	Willet
Chenoweth	Hughes	Moe	Schaaf	
Chmielewski	Humphrey	North	Schrom	
Coleman	Keefe, J.	Novak	Sillers	
Conzemius	Keefe, S.	Olhoft	Solon	

Messrs. Bernhagen; Larson; Olson, H. D. and Olson, J. L. voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 2973: A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis; providing for the selection, promotion,

severance, tenure of office and compensation of Dakota county employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations.

Senate File No. 2973 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 20, 1974

CONCURRENCE AND REPASSAGE

Mr. Conzemius moved that the Senate do now concur in the amendments by the House to S. F. No. 2973 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2973: A bill for an act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis for the welfare department, providing for the selection, promotion, severance, tenure of office and compensation of Dakota county welfare department employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations; exempting Dakota county from certain provisions of law relating to certain political activity.

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 51 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2128: A bill for an act relating to education; providing school bus transportation for pupils to nonpublic schools in

adjacent districts; amending Minnesota Statutes 1971, Section 123.78, by adding a subdivision.

Senate File No. 2128 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 20, 1974

CONCURRENCE AND REPASSAGE

Mr. Ashbach moved that the Senate do now concur in the amendments by the House to S. F. No. 2128 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2128 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

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

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. 2231: A bill for an act relating to the state building code act; clarifying application of the act; providing for municipal vacancies regarding certified building officials; allowing the commissioner of administration to establish the surcharge amount and for municipal retention of a portion thereof; clarifying parties responsible for permit fees and surcharges; amending Minnesota Statutes 1971, Section 16.851; 16.861, by adding a subdivision; and 16.866; and Chapter 16, by adding a section.

Senate File No. 2231 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 21, 1974

CONCURRENCE AND REPASSAGE

Mr. Schaaf moved that the Senate do now concur in the amendments by the House to S. F. No. 2231 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2231: A bill for an act relating to the state building code act; clarifying application of the act; providing for municipal vacancies regarding certified building officials; allowing the commissioner of administration to establish the surcharge amount and for municipal retention of a portion thereof; clarifying parties responsible for permit fees and surcharges; amending Minnesota Statutes 1971, Sections 16.851; 16.861, by adding a subdivision; and 16.866, Subdivision 2; and Chapter 16, by adding a section.

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

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

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

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kowalczyk	Olson, A. G.	Solon
Ashbach	Frederick	Krieger	Olson, J. L.	Spear
Bang	Gearty	Laufenburger	O'Neill	Stassen
Berg	Hansen, Mel	Lewis	Patton	Stokowski
Brown	Hanson, R.	Lord	Perpich, A. J.	Tennessen
Chmielewski	Hughes	McCutcheon	Pillsbury	Thorup
Coleman	Iluraphrey	Milton	Surieest	Ueland
Conzemius	Jensen	Moe	Renneke	Wegener
Davies	Keefe, J.	North	Schaaf	Willet
Doty	Keefe, S.	Novak	Schrom	
Dunn	Kirchner	Olhoff	Sillers	

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. 2120:

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

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

Moe, Sarna and Cleary have been appointed as such committee on the part of the House.

House File No. 2120 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 21, 1974

Mr. Milton moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2120, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1951:

H. F. No. 1951: 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, subject to municipal approval; providing for revenues.

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

Cassery; Pavlak, R. and Schreiber have been appointed as such committee on the part of the House.

House File No. 1951 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 21, 1974

Mr. Humphrey moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1951, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3712:

H. F. No. 3712: 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.

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

Faricy, McCarron and Erdahl have been appointed as such committee on the part of the House.

House File No. 3712 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 21, 1974

Mr. Novak moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3712, and that a Conference Committee of 3 members be appointed by the Com-

mittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2992:

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.

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

Lindstrom, J.; Haugerud; Adams, S.; Eken and Stangeland have been appointed as such committee on the part of the House.

House File No. 2992 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 21, 1974

Mr. Purfeerst moved that H. F. No. 2992 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File and has voted that the bill be returned to the Senate:

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

House File No. 2923 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 21, 1974

Mr. Wegener moved that H. F. No. 2923 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on S. F. No. 2964 at 8:00 p.m:

Messrs. Moe; Kirchner; Olson, J. L.; Perpich, G. and McCutcheon. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws designated H. F. No. 3325, No. 109 on the General Orders Calendar, a Special Order to be heard immediately.

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

Mr. Perpich, A. J. moved to amend the amendment placed on H. F. No. 3325, the printed bill, by the Committee on Taxes and Tax Laws, adopted by the Senate March 19, 1974, as follows:

Section 270.50, second line, strike "December" and insert "*June*"

Second line, strike "1974" and insert "1975"

The motion prevailed. So the amendment was adopted.

H. F. No. 3325 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

RECESS

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

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

MEMBERS EXCUSED

Mr. Josefson was excused from the Session of today beginning at 5:00 o'clock p.m. Mr. Brown was excused from this evening's Session.

MOTIONS AND RESOLUTIONS—CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 3580: A bill for an act relating to the organization, operation, and financing of state government; establishing a learning center; authorizing the acquisition of certain lands by gift, purchase or condemnation; the making of certain parking contracts; the fixing of certain salaries; the purchase of supplies, materials and equipment on an emergency basis and the reimbursement, appropriating and reappropriating of certain funds; amending Minnesota Statutes 1971, Sections 16.07, by adding a subdivision; 176.611, by adding a subdivision; 271.01, Subdivision 4a; Chapters 4, by adding a section; 176, by adding sections; Minnesota Statutes, 1973 Supplement, Sections 15A.083, by adding a subdivision; 82.34, Subdivision 15; 176.131, Subdivision 10; 176.183, Subdivision 2; Extra Session Laws 1971, Chapter 32, Section 9, Subdivision 7; and Laws 1973, Chapters 595, Sections 1 and 2; 720, Section 31, Subdivision 2; repealing Minnesota Statutes 1971, Section 176.611, Subdivisions 5 and 6; Minnesota Statutes, 1973 Supplement, Section 176.601.

Senate File No. 3580 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 21, 1974

Mr. Novak moved that the Senate do not concur in the amendments by the House to S. F. No. 3580 and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 3712 pursuant to the request of the House:

Messrs. Purfeerst, Blatz, Thorup.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 2120, pursuant to the request of the House:

Messrs. Milton; Bang; Hansen, Baldy.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1951, pursuant to the request of the House:

Messrs. Humphrey; Keefe, J.; Stokowski.

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

MOTIONS AND RESOLUTIONS—CONTINUED

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

SUSPENSION OF RULES

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

CALENDAR OF ORDINARY MATTERS

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.

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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lewis	O'Neill	Sillers
Bang	Hansen, Mel	Lord	Patton	Solon
Chenoweth	Hanson, R.	Milton	Perpich, A. J.	Spear
Chmielewski	Hughes	North	Pillsbury	Stassen
Coleman	Humphrey	Novak	Purfeerst	Stokowski
Davies	Jensen	Olhoft	Renneke	Thorup
Doty	Kowalczyk	Olson, A. G.	Schaaf	Ueland
Fitzsimons	Laufenburger	Olson, J. L.	Schrom	Wegener

So the bill passed and its title was agreed to.

H. F. No. 3048: A bill for an act relating to municipal housing and redevelopment authorities; permitting public officers and employees to serve as commissioner; amending Minnesota Statutes 1971, Section 462.425, Subdivision 5.

With the unanimous consent of the Senate, Mr. Ashbach moved to amend H. F. No. 3048, the printed bill, as follows:

Page 1, after line 9 insert:

"Sec. 2. This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

H. F. No. 3048 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 37 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Laufenburger	Patton	Stassen
Ashbach	Gearty	Lewis	Perpich, A. J.	Stokowski
Bang	Hansen, Mel	Lord	Pillsbury	Thorup
Berg	Hanson, R.	North	Purfeerst	Ueland
Chenoweth	Hughes	Novak	Renneke	Wegener
Chmielewski	Humphrey	Olhoft	Schrom	
Davies	Jensen	Olson, A. G.	Sillers	
Doty	Kowalczyk	O'Neill	Solon	

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

H. F. No. 2799: A bill for an act relating to charitable organizations; exempting firemen from the prohibition against uniformed personnel of governmental agencies or departments soliciting contributions on behalf of a charitable organization; amending Minnesota Statutes 1971, Section 309.55, Subdivision 4, as added.

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 36 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Laufenburger	Pillsbury	Stokowski
Bang	Gearty	Lord	Purfeerst	Thorup
Berg	Hansen, Mel	Novak	Renneke	Ueland
Chenoweth	Hanson, R.	Olhoft	Shrom	Wegener
Chmielewski	Hughes	Olson, A. G.	Sillers	
Coleman	Humphrey	O'Neill	Solon	
Davies	Jensen	Patton	Spear	
Doty	Kowalczyk	Perpich, A. J.	Stassen	

Messrs. North and Schaaf voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Chenoweth	Davies	Gearty	Hughes
Bang	Chmielewski	Doty	Hansen, Mel	Humphrey
Berg	Coleman	Fitzsimons	Hanson, R.	Jensen

Kowalczyk	North	Patton	Sillers	Thorup
Krieger	Novak	Perpich, A. J.	Colon	Ueland
Laufenburger	Olhoft	Pillsbury	Spear	Wegener
Lewis	Olson, A. G.	Purfeerst	Stassen	
Lord	O'Neill	Renneke	Stokowski	

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

Mr. Chenoweth moved that H. F. No. 3060, No. 9 on the Calendar of Ordinary Matters, be stricken and placed at the top of General Orders. The motion prevailed.

H. F. No. 987: A bill for an act relating to Scott county; authorizing that county to establish a housing and redevelopment authority.

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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Krieger	O'Neill	Sillers
Bang	Gearty	Laufenburger	Patton	Solon
Berg	Hansen, Mel	Lewis	Perpich, A. J.	Spear
Chenoweth	Hanson, R.	Lord	Pillsbury	Stassen
Chmielewski	Hughes	North	Purfeerst	Stokowski
Coleman	Humphrey	Novak	Renneke	Thorup
Davies	Jensen	Olhoft	Schaaf	Ueland
Doty	Kowalczyk	Olson, A. G.	Schrom	Wegener

So the bill passed and its title was agreed to.

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

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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Krieger	Patton	Sillers
Bang	Gearty	Lewis	Perpich, A. J.	Solon
Berg	Hansen, Mel	Lord	Perpich, G.	Spear
Chenoweth	Hanson, R.	North	Pillsbury	Stassen
Chmielewski	Hughes	Novak	Purfeerst	Stokowski
Coleman	Humphrey	Olhoft	Renneke	Thorup
Davies	Jensen	Olson, A. G.	Schaaf	Ueland
Doty	Kowalczyk	O'Neill	Schrom	Wegener

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved to take up the General Orders Calendar at

this time, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Lord in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Lord reported that the committee had considered H. F. Nos. 1692, 2725, 677 and 2458 which the committee recommends to pass.

S. F. No. 2376 which the committee recommends be re-referred to the Committee on Local Government.

H. F. No. 2477 which the committee recommends to pass, subject to the following motion:

Mr. Krieger moved that the amendment made to H. F. No. 2477 by the Committee on Rules and Administration in the report adopted March 14, 1974, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

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

CONFERENCE COMMITTEE REPORT ON S. F. NO. 96

A bill for an act relating to motor vehicle insurance; providing for basic reparation insurance benefits, regardless of fault, in cases of accident; limiting the recovery of general damages in bodily injury tort claims; requiring no-fault reparation insurance; providing for the administration of a no-fault reparation system and providing penalties; providing for mandatory arbitration of certain claims; providing for the partial abrogation of tort liability; repealing Minnesota Statutes 1971, Sections 65B.01 to 65B.27; 168.054; 168.833; 170.21; 170.22; 170.23; 170.231; 170.25 to 170.58; and 171.12, Subdivision 4.

March 21, 1974

Honorable Alec G. Olson
President of the Senate

Honorable Martin O. Sabo
Speaker of the House of Representatives

We, the undersigned conferees on the part of the Senate and the House, upon the disagreeing votes as to S. F. No. 96, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 96 be amended as follows:

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

"Section 1. [CITATION.] Sections 1 to 35 may be cited as the "Minnesota no-fault automobile insurance act".

Sec. 2. [PURPOSE.] The detrimental impact of automobile accidents on uncompensated injured persons, upon the orderly and efficient administration of justice in this state, and in various other ways requires that this act be adopted to effect the following purposes:

(1) To relieve the severe economic distress of uncompensated victims of automobile accidents within this state by requiring automobile insurers to offer and automobile owners to maintain automobile insurance policies or other pledges of indemnity which will provide prompt payment of specified basic economic loss benefits to victims of automobile accidents without regard to whose fault caused the accident;

(2) To prevent the overcompensation of those automobile accident victims suffering minor injuries by restricting the right to recover general damages to cases of serious injury;

(3) To encourage appropriate medical and rehabilitation treatment of the automobile accident victim by assuring prompt payment for such treatment;

(4) To speed the administration of justice, to ease the burden of litigation on the courts of this state, and to create a system of small claims arbitration to decrease the expense of and to simplify litigation, and to create a system of mandatory inter-company arbitration to assure a prompt and proper allocation of the costs of insurance benefits between motor vehicle insurers;

(5) To correct imbalances and abuses in the operation of the automobile accident tort liability system, to provide offsets to avoid duplicate recovery, to require medical examination and disclosure, and to govern the effect of advance payments prior to final settlement of liability.

Sec. 3. [DEFINITIONS.] Subdivision 1. The following words and phrases, shall, for the purpose of this act, have the meanings ascribed to them, except where the context clearly indicates a different meaning.

Subd. 2. "Motor vehicle" means every vehicle, other than a motorcycle or other vehicle with fewer than four wheels, which (a) is required to be registered pursuant to Minnesota Statutes, Chapter 168, (b) is designed to be self-propelled by an engine or motor for use primarily upon public roads, highways or streets in the transportation of persons or property, or (c) is a trailer, when connected to or being towed by a motor vehicle.

Subd. 3. "Maintenance or use of a motor vehicle" means maintenance or use of a motor vehicle as a vehicle, including, incident to its maintenance or use as a vehicle, occupying, entering into, and alighting from it. Maintenance or use of a motor vehicle does not include (1) conduct within the course of a business of repairing, servicing, or otherwise maintaining motor vehicles unless the conduct occurs off the business premises, or (2) conduct in the

course of loading and unloading the vehicle unless the conduct occurs while occupying, entering into or alighting from it.

Subd. 4. "Owner" means a person who holds legal title to a motor vehicle, or in the event that a motor vehicle is the subject of a security agreement or lease with option to purchase and the debtor or lessee is entitled to the immediate use or possession of the vehicle, then the debtor or lessee shall be deemed the owner for the purposes of this act.

Subd. 5. "Insured" means an insured under a plan of reparation security as provided by this act, including the named insured and the following persons not identified by name as an insured while (a) residing in the same household with the named insured and (b) not identified by name in any other contract for a plan of reparation security complying with this act as an insured:

(1) a spouse,

(2) other relative of a named insured or

(3) a minor in the custody of a named insured or of a relative residing in the same household with a named insured.

A person resides in the same household with the named insured if that person usually makes his home in the same family unit, even though he temporarily lives elsewhere.

Subd. 6. "Income" means salary, wages, tips, commissions, professional fees, and other earnings from work or tangible things of economic value produced through work in individually owned businesses, farms, ranches or other work.

Subd. 7. "Loss" means economic detriment resulting from the accident causing the injury, consisting only of medical expense, disability and income loss, replacement services loss and, if the injury causes death, funeral expense, survivor's economic loss and survivor's replacement services loss. Noneconomic detriment is not loss; however, economic detriment is loss although caused by pain and suffering or physical or mental impairment.

Subd. 8. "Noneconomic detriment" means all dignitary losses suffered by any person as a result of injury arising out of the ownership, maintenance, or use of a motor vehicle including pain and suffering, loss of consortium, and inconvenience.

Subd. 9. "Reparation obligor" means an insurer or self-insurer obligated to provide the benefits required by this act, including natural persons, firms, partnerships, associations, corporations, governmental units, trusts and syndicates.

Subd. 10. "Basic economic loss benefits" means benefits as described in section 4.

Subd. 11. "Injury" means bodily harm to a person and death resulting from such harm.

Subd. 12. "Commercial vehicle" means:

(a) any motor vehicle used as a common carrier,

(b) any motor vehicle, other than a passenger vehicle or a station wagon, as those terms are defined in Minnesota Statutes, Section 168.011, Subdivisions 7 and 23, which has a curb weight of 5500 pounds apart from cargo capacity, or

(c) any motor vehicle while used in the for-hire transportation of property.

Subd. 13. "Motorcycle" means a self-propelled vehicle designed to travel on fewer than four wheels which has an engine rated at greater than five horsepower.

Subd. 14. Except where otherwise indicated, "commissioner" means the commissioner of insurance of the state of Minnesota.

Sec. 4. [BASIC ECONOMIC LOSS BENEFITS.] Subdivision 1. Basic economic loss benefits shall provide reimbursement for all loss suffered through injury arising out of the maintenance or use of a motor vehicle, subject to any applicable deductibles, exclusions, disqualifications, and other conditions, and shall provide a maximum of \$30,000 for loss arising out of the injury of any one person, consisting of:

(a) \$20,000 for medical expense loss arising out of injury to any one person; and

(b) A total of \$10,000 for disability and income loss, replacement services loss, funeral expense loss, survivor's economic loss, and survivor's replacement services loss arising out of the injury to any one person.

Subd. 2. [MEDICAL EXPENSE BENEFITS.] Medical expense benefits shall reimburse all reasonable expenses for necessary medical, surgical, x-ray, optical, dental, chiropractic, and rehabilitative services, including prosthetic devices, prescription drugs, necessary ambulance, hospital, extended care and nursing services. "Extended care facility" means a place where skilled nursing care and related services are provided for patients who require post-hospitalization, in-patient medical, nursing, or therapy services. Hospital room and board benefits may be limited, except for intensive care facilities, to the regular daily semi-private room rates customarily charged by the institution in which the recipient of benefits is confined. Such benefits shall also include necessary remedial treatment and services recognized and permitted under the laws of this state for an injured person who relies upon spiritual means through prayer alone for healing in accordance with his religious beliefs. Medical expense loss includes medical expenses accrued prior to the death of a person notwithstanding the fact that benefits are paid or payable to the decedent's survivors. Medical expense benefits for rehabilitative services shall be subject to the provisions of section 5.

Subd. 3. [DISABILITY AND INCOME LOSS BENEFITS.] Disability and income loss benefits shall reimburse eighty-five percent of the injured person's loss of present and future gross income from inability to work proximately caused by the nonfatal injury subject to a maximum of \$200 per week. Compensation for

loss of income from work shall be reduced by any income from substitute work actually performed by the injured person or by income the injured person would have earned in available appropriate substitute work which he was capable of performing but unreasonably failed to undertake.

For the purposes of this section "inability to work" shall mean disability which continuously prevents the injured person from engaging in any substantial gainful occupation or employment, for wage or profit, for which he is or may by training become reasonably qualified.

Subd. 4. [FUNERAL AND BURIAL EXPENSES.] Funeral and burial benefits shall be reasonable expenses not in excess of \$1,250, including expenses for cremation or delivery under the Uniform Anatomical Gift Act, Minnesota Statutes, Sections 525.921 to 525.93.

Subd. 5. [REPLACEMENT SERVICE AND LOSS.] Replacement service loss benefits shall reimburse all expenses reasonably incurred by or on behalf of the nonfatally injured person in obtaining usual and necessary substitute services in lieu of those that, had he not been injured, the injured person would have performed not for income but for the direct benefit of himself or his household; if the nonfatally injured person normally, as a full time responsibility, provides care and maintenance of a home with or without children, the benefit to be provided under this clause shall be the reasonable value of such care and maintenance or the reasonable expenses incurred in obtaining usual and necessary substitute care and maintenance of the home, whichever is greater. These benefits shall be subject to a maximum of \$15 per day. All replacement services loss sustained on the date of injury and the first seven days thereafter is excluded in calculating replacement services loss.

Subd. 6. [SURVIVORS ECONOMIC LOSS BENEFITS.] Survivors economic loss benefits, in the event of death occurring within one year of the date of the accident, caused by and arising out of injuries received in the accident, shall reimburse loss after decedent's death of contributions of money or tangible things of economic value, not including services, subject to a maximum of \$200 per week that his surviving dependents would have received for their support during their dependency from the decedent had he not suffered the injury causing death.

For the purposes of definition under this act, the following described persons shall be presumed to be dependents of a deceased person: (a) a wife is dependent on a husband with whom she lives at the time of his death; (b) a husband is dependent on a wife with whom he lives at the time of her death; (c) any child while under the age of 18 years, or while over that age but physically or mentally incapacitated from earning, is dependent on the parent with whom he is living or from whom he is receiving support regularly at the time of the death of such parent. In all other cases, questions of the existence and extent of dependency shall be determined in accordance with the facts at the time of the death.

Payments to the surviving spouse shall be terminated in the event such surviving spouse remarries or dies. Payments to a dependent child who is not physically or mentally incapacitated from earning shall be terminated in the event he attains majority, marries or becomes otherwise emancipated, or dies.

Subd. 7. [SURVIVOR'S REPLACEMENT SERVICES LOSS.] Survivors replacement services loss benefits shall reimburse expenses reasonably incurred by surviving dependents after the date of the decedent's death in obtaining ordinary and necessary services in lieu of those the deceased would have performed for their benefit had he not suffered the injury causing death, minus expenses of the survivors avoided by reason of the decedent's death. These benefits shall be subject to a maximum of \$200 per week.

Subd. 8. "Basic economic loss benefits" do not include benefits for physical damage done to property or motor vehicles, including their contents.

Sec. 5. [REHABILITATION TREATMENT AND OCCUPATIONAL TRAINING.] Subdivision 1. A reparation obligor is responsible for the cost of a procedure or treatment for rehabilitation or a course of rehabilitative occupational training if the procedure, treatment, or training is reasonable and appropriate for the particular case, its cost is reasonable in relation to its probable rehabilitative effects, and it is likely to contribute substantially to medical or occupational rehabilitation.

Subd. 2. An injured person who has undertaken a procedure or treatment for rehabilitation or a course of rehabilitative occupational training, other than medical rehabilitation procedure or treatment, shall notify the reparation obligor that he has undertaken the procedure, treatment, or training within 60 days after a rehabilitation expense exceeding \$1,000 has been incurred for the procedure, treatment, or training, unless the reparation obligor knows or has reason to know of the undertaking. If the injured person does not give the required notice within the prescribed time, the reparation obligor is responsible only for \$1,000 or the expense incurred after the notice is given and within the 60 days before the notice, whichever is greater, unless failure to give timely notice is the result of excusable neglect.

Subd. 3. If the injured person notifies the reparation obligor of a proposed specified procedure or treatment for rehabilitation, or a proposed specified course of rehabilitative occupational training, and the reparation obligor does not promptly thereafter accept responsibility for its cost, the injured person may make a motion in an action to adjudicate his claim, or, if no action is pending, bring an action in the district court, for a determination that the reparation obligor is responsible for its costs. A reparation obligor may make a motion in an action to adjudicate the injured person's claim, or, if no action is pending, bring an action in the district court, for a determination that it is not responsible for the cost of a procedure, treatment, or course of training which the injured person has undertaken or proposes to undertake. A determination by the court that the reparation obligor is not responsible for the cost of a procedure, treatment, or

course of training is not *res judicata* as to the propriety of any other proposal or the injured person's right to other benefits. This subdivision does not preclude an action by the reparation obligor or the injured person for declaratory relief under any other law of this state, nor an action by the injured person to recover basic economic loss benefits.

Subd. 4. If an injured person unreasonably refuses to accept a rehabilitative procedure, treatment, or course of occupational training, a reparation obligor may make a motion in an action to adjudicate the injured person's claim, or if no action is pending, may bring an action in the district court, for a determination that future benefits will be reduced or terminated to limit recovery of benefits to an amount equal to benefits that in reasonable probability would be due if the injured person had submitted to the procedure, treatment, or training, and for other reasonable orders. In determining whether an injured person has reasonable ground for refusal to undertake the procedure, treatment, or training, the court shall consider all relevant factors, including the risks to the injured person, the extent of the probable benefit, the place where the procedure, treatment, or training is offered, the extent to which the procedure, treatment, or training is recognized as standard and customary, and whether the imposition of sanctions because of the person's refusal would abridge his right to the free exercise of his religion.

Sec. 6. [RIGHT TO BENEFITS.] Subdivision 1. If the accident causing injury occurs in this state, every person suffering loss from injury arising out of maintenance or use of a motor vehicle has a right to basic economic loss benefits.

Subd. 2. If the accident causing injury occurs outside this state, the following persons and their surviving dependents suffering loss from injury arising out of maintenance or use of a motor vehicle have a right to basic economic loss benefits:

(1) Insureds, and

(2) the driver and other occupants of a secured vehicle, other than (a) a vehicle which is regularly used in the course of the business of transporting persons or property and which is one of five or more vehicles under common ownership, or (b) a vehicle owned by a government other than this state, its political subdivisions, municipal corporations, or public agencies.

Subd. 3. For the purposes of this act, injuries suffered by a person while on, mounting or alighting from a motorcycle do not arise out of the maintenance or use of a motor vehicle although a motor vehicle is involved in the accident causing the injury.

Sec. 7. [PRIORITY OF APPLICABILITY OF SECURITY FOR PAYMENT OF BASIC ECONOMIC LOSS BENEFITS.] Subdivision 1. In case of injury to the driver or other occupant of a motor vehicle, if the accident causing the injury occurs while the vehicle is being used in the business of transporting persons or property, the security for payment of basic economic loss benefits is the security covering the vehicle or, if none, the security under which the injured person is an insured.

Subd. 2. In case of injury to an employee, or to his spouse or other relative residing in the same household, if the accident causing the injury occurs while the injured person is driving or occupying a motor vehicle furnished by the employer, the security for payment of basic economic loss benefits is the security covering the vehicle or, if none, the security under which the injured person is an insured.

Subd. 3. In the case of any other person whose injury arises from the maintenance or use of a motor vehicle described in subdivision 1 or 2 who is not a driver or occupant of another involved motor vehicle, the security for the payment of basic economic loss benefits is the security covering the vehicle, or if none, the security under which the injured person is an insured.

Subd. 4. In all other cases, the following priorities apply:

(a) The security for payment of basic economic loss benefits applicable to injury to an insured is the security under which the injured person is an insured.

(b) The security for payment of basic economic loss benefits applicable to injury to the driver or other occupant of an involved motor vehicle who is not an insured is the security covering that vehicle.

(c) The security for payment of basic economic loss benefits applicable to injury to a person not otherwise covered who is not the driver or other occupant of an involved motor vehicle is the security covering any involved motor vehicle. An unoccupied parked vehicle is not an involved motor vehicle unless it was parked so as to cause unreasonable risk of injury.

Subd. 5. If two or more obligations to pay basic economic loss benefits are applicable to an injury under the priorities set out in this section, benefits are payable only once and the reparation obligor against whom a claim is asserted shall process and pay the claim as if wholly responsible, but he is thereafter entitled to recover contribution pro rata for the basic economic loss benefits paid and the costs of processing the claim. Where contribution is sought among reparation obligors responsible under clause (c) of subdivision 4, proration shall be based on the number of involved motor vehicles.

Subd. 6. Where a reparation obligor pays basic economic loss benefits which another reparation obligor is obligated to pay under the priority provided in this section, the reparation obligor that pays is subrogated to all rights of the person to whom benefits are paid.

Sec. 8. [REPARATION SECURITY COMPULSORY.] Subdivision 1. Every owner of a motor vehicle of a type which is required to be registered or licensed or is principally garaged in this state shall provide and maintain a plan of reparation security under provisions approved by the commissioner, insuring against loss resulting from liability imposed by law for injury and property damage sustained by any person arising out of the ownership, maintenance, operation or use of an automobile. Such cover-

age shall provide for basic economic loss benefits and residual liability coverage in amounts not less than those specified in section 9, subdivision 3, clauses (1) and (2). The non-resident owner of a motor vehicle which is not required to be registered or licensed, or which is not principally garaged in this state, shall maintain such security in effect continuously throughout the period of the operation, maintenance or use of such motor vehicle within this state with respect to accidents occurring in this state.

Subd. 2. The security required by this act may be provided by a policy of insurance complying with this act which is issued by or on behalf of an insurer authorized to transact business in this state or, if the vehicle is registered in another state, by a policy of insurance issued by or on behalf of an insurer authorized to transact business in either this state or the state in which the vehicle is registered or by qualifying as a self-insurer.

Subd. 3. Self-insurance, subject to approval of the commissioner, is effected by filing with the commissioner in satisfactory form:

(1) a continuing undertaking by the owner or other appropriate person to pay tort liabilities or basic economic loss benefits, or both, and to perform all other obligations imposed by this act;

(2) evidence that appropriate provision exists for prompt administration of all claims, benefits, and obligations provided by this act; and

(3) evidence that reliable financial arrangements, deposits, or commitments exist providing assurance, substantially equivalent to that afforded by a policy of insurance complying with this act, for payment of tort liabilities, basic economic loss benefits, and all other obligations imposed by this act.

Subd. 4. The state of Minnesota or any agency thereof and any political subdivision of the state or agency thereof shall provide security by lawfully obligating itself to pay benefits in accordance with this act, either as a self-insurer pursuant to subdivision 3, or through purchase of a plan of reparation security.

Subd. 5. Every owner of a motorcycle registered or required to be registered in this state or operated in this state by him or with his permission shall provide and maintain security for the payment of tort liabilities arising out of the maintenance or use of the motorcycle in this state. Security may be provided by a contract of liability insurance complying with section 9, subdivision 3, or by qualifying as a self insurer in the manner provided in subdivision 3 of this section.

Subd. 6. A person providing security pursuant to subdivision 3 is a "self-insurer."

Subd. 7. "Security covering the vehicle" is the insurance or other security so provided. The vehicle for which the security is so provided is the "secured vehicle."

Subd. 8. "Plan of reparation security" includes a contract, self-insurance, or other legal means under which there is an obligation to pay the benefits described in section 9.

Sec. 9. [INSURERS.] Subdivision 1. [MANDATORY OFFER OF INSURANCE BENEFITS.] On and after the effective date of this act, no insurance policy providing benefits for injuries arising out of the maintenance or use of a motor vehicle shall be issued, renewed, continued, delivered, issued for delivery, or executed in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, under provisions approved by the commissioner, requiring the insurer to pay, regardless of the fault of the insured, basic economic loss benefits.

A plan of reparation security shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged, the term and limits of liability, and shall contain an agreement or endorsement that insurance is provided thereunder in accordance with and subject to the provisions of this act.

Subd. 2. [BASIC ECONOMIC LOSS.] Each plan of reparation security shall provide for payment of basic economic loss benefits.

Subd. 3. [RESIDUAL LIABILITY INSURANCE.] (1) Each plan of reparation security shall also contain stated limits of liability, exclusive of interest and costs, with respect to each vehicle for which coverage is thereby granted, of not less than \$25,000 because of bodily injury to one person in any one accident and, subject to said limits for one person, of not less than \$50,000 because of injury to two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, of not less than \$10,000 because of such injury to or destruction of property of others in any one accident.

(2) Under residual liability insurance the reparation obligor shall be liable to pay, on behalf of the insured, sums which the insured is legally obligated to pay as damages because of bodily injury and property damage arising out of the ownership, maintenance or use of a motor vehicle if the injury or damage occurs within this state, the United States of America, its territories or possessions, or Canada. A reparation obligor shall also be liable to pay sums which another reparation obligor is entitled to recover under the indemnity provisions of section 13, subdivision 1.

(3) Every plan of reparation security shall be subject to the following provisions which need not be contained therein:

(a) The liability of the reparation obligor with respect to the residual liability coverage required by this clause shall become absolute whenever injury or damage occurs; such liability may not be cancelled or annulled by any agreement between the reparation obligor and the insured after the occurrence of the injury or damage; no statement made by the insured or on his behalf and no violation of said policy shall defeat or void said policy.

(b) The satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or

duty of the reparation obligor to make payment on account of such injury or damage.

(c) The reparation obligor shall have the right to settle any claim covered by the residual liability insurance policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability for the accident out of which such claim arose.

Subd. 4. [UNINSURED OR HIT-AND-RUN MOTOR VEHICLE COVERAGE.] (1) On and after the effective date of this act, no plan of reparation security may be renewed, delivered or issued for delivery, or executed in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, in the amounts of \$25,000 because of injury to or the death of one person in any accident, and subject to the said limit for one person, \$50,000 because of bodily injury to or the death of two or more persons in any one accident, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles and hit-and-run motor vehicles because of injury.

(2) Every owner of a motor vehicle registered or principally garaged in this state shall maintain uninsured motor vehicle coverage as provided in this subdivision.

(3) "Uninsured motor vehicle" means any motor vehicle for which a plan of reparation security meeting the requirements of this act is not in effect.

(4) No recovery shall be permitted under the uninsured motor vehicle provisions of this section for basic economic loss benefits paid or payable, or which would be payable but for any applicable deductible.

Subd. 5. [MANDATORY OFFER; DEDUCTIBLES.] At appropriately reduced premium rates reparation obligors shall offer the following deductibles, applicable only to claims arising out of injury to basic economic loss insureds:

(a) A deductible in the amount of \$100 to all medical expense benefits otherwise payable, except that if two or more insureds to whom the deductible is applicable are injured in the same accident, the aggregate amount of the deductible applicable to all of them shall not exceed the specified deductible, which amount, where necessary shall be allocated equally among them, and

(b) A deductible in the amount of \$200 to all disability and income loss benefits otherwise payable as a result of an injury to any one insured in one accident.

Subd. 6. [MANDATORY OFFER; ADDED COVERAGE.] Reparation obligors shall offer the following optional coverages in addition to compulsory coverages:

(a) Medical expense benefits subject to a maximum payment of \$10,000;

(b) Medical expense benefits subject to a maximum payment of \$20,000;

(c) Residual liability coverage of not less than \$25,000 for damages for injury to one person in any one accident arising out of the maintenance or use of a motor vehicle, subject to a limitation of \$50,000 for damages arising out of any one accident;

(d) Basic economic loss benefits to all persons purchasing liability coverage for injuries arising out of the maintenance or use of a motorcycle; and

(e) Underinsured motorist coverage whereby subject to the terms and conditions of such coverage the reparation obligor agrees to pay its insureds for such uncompensated damages as they are legally entitled to recover on account of a motor vehicle accident because the total damages they are legally entitled to recover exceed the residual liability limit of the owner of the other vehicle, to the extent of the residual liability limits on the motor vehicle of the person legally entitled to recover or such smaller limits as he may select less the amount paid by reparation obligor of the person against whom he is entitled to recover. His reparation obligor shall be subrogated to any amounts it pays and upon payment shall have an assignment of the judgment if any against the other person to the extent of the money it pays.

Subd. 7. Nothing in this act shall be construed as preventing the insurer from offering other benefits or coverages in addition to those required to be offered under this section.

Subd. 8. Any coverage issued by a participating member of the Minnesota automobile insurance plan shall comply with the provisions of this section, any provisions of law or of the contract notwithstanding.

Sec. 10. [INSURERS' CERTIFICATION OF BASIC COVERAGE.] Subdivision 1. Every insurer licensed to write motor vehicle accident reparation and liability insurance in this state shall, on or before the effective date of this act or as a condition to such licensing, file with the commissioner and thereafter maintain a written certification that it will afford at least the minimum security provided by section 9 to all policyholders, except that in the case of non-resident policyholders it need only certify that security is provided with respect to accidents occurring in this state.

Subd. 2. Notwithstanding any contrary provision in it, every contract of liability insurance for injury, wherever issued, covering obligations arising from ownership, maintenance, or use of a motor vehicle, except a contract which provides coverage only for liability in excess of required minimum tort liability coverages, includes basic economic loss, benefit coverages and residual liability coverages required by this act, while the vehicle is in this state, and qualifies as security covering the vehicle.

Sec. 11. [DEDUCTION OF COLLATERAL BENEFITS FROM TORT RECOVERY; LIMITATION ON RIGHT TO RECOVER DAMAGES.] Subdivision 1. [DEDUCTION OF BASIC ECONOMIC LOSS BENEFITS.] With respect to a cause of action

in negligence accruing as a result of injury arising out of the operation, ownership, maintenance or use of a motor vehicle with respect to which security has been provided as required by this act, there shall be deducted from any recovery the value of basic or optional economic loss benefits paid or payable or which would be payable but for any applicable deductible. This subdivision shall not bar subrogation and indemnity recoveries under section 13, subdivisions 1 and 2, if the injury had the consequences described in subdivision 3 and a civil action has been commenced in the manner prescribed in applicable laws or rules of civil procedure to recover damages for noneconomic detriment.

Subd. 2. [RIGHT TO RECOVER ECONOMIC LOSS NOT INCLUDED IN FIRST PARTY BENEFITS.] A person may bring a negligence action for economic loss not paid or payable by an economic loss obligor because of daily or weekly dollar limitations of section 4, the seven-day services exclusion of section 4, the limitations of benefits contained in section 4, subdivision 1, or an exclusion from coverage by sections 18 to 20.

Subd. 3. [LIMITATION OF DAMAGES FOR NON-ECONOMIC DETRIMENT.] In an action described in subdivision 1, no person shall recover damages for non-economic detriment unless:

(a) The sum of the following exceeds \$2,000:

(1) Reasonable medical expense benefits paid, payable or payable but for any applicable deductible, plus

(2) The value of free medical or surgical care or ordinary and necessary nursing services performed by a relative of the injured person or a member of his household, plus

(3) The amount by which the value of reimbursable medical services or products exceeds the amount of benefit paid, payable, or payable but for an applicable deductible for those services or products if the injured person was charged less than the average reasonable amount charged in this state for similar services or products, minus

(4) The amount of medical expense benefits paid, payable, or payable but for an applicable deductible for diagnostic X-rays and for a procedure or treatment for rehabilitation and not for remedial purposes or a course of rehabilitative occupational training; or

(b) The injury results in:

(1) permanent disfigurement;

(2) permanent injury;

(3) death, or

(4) disability for 60 days or more.

(c) For the purposes of clause (a) evidence of the reasonable value of medical services and products shall be admissible in any action brought in this state.

(d) For the purposes of clause (b) disability means the inability to engage in substantially all of the injured person's usual and customary daily activities.

Subd. 4. Nothing in this section shall impair or limit the liability of a person in the business of manufacturing, distributing, retailing, repairing, servicing or maintaining motor vehicles arising from a defect in a motor vehicle caused or not corrected by an act or omission in manufacture, inspection, repair, servicing or maintenance of a vehicle in the course of his business.

Subd. 5. Nothing in this section shall impair or limit tort liability or limit the damages recoverable from any person for negligent acts or omissions other than those committed in the operation, ownership, maintenance, or use of a motor vehicle.

Sec. 12. [MANDATORY ARBITRATION OF CERTAIN CLAIMS; SUPREME COURT TO PROMULGATE RULES OF PROCEDURE.] Subdivision 1. The supreme court and the several courts of general trial jurisdiction of this state may, on or before the effective date of this act, by rules of court or other constitutionally permissible device, provide for the submission to arbitration, upon mutual consent of all parties to the action, of all cases at issue where a claim in an amount of \$5,000 or less is made by a motor vehicle accident victim, whether in an action to recover economic loss or non-economic detriment for the allegedly negligent operation, maintenance, or use of a motor vehicle within this state, or against any reparation obligor for benefits as provided in this act.

Subd. 2. The rules of court may provide that cases which are not at issue, whether or not suit has been filed, may be referred to arbitration by agreement of reference signed by counsel for both sides, or by the parties themselves. Such agreement of reference shall define the issues to be arbitrated and, shall also contain any stipulations with respect to facts submitted or agreed or defenses waived. In such cases, the agreement of reference shall take the place of the pleadings in the case and be filed of record.

Sec. 13. [INDEMNITY: ARBITRATION BETWEEN OBLIGORS: SUBROGATION.] Subdivision 1. A reparation obligor paying or obligated to pay basic or optional economic loss benefits shall be entitled to indemnity subject to the limits of the applicable residual liability coverage from a reparation obligor providing such coverage to a person whose negligence was the direct and proximate cause of the injury for which the basic economic loss benefits were paid or payable to the extent that the insured would have been liable for damages but for the deduction provisions of section 11, subdivision 1, and only if a commercial vehicle was involved in the accident causing the injury.

Subd. 2. To the extent permitted by section 11, subdivision 1, a reparation obligor paying or obligated to pay basic or optional economic loss benefits shall be subrogated to the extent of benefits paid or payable to any cause of action to recover damages for economic loss which the person to whom the basic or optional economic loss benefits were paid or payable has brought under the

terms of section 11, subdivision 3 of this act against another person whose negligence was the direct and proximate cause of the injury for which the basic economic loss benefits were paid or payable.

Subd. 3. The right of indemnity provided in subdivision 1 shall be enforceable only through mandatory good-faith and binding arbitration procedures to be established by rule of the commissioner of insurance. These procedures shall utilize determinations of comparative negligence. No evidence nor the decision in such an arbitration proceeding shall be admissible in any action by any party.

Subd. 4. Nothing in this act shall limit or abridge the subrogation rights of a reparation obligor providing collision coverage to a policyholder, but any obligor required to submit a claim described in subdivision 1 to arbitration shall join any claim it has against the other party to that proceeding as a result of automotive property damage to its insured arising out of the same accident as the primary claim.

Subd. 5. No reparation obligor shall include in its contract any provision which would require a person to commence a negligence action as a condition precedent to the payment of basic economic loss benefits or which permits the reparation obligor to determine whether such an action will be commenced. No reparation obligor shall contract for a right of reimbursement or subrogation greater than or in addition to those permitted by this act.

Subd. 6. Arbitration proceedings need not await final payment of benefits, and the award, if any, shall include provision for reimbursement of subsequent benefits, but no question of fact decided by a prior award shall be reconsidered in any such subsequent arbitration hearing.

Sec. 14. [REPARATION OBLIGOR'S DUTY TO RESPOND TO CLAIMS.] Subdivision 1. Basic economic loss benefits are payable monthly as loss accrues. Loss accrues not when injury occurs, but as income loss, replacement services loss, survivor's economic loss, survivor's replacement services loss, or medical or funeral expense is incurred. Benefits are overdue if not paid within 30 days after the reparation obligor receives reasonable proof of the fact and amount of loss realized, unless the reparation obligor elects to accumulate claims for periods not exceeding 31 days and pays them within 15 days after the period of accumulation. If reasonable proof is supplied as to only part of a claim, and the part totals \$100 or more, the part is overdue if not paid within the time provided by this section. Medical or funeral expense benefits may be paid by the reparation obligor directly to persons supplying products, services, or accommodations to the claimant.

Subd. 2. Overdue payments shall bear simple interest at the rate of ten percent per annum.

Subd. 3. A claim for basic economic loss benefits shall be paid without deduction for the benefits which are to be subtracted

pursuant to section 21, if these benefits have not been paid to the claimant before the reparation benefits are overdue or the claim is paid. The obligor is entitled to reimbursement from the person obligated to make the payments or from the claimant who actually receives the payments.

Subd. 4. A reparation obligor may bring an action to recover benefits which are not payable, but are in fact paid, because of an intentional misrepresentation of a material fact, upon which the reparation obligor relies, by the claimant or by a person providing products or services for which basic economic loss benefits are payable. The action may be brought only against the person providing the products or services, unless the claimant has intentionally misrepresented the facts or knew of the misrepresentation. A reparation obligor may offset amounts he is entitled to recover from the claimant under this subdivision against any basic economic loss benefits otherwise due him.

Subd. 5. A reparation obligor who rejects a claim for benefits shall give to the claimant prompt written notice of the rejection, specifying the reason. If a claim is rejected for a reason other than that the person is not entitled to the basic economic loss benefits claimed, the written notice shall inform the claimant that he may file his claim with the assigned claims bureau and shall give the name and address of the bureau.

Sec. 15. [APPLICATION FOR BENEFITS UNDER PLAN OF SECURITY.] Subdivision 1. A plan of reparation security may prescribe a period of not less than six months after the date of accident within which an insured or any other person entitled to claim basic economic loss benefits, or anyone acting on their behalf, must notify the reparation obligor or its agent, of the accident and the possibility of a claim for economic loss benefits in order to be eligible for such benefits. Such notice may be given in any reasonable fashion.

Subd. 2. A plan of reparation security may provide that in any instance where a lapse occurs in the period of disability or in the medical treatment of a person with respect to whose injury basic economic loss benefits have been paid and a person subsequently claims additional benefits based upon an alleged recurrence of the injury for which the original claim for benefits was made, the obligor may require reasonable medical proof of such alleged recurrence; provided, that in no event shall the aggregate benefits payable to any person exceed the maximum limits specified in the plan of security, and provided further that such coverages may contain a provision terminating eligibility for benefits after a prescribed period of lapse of disability and medical treatment, which period shall not be less than one year.

Sec. 16. [COOPERATION OF PERSON CLAIMING BENEFITS.] Subdivision 1. [MEDICAL EXAMINATIONS AND DISCOVERY OF CONDITION OF CLAIMANT.] Any person with respect to whose injury benefits are claimed under a plan of reparation security shall, upon request of the reparation obligor from whom recovery is sought, submit to a physical examination

by a physician or physicians selected by the obligor as may reasonably be required.

The costs of any examinations requested by the obligor shall be borne entirely by the requesting obligor. Such examinations shall be conducted within the city, town, or statutory city of residence of the injured person. If there is no qualified physician to conduct the examination within the city, town, or statutory city of residence of the injured person, then such examination shall be conducted at another place of the closest proximity to the injured person's residence. Obligor's are authorized to include reasonable provisions in policies for mental and physical examination of those injured persons.

If requested by the person examined, a party causing an examination to be made shall deliver to him a copy of every written report concerning the examination rendered by an examining physician, at least one of which reports must set out in detail the findings and conclusions of such examining physician.

An injured person shall also do all things reasonably necessary to enable the obligor to obtain medical reports and other needed information to assist in determining the nature and extent of the injured person's injuries and loss, and the medical treatment received by him. If the claimant refuses to cooperate in responding to requests for examination and information as authorized by this section, evidence of such noncooperation shall be admissible in any suit or arbitration filed for damages for such personal injuries or for the benefits provided by this act.

Subd. 2. [CLAIMANT'S PARTICIPATION IN ARBITRATION BETWEEN OBLIGORS.] Any person receiving benefits under this act shall participate and cooperate, as reasonably required under the coverage, in any and all arbitration proceedings as provided in section 13 by or on behalf of the obligor paying the benefits, and the obligor may require in the furnishing of proof of loss the claimant's statement that he shall so participate and cooperate as consideration for the payment of such benefits. However, no claimant may be required by any obligor which has paid or is obligated to pay benefits as herein provided to personally attend an arbitration proceeding which shall take place more than 50 miles from the usual residence of the claimant; and provided that in no event shall the claimant have to attend such an arbitration proceeding if, at the time scheduled for that meeting, travel thereto by the claimant is not recommended by a physician treating the claimant for his injuries. Any claimant required to personally attend an arbitration proceeding shall be compensated by the reparation obligor requiring his attendance for actual income loss and expenses reasonably incurred.

Sec. 17. [ECONOMIC LOSS BENEFITS; EXEMPTIONS FROM LEGAL ATTACHMENT.] All economic loss benefits provided by this act, whether paid or payable to any claimant shall not be subject to garnishment, sequestration, attachment or execution, or any other legal process which would deny their receipt and use by that person; provided, however, that this section

shall not apply to any person who has provided treatment or services, as described in section 4, subdivision 2, to the victim of a motor vehicle accident.

Sec. 18. [CONVERTED MOTOR VEHICLES.] A person who converts a motor vehicle is disqualified from basic or optional economic loss benefits, including benefits otherwise due him as a survivor, from any source other than an insurance contract under which the converter is an insured, for injuries arising from maintenance or use of the converted vehicle. If the converter dies from the injuries, his survivors are not entitled to basic or optional economic loss benefits from any source other than an insurance contract under which the converter is a basic economic loss insured. For the purpose of this section, a person is not a converter if he uses the motor vehicle in the good faith belief that he is legally entitled to do so.

Sec. 19. [RACES.] A person who is injured in the course of an officiated racing or speed contest, or in practice or preparation therefor is disqualified from basic or optional economic loss benefits. His survivors are not entitled to basic or optional economic loss benefits for loss arising from his death.

Sec. 20. [INTENTIONAL INJURIES.] A person intentionally causing or attempting to cause injury to himself or another person is disqualified from basic or optional economic loss benefits for injury arising from his acts, including benefits otherwise due him as a survivor. If a person dies as a result of intentionally causing or attempting to cause injury to himself, his survivors are not entitled to basic or optional economic loss benefits for loss arising from his death. A person intentionally causes or attempts to cause injury if he acts or fails to act for the purpose of causing injury or with knowledge that injury is substantially certain to follow. A person does not intentionally cause or attempt to cause injury (1) merely because his act or failure to act is intentional or done with his realization that it creates a grave risk of causing injury or (2) if the act or omission causing the injury is for the purpose of averting bodily harm to himself or another person.

Sec. 21. [BENEFITS PRIMARY; SUBTRACTIONS; COORDINATION.] Subdivision 1. Basic economic loss benefits shall be primary with respect to benefits, except for those paid or payable under a workmen's compensation law, which any person receives or is entitled to receive from any other source as a result of injury arising out of the maintenance or use of a motor vehicle.

Subd. 2. Benefits paid or payable under a workmen's compensation law because of the injury or death shall be subtracted in computing basic economic loss benefits, but only to the extent that they exceed any deductible applicable to the basic economic loss benefits.

Subd. 3. Any legally constituted entity, other than a reparation obligor obligated to pay benefits under a plan of reparation security or an insurer or employer obligated to pay benefits under a workmen's compensation law, may coordinate any benefits it is obligated to pay for loss incurred as a result of injury arising out of

the maintenance or use of a motor vehicle with basic economic loss benefits.

Subd. 4. Notwithstanding subdivision 3, no entity may coordinate benefits unless it provides those persons who purchase benefits from it with an equitable reduction or savings in the direct or indirect cost of the purchased benefits. If the benefits to be coordinated are provided to an individual through a group, program, contract or other arrangement for which another person pays in whole or in part, the entity coordinating benefits shall return to the individual or use for his benefit any reduction or savings in the direct or indirect cost of the benefits.

Sec. 22. [DUPLICATE CLAIMS; OBLIGOR SUBROGATED.] A reparation obligor paying or obligated to pay basic economic loss benefits is subrogated to any claim based on an intentional tort or on strict or statutory liability against any person whose act or omission caused the injury. This right of subrogation shall exist only to the extent that basic economic loss benefits are paid and only to the extent that recovery on the claim would produce a duplication of benefits or reimbursement of the same loss.

Sec. 23. [ASSIGNED CLAIMS PLAN.] Subdivision 1. Reparation obligors providing basic economic loss insurance in this state may organize and maintain, subject to approval and regulation by the commissioner, an assigned claims bureau and an assigned claims plan, and adopt rules for their operation and for the assessment of costs on a fair and equitable basis consistent with this act. If such obligors do not organize and continuously maintain an assigned claims bureau and an assigned claims plan in a manner considered by the commissioner of insurance to be consistent with this act, he shall organize and maintain an assigned claims bureau and an assigned claims plan. Each reparation obligor providing basic economic loss insurance in this state shall participate in the assigned claims bureau and the assigned claims plan. Costs incurred shall be allocated fairly and equitably among the reparation obligors.

Subd. 2. The assigned claims bureau shall promptly assign each claim and notify the claimant of the identity and address of the assignee-obligor of the claim. Claims shall be assigned so as to minimize inconvenience to claimants. The assignee thereafter has rights and obligations as if he had issued a policy of basic economic loss insurance complying with this act applicable to the injury or, in case of financial inability of a reparation obligor to perform its obligations, as if the assignee had written the applicable reparation insurance, undertaken the self-insurance, or lawfully obligated itself to pay basic economic loss benefits.

Sec. 24. [PERSONS ENTITLED TO PARTICIPATE IN ASSIGNED CLAIMS PLAN.] Subdivision 1. A person entitled to basic economic loss benefits because of injury covered by this act may obtain basic economic loss benefits through the assigned claims plan or bureau established pursuant to section 23 and in accordance with the provisions for making assigned claims provided in this act, if:

(a) Basic economic loss benefits are not applicable to the injury for some reason other than those specified in sections 18, 19, or 20;

(b) The plan of reparation security applicable to the injury cannot be identified; or

(c) A claim for basic economic loss benefits is rejected by a reparation obligor on some ground other than the person is not entitled to basic economic loss benefits under this act.

Subd. 2. If a claim qualifies for assignment under subdivision 1 of this section, the assigned claims bureau or any reparation obligor to whom the claim is assigned shall be, as provided in section 13, subrogated to all of the rights of the claimant against any person, including another obligor, who is legally obligated to provide economic loss benefits to the claimant, for economic loss benefits provided by the obligor to whom the claim was assigned.

Subd. 3. A person shall not be entitled to basic economic loss benefits through the assigned claims plan with respect to injury which was sustained if at the time of such injury the injured person was the owner of a private passenger motor vehicle for which security is required under this act and he failed to have such security in effect. Persons claiming benefits as a result of injury to members of the owner's household shall also be disqualified from benefits if those members knew or reasonably should have known that security covering the vehicle was not provided as required by this act.

Sec. 25. [NOTIFICATION TO ASSIGNED CLAIMS BUREAU.] A person authorized to obtain basic economic loss benefits through the assigned claims plan shall notify the bureau of his claim within one year of the date on which he receives written authorization to participate in such plan. If timely action for basic economic loss benefits is commenced against a reparation obligor who is unable to fulfill his obligations under this act, a claim through the assigned claims plan may be made within a reasonable time after discovery of such inability.

Sec. 26. [CLAIMS AGAINST WRONG INSURER.] If timely action for economic loss benefits is commenced against a reparation obligor and benefits are denied because of a determination that the obligor's coverage is not applicable to the claimant under the provisions of section 7 on the priority of applicability of security a claim against a proper obligor or assigned claims plan may be made not later than 90 days after such determination becomes final or the last date on which the action could otherwise have been commenced, whichever is later.

Sec. 27. [PENALTIES FOR FAILURE TO PROVIDE SECURITY FOR BASIC REPARATION BENEFITS.] Subdivision 1. Every owner of a motor vehicle for which security has not been provided as required by section 8, shall be liable in tort without limitation.

Subd. 2. Any owner of a motor vehicle with respect to which security is required under this act who operates such motor vehicle or permits it to be operated upon a public highway, street or road in

this state without having in full force and effect security complying with the terms of section 8, is guilty of a misdemeanor.

Subd. 3. Any other person who operates such motor vehicle upon a public highway, street or road in this state with knowledge that the owner does not have such security in full force and effect is guilty of a misdemeanor.

Subd. 4. Any operator of a motor vehicle who is convicted of a misdemeanor under the terms of this section shall have his operator's license revoked for not less than six months or more than 12 months. If such operator is also an owner of the motor vehicle, his motor vehicle registration shall also be revoked for not less than six months or more than 12 months.

Subd. 5. When a nonresident's operating privilege is suspended pursuant to this section, the commissioner of public safety or his designee shall transmit a copy of the record of such action to the official in charge of the issuance of licenses in the state in which the nonresident resides.

Subd. 6. Upon receipt of such notification that the operating privilege of a resident of this state has been suspended or revoked in any other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, or for failure to provide security covering a vehicle if required by the laws of that state, the commissioner of public safety shall suspend the license of the resident until he furnishes evidence of compliance with the laws of this state and if applicable the laws of the other state.

Sec. 28. [RULES OF COMMISSIONER OF PUBLIC SAFETY.]
Subdivision 1. The commissioner of public safety shall have the power and perform the duties imposed upon him by this act and may adopt rules to implement and provide effective administration of the provisions requiring security and governing termination of security.

Subd. 2. The commissioner of public safety may by rule provide that motor vehicles owned by certain persons may not be registered in this state unless satisfactory evidence is furnished that security has been provided as required by section 8 of this act. If a person who is required to furnish evidence ceases to maintain security, he shall immediately surrender the registration certificate and license plates for the vehicle. These requirements may be imposed if:

(1) The registrant has not previously registered a motor vehicle in this state; or

(2) An owner or operator of the vehicle has previously failed to comply with the security requirements of this act or of prior law; or

(3) The driving record of an owner or operator of the vehicle evidences his continuing disregard of the laws of this state enacted to protect the public safety; or

(4) Other circumstances indicate that such action is necessary to effectuate the purposes of this act.

Sec. 29. [OBLIGOR'S NOTIFICATION OF LAPSE, CANCEL-

LATION, OR FAILURE TO RENEW POLICY OF COVERAGE.]

(1) If the required plan of reparation security of an owner or named insured is cancelled, and notification of such fact is given to the insured as required by Minnesota Statutes, Section 65B.19, a copy of such notice shall within 30 days after coverage has expired be sent to the commissioner of public safety. If, on or before the end of that 30 day period, the insured owner of a motor vehicle has not presented the commissioner of public safety or his authorized agent with evidence of required security which shall have taken effect upon the expiration of the previous coverage, or if the insured owner or registrant has not instituted an objection to his obligor's cancellation under Minnesota Statutes, Section 65B.21, within the time limitations therein specified, he shall immediately surrender the registration certificate and motor vehicle license plates to the commissioner of public safety and may not operate or permit operation of the vehicle in this state until security is again provided and proof of security furnished as required by this act.

Sec. 30. [AUTOMOBILE INSURANCE RATES.] Subdivision 1. **[PREMIUM REDUCTION.]** The policy premiums charged by each insurer in connection with the compulsory plan of reparation security required by this act for private passenger motor vehicles shall be at least 30 percent below such insurer's policy premiums in effect on December 31, 1973 for liability insurance with limits of \$25,000 per person and \$50,000 per accident, plus \$1,000 medical payments insurance, plus uninsured motorists coverage of \$25,000 per person and \$50,000 per accident. Actuarially commensurate adjustments shall be required in the case of other combinations of coverage.

Subd. 2. **[APPLICABILITY OF CHAPTER 70A.]** The rates charged for motor vehicle insurance other than the compulsory plan of reparation security required by this act shall be governed by Minnesota Statutes, Chapter 70A, commencing with the effective date of this act.

Subd. 3. **[PENALTIES; ENFORCEMENT.]** Any person convicted of violating this section shall be guilty of a misdemeanor. Every day that a violation continues shall be deemed a separate offense. Further, any person convicted of violating any provision of this section shall thereafter be prohibited from engaging in any business as an insurer in this state for a period of five years. The attorney general shall, at the request of the commissioner, initiate in the name of the state appropriate action in a court of law to enforce the provisions of this section.

Subd. 4. **[COMMISSIONER MAY MAKE EXCEPTION.]** Notwithstanding the provisions of subdivision 1 of this section, if the commissioner finds that the mandated reduction in premium rates would jeopardize the financial soundness or solidity of any insurer, or require it to suffer an underwriting loss on that line of business in this state he shall permit such an insurer to charge such rates as are necessary to avoid such condition. The commissioner may hold a public hearing prior to making a determination pursuant to this subdivision.

Subd. 5. [EXCESSIVE RATES.] The commissioner shall review all automobile coverage rates on an annual basis. If the commissioner finds that the rates of any insurer, for coverages required or permitted by this act, are excessive, applying the standards of Minnesota Statutes, Chapter 70A, he shall issue such order as he deems appropriate to establish a reasonable competitive rate, and such order may include provisions for an appropriate premium adjustment or rebate on outstanding policies.

Subd. 6. The provisions of subdivisions 1, 3 and 4 shall expire on January 1, 1976.

Sec. 31. Minnesota Statutes 1971, Section 65B.14, Subdivision 1, as amended by Laws 1974, Chapter 56, Section 1, Subdivision 1, is amended to read:

65B.14 [CANCELLATION OR NONRENEWAL OF AUTOMOBILE POLICIES; DEFINITIONS.] Subdivision 1. "Policy of automobile insurance" means a policy plan of reparation security as defined in section 8 delivered or issued for delivery in this state ; insuring a natural person as named insured, and any relative or relatives of the named insured who is a resident of the same household covering automobiles owned by the insured of (a) the private passenger type, including a private passenger, station wagon or jeep type automobile not used as a public or livery conveyance for passengers, nor rented to others, or (b) the utility automobile type which shall mean any other four-wheel vehicle whether having a pick-up, sedan delivery, or panel truck type body not used primarily in the occupation, profession or business of the insured other than farming or ranching; provided, however, that sections 65B.14 to 65B.21 shall not apply to any policy of automobile insurance: (1) issued under the Minnesota automobile insurance plan; (2) insuring more than four automobiles; or (3) covering garage, automobiles sales agency, repair shop, service station or public parking place operation hazards .

Sec. 32. [SUPERCESSION BY THIS ACT; INSTRUCTIONS TO REVISOR OF STATUTES.] Subdivision 1. The definition of "qualified applicant" under Minnesota Statutes, Section 65B.02, Subdivision 2, Clause (2) shall, upon the repeal of chapter 170 and the enactment of this act, include a person required to prove automobile insurance coverage as required by this act.

Subd. 2. The actions permitted a metropolitan airport commission corporation under Minnesota Statutes 1971, Section 360.106, Subdivision 6 shall, upon the repeal of chapter 170 and the enactment of this act, include acts necessary to bring the corporation, its commissioners and agents within the provisions of this act.

Subd. 3. The actions permitted a county board under Minnesota Statutes, Section 375.32, Subdivision 2 shall, upon the repeal of chapter 170 and the enactment of this act, include acts necessary to bring the county, its officers and employees within the provisions of this act.

Subd. 4. In the next and subsequent editions of Minnesota Statutes, wherever Minnesota Statutes, Chapter 170 or the "fi-

nancial responsibility" act has been referred to in a section, the revisor of statutes shall replace such references with references to this act.

Subd. 5. In the next and subsequent editions of Minnesota Statutes, wherever Minnesota Statutes, Section 65B.22 has been referred to in a section, the revisor of statutes shall replace such references with references to section 23 of this act.

Sec. 33. [REPEALS.] Minnesota Statutes 1971, Sections 65B.22, as amended by Laws 1973, Chapter 35, Section 21; 65B.23; 65B.24; 65B.25; 65B.26; 65B.27; 170.21; 170.22; 170.25; 170.26; 170.27; 170.28; 170.29; 170.30; 170.31; 170.32; 170.33; 170.34; 170.35; 170.36; 170.37; 170.38; 170.39; 170.40; 170.41; 170.42; 170.43; 170.44; 170.45; 170.46; 170.47; 170.48; 170.49; 170.50; 170.51; 170.52; 170.53; 170.56; 170.57; 170.58 are repealed.

Sec. 34. [SEVERABILITY.] If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this act which can be given effect without the invalid application or provision, and to this end the provisions of this act are expressly declared to be severable.

Sec. 35. This act shall take effect January 1, 1975. Accidents occurring before that date are not covered by or subject to this act."

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

"A bill for an act relating to the compensation of victims of motor vehicle accidents; requiring security by motor vehicle owners; providing for certain mandatory minimum insurance or self-insurance protection benefits payable regardless of fault in cases of personal injury; providing for a limitation of general damages; expanding uninsured motorists coverage, providing small claims arbitration and penalties for failure to show proof of security; providing for certain deductibles; providing for subrogation, inter-company arbitration, and offset of benefits paid against judgments; providing an assigned claims plan; providing penalties; amending Minnesota Statutes 1971, Section 65B.14, Subdivision 1, as amended; repealing Minnesota Statutes 1971, Sections 65B.22, as amended; 65B.23 to 65B.27; 170.21; 170.22; 170.25 to 170.53 and 170.56 to 170.58."

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

Senate Conferees: (Signed) Jack Davies, Howard A. Knutson, Alec G. Olson.

House Conferees: (Signed) Bernard J. Brinkman, Bruce F. Vento, Thomas W. Newcome.

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on S. F. No. 96 be now adopted, and that

the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 96: A bill for an act relating to motor vehicle insurance; providing for basic reparation insurance benefits, regardless of fault, in cases of accident; limiting the recovery of general damages in bodily injury tort claims; requiring no-fault reparation insurance; providing for the administration of a no-fault reparation system and providing penalties; providing for mandatory arbitration of certain claims; providing for the partial abrogation of tort liability; repealing Minnesota Statutes 1971, Sections 65B.01 to 65B.27; 168.054; 168.833; 170.21; 170.22; 170.23; 170.231; 170.25 to 170.58; and 171.12, Subdivision 4.

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

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

And the roll being called, there were yeas 55 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, J.	Novak	Schaaf
Arnold	Doty	Keefe, S.	Ogdahl	Schrom
Ashbach	Dunn	Kirchner	Olhoft	Solon
Bang	Fitzsimons	Kowalczyk	Olson, A. G.	Spear
Berg	Frederick	Larson	Olson, J. L.	Stassen
Blatz	Gearity	Lewis	O'Neill	Stokowski
Borden	Hansen, Baldy	Lord	Perpich, A. J.	Tennessee
Chenoweth	Hansen, Mel	McCutcheon	Perpich, G.	Thorup
Chmielewski	Hanson, R.	Milton	Pillsbury	Ueland
Coleman	Hughes	Moe	Purfeerst	Wegener
Conzemius	Humphrey	North	Renneke	Willet

Those who voted in the negative were:

Krieger	Laufenburger	Olson, H. D.	Patton	Sillers
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So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

RECONSIDERATION

Mr. Coleman moved that the vote whereby H. F. No. 1425 failed to pass the Senate on March 19, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

H. F. No. 1425: A bill for an act relating to the supreme court; authorizing promulgation of rules of evidence by the supreme court; repealing Minnesota Statutes 1971, Section 480.059, Subdivision 7.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson, A. G.	Solon
Arnold	Hughes	Lord	Olson, H. D.	Spear
Ashbach	Humphrey	McCutcheon	O'Neill	Stokowski
Borden	Keefe, J.	Milton	Patton	Tenneessen
Chenoweth	Keefe, S.	Moe	Perpich, A. J.	Thorup
Coleman	Kirchner	North	Pillsbury	Ueland
Conzemius	Krieger	Novak	Schaaf	
Davies	Larson	Ogdahl	Schrom	
Doty	Laufenburger	Olhoft	Sillers	

Those who voted in the negative were:

Bang	Dunn	Hansen, Mel	Olson, J. L.	Wegener
Berg	Fitzsimons	Hanson, R.	Purfeerst	Willet
Blatz	Frederick	Jensen	Renneke	
Chmielewski	Hansen, Baldy	Kowalczyk	Stassen	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Anderson moved that the following members be excused for a Conference Committee on S. F. No. 2576:

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

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

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Lord in the chair.

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Lord reported that the committee had considered H. F. Nos. 2937, 1386, 3372, 3060, 3013, 2065, 3032, 2324, 3089, 2605, 1192, 1382, 3357 and 2764, which the committee recommends to pass.

H. F. No. 2129, which the committee recommends to pass with the following amendment offered by Mr. Purfeerst:

Amend H. F. No. 2129, the printed bill, as follows:

Page 3, line 24, after "operations" insert "and other agricultural operations, with the permission of their parents or guardian,"

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 35 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Hanson, R.	Laufenburger	Purfeerst
Arnold	Dunn	Hughes	Olhoft	Renneke
Bang	Fitzsimons	Humphrey	Olson, A. G.	Schrom
Berg	Frederick	Jensen	Olson, J. L.	Stassen
Blatz	Gearty	Kirchner	O'Neill	Tenneessen
Brown	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Wegener
Chmielewski	Hansen, Mel	Larson	Pillsbury	Willet

Those who voted in the negative were:

Coleman
Davies

Doty
Keefe, S.

Lewis
Milton

North
Schaaf

Spear

The motion prevailed. So the amendment was adopted.

H. F. No. 2715, which the committee recommends to pass with the following amendment offered by Mr. Keefe, S.:

Mr. Keefe, S. moved to amend the amendment placed on H. F. No. 2715, the printed bill, by the Committee on Transportation and General Legislation, adopted by the Senate February 6, 1974, as follows:

Amend the Committee amendment to section 2, line 2, as follows:

After "entitled" insert ", after giving the employer at least ten days written notice,"

H. F. No. 3023, which the committee recommends to pass with the following amendment offered by Mr. Chenoweth:

Page 3, line 24, strike "*by the end of the fiscal year occurring in 1997*" and insert "*within 30 years from the date of the valuation*"

Page 4, line 4, strike "*If the membership of a*"

Page 4, strike line 5

Page 4, line 6, strike "*general benefit program.*"

Page 5, line 15, strike "*with not less than 15 years of*"

Page 5, line 16, strike "*service to major public employee pension or retirement funds, or*"

H. F. No. 2745, which the committee recommends to pass with the following amendment offered by Mr. Ashbach:

Page 1, line 3, strike "*establishing minimum stan-*"

Page 1, line 4, strike "*dards*" and insert "*which establish the prevailing wage rate as defined in Minnesota Statutes, 1973 Supplement, Section 177.42, as a minimum standard*"

Page 1, line 4, strike ", *hours and working conditions*" and insert "*and which establish the hours and working conditions prevailing for the largest number of workmen engaged in the same class of labor within the area as a minimum standard*"

H. F. No. 3436, which the committee recommends to pass with the following amendment offered by Mr. Schaaf:

Amend H. F. No. 3436, the typewritten bill, as amended under Rule 49 and adopted by the Senate March 14, 1974, as follows:

Page 1, of the Rule 49 amendment, line 20, strike "1972-"

Further amend the title amendment as follows:

Line 5, strike "1971" and insert "1973"

H. F. No. 3313, which the committee recommends to pass with the following amendment offered by Mr. Conzemius:

Amend H. F. No. 3313, the typewritten bill, as amended under Rule 49 and adopted March 15, 1974, as follows:

Page 1, line 16, after the period, insert "*In the granting of such concessions, a contract for such concessions shall be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the service when possible. At least 30 days before awarding a directly negotiated contract, the zoological board shall, by written published notice, request quotations for the service to be provided. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of chapter 16.*"

H. F. No. 2813, which the committee recommends to pass, after the following motion:

Mr. Ueland moved to amend H. F. No. 2813, the printed bill, as follows:

Page 1, after line 11, add the following sections:

"Sec. 3. Subdivision 1. The state college board with the approval of the Minnesota higher education coordinating commission may designate one or more of the state colleges designated under Minnesota Statutes, Section 136.01, as a state university setting forth the name of the university so designated.

Subd. 2. The designation of a state college as a state university as provided in subdivision 1 shall in no manner affect the management or control of the state college board of said college and in no manner shall affect any obligations or bonds heretofore issued by the state college board which may apply to said college.

Subd. 3. When the state college board with the approval of the Minnesota higher education coordinating commission has designated a state college as a state university as provided in subdivision 1, the name of the state college board shall be changed to the state university and college board.

Sec. 4. The state college board when it designates a state college as a state university as provided in section 1 shall give written notice to the revisor of statutes to that effect and the revisor of statutes in preparing the next edition of Minnesota Statutes shall change the name of the "state college board" where it appears in Minnesota Statutes, Chapter 136, or any other law to "state university and college board".

Sec. 5. Minnesota Statutes, 1973 Supplement, Section 136A.04, is amended as follows:

136A.04 [DUTIES.] The higher education coordinating commission shall:

(a) Continuously study and analyze all phases and aspects of higher education, both public and private, and develop necessary

plans and programs to meet present and future needs of the people of the state in respect thereto;

(b) Continuously engage in long range planning of the needs of higher education and, if necessary, cooperatively engage in such planning with neighboring states and agencies of the Federal government;

(c) Act as successor to any committee or commission heretofore authorized to engage in exercising any of the powers and duties prescribed by sections 136A.01 to 136A.07;

(d) Review, make recommendations and identify priorities with respect to all plans and proposals for new or additional programs of instruction or substantial changes in existing programs to be established in or offered by, the University of Minnesota, the state colleges, the state junior colleges, and public area vocational-technical institutes, and private collegiate and non-collegiate institutions offering post-secondary education, and periodically review existing programs offered in or by the above institutions and recommend discontinuing or modifying any existing program, the continuation of which is judged by the commission as being unnecessary or a needless duplication of existing programs;

(e) *Approve or disapprove any change in the designation or status of a public institution of higher learning in Minnesota prior to implementation.*"

Further strike the title and insert in lieu thereof:

"A bill for an act relating to state colleges and student associations; authorizing the student associations at all state colleges and the Minnesota state college student association to expend money assigned to them to fund a legal counseling and service program for students; permitting the state college board with the approval of the Minnesota higher education coordinating commission to designate colleges as state universities; amending Minnesota Statutes 1973 Supplement, Section 136A.04; and Laws 1973, Chapter 488, Section 1."

The question being taken on adoption of the amendment,

And the roll being called, there were yeas 25 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Jensen	Larson	Renneke
Bang	Fitzsimons	Keefe, J.	Laufenburger	Schaaf
Blatz	Frederick	Kirchner	Milton	Sillers
Borden	Hansen, Mel	Kowalczyk	Ogdahl	Stassen
Brown	Hanson, R.	Krieger	O'Neill	Ueland

Those who voted in the negative were:

Arnold	Gearty	North	Perpich, G.	Tennessee
Chenoweth	Keefe, S.	Novak	Pillsbury	Willet
Coleman	Lewis	Olhoft	Purfeerst	
Conzemius	Lord	Olson, A. G.	Schrom	
Davies	McCutcheon	Olson, J. L.	Spear	
Doty	Moe	Perpich, A. J.	Stokowski	

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

H. F. No. 2919, which the committee recommends to pass with the following amendment offered by Mr. Arnold:

Amend H. F. No. 2919, the printed bill, as follows:

Strike the Senate amendment adopted March 4, 1974, and further amend H. F. No. 2919, the printed bill, as follows:

Page 1, line 1, strike "two licenses" and insert "one license"

Further, strike the title amendment adopted by the Senate March 4, 1974, and amend the title as follows:

Second line, strike "licenses" and insert "license"

H. F. No. 2854, which the committee recommends to pass subject to the following motion made by Mr. Borden and with the following amendment offered by Mr. Borden:

Strike the Rule 49 amendment adopted by the Senate March 4, 1974. Amend H. F. No. 2854, the printed bill, as follows:

Page 1, lines 7 and 8, delete all the new language

Page 1, line 9, after the period, insert "*In the case of proceedings by a watershed district which includes land in more than one county, the commissioners and alternates may be residents anywhere within the boundaries of the counties of the watershed district.*"

H. F. No. 3248, which the committee recommends to pass subject to the following motion:

Mr. Kowalczyk moved to strike the amendment placed on H. F. No. 3248 by the Committee on Education adopted by the Senate March 2, 1974. The motion prevailed. So the amendment was stricken.

H. F. No. 3223, which the committee recommends to pass with the following amendment offered by Mr. Borden:

Amend H. F. No. 3223, the typewritten bill, as amended under Rule 49 and adopted by the Senate March 11, 1974, as follows:

Page 2, lines 14 to 17, strike the new language

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

MOTIONS AND RESOLUTIONS

Mr. Spear introduced—

Senate Resolution No. 39: A senate resolution congratulating the University of Minnesota hockey team, the 1974 National Collegiate Athletic Association Hockey Champions.

Which was referred to the Committee on Rules and Administration.

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

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 2505: A bill for an act relating to the probate court in Hennepin and Ramsey counties; amending Minnesota Statutes, 1973 Supplement, Section 525.10; and Minnesota Statutes 1971, Section 526.18; repealing Minnesota Statutes 1971, Section 526.19.

Senate File No. 2505 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 21, 1974

CONCURRENCE AND REPASSAGE

Mr. O'Neill moved that the Senate do now concur in the amendments by the House to S. F. No. 2505 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2505 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Ogdahl	Sillers
Bang	Fitzsimons	Kirchner	Olhoft	Spear
Borden	Frederick	Larson	Olson, A. G.	Stassen
Brown	Gearty	Lewis	Olson, H. D.	Stokowski
Chenoweth	Hansen, Mel	Lord	O'Neill	Tennessen
Chmielewski	Hanson, R.	McCutcheon	Perpich, A. J.	Ueland
Coleman	Hughes	Milton	Pillsbury	Willet
Conzemius	Humphrey	Moe	Renneke	
Davies	Jensen	North	Schaaf	
Doty	Keefe, J.	Novak	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. 3323: A bill for an act relating to the capitol area architectural and planning commission; redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; appropriating money for a master plan implementation study; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1, 6; 16.02, Subdivisions 5, 6 and 9; 16.025, Subdivision 1; 16.22; 16.23; 16.32, by adding a subdivision; 138.53, by adding a subdivision; and 138.68; Minnesota Statutes, 1973 Supplement, Sections 15.50, Subdivision 2; 16.02, Subdivision 10; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; 138.67, Subdivision 3.

Senate File No. 3323 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 21, 1974

CONCURRENCE AND REPASSAGE

Mr. Novak moved that the Senate do now concur in the amendments by the House to S. F. No. 3323 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3323: A bill for an act relating to the capitol area architectural and planning commission; redefining the powers thereof; amending the powers of the commissioner of administration and of the Minnesota state historical society; appropriating money for a master plan implementation study; amending Minnesota Statutes 1971, Sections 15.50, Subdivisions 1, 3, and 6; 16.02, Subdivisions 5, 6 and 9; 16.025, Subdivision 1; 16.22; 16.23; 16.32, by adding a subdivision; 138.53, by adding a subdivision; and 138.68; Minnesota Statutes, 1973 Supplement, Sections 15.50, Subdivision 2; 16.02, Subdivision 10; repealing Minnesota Statutes 1971, Sections 15.50, Subdivisions 4 and 8; 138.67, Subdivision 3.

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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Hansen, Mel	Kirchner	Milton
Bang	Davies	Hanson, R.	Kowalczyk	Moe
Borden	Doty	Hughes	Larson	North
Brown	Dunn	Humphrey	Laufenburger	Novak
Chenoweth	Fitzsimons	Jensen	Lewis	Ogdahl
Chmielewski	Frederick	Keefe, J.	Lord	Olhoft
Coleman	Gearty	Keefe, S.	McCutcheon	Olson, A. G.

Olson, H. D.	Pillsbury	Schrom	Spear	Tennessee
O'Neill	Renneke	Sillers	Stassen	Ueland
Perpich, A. J.	Schaaf	Solon	Stokowski	Willet
Perpich, G.				

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. 3479: A resolution memorializing the President, the Congress and the State Department to refrain from negotiating or approving any treaty with Mexico which would, in effect, reestablish the bracero program.

Senate File No. 3479 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1974

CONCURRENCE AND REPASSAGE

Mr. Olson, A. G. moved that the Senate do now concur in the amendments by the House to S. F. No. 3479 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 3479 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 43 and nays 6, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Larson	Olhoft	Spear
Borden	Frederick	Laufenburger	Olson, A. G.	Stassen
Chenoweth	Gearty	Lewis	Olson, H. D.	Stokowski
Chmielewski	Hanson, R.	Lord	Perpich, A. J.	Tennessee
Coleman	Hughes	McCutcheon	Renneke	Thorup
Conzemius	Humphrey	Milton	Schaaf	Ueland
Davies	Keefe, S.	Moe	Schrom	Willet
Doty	Kirchner	North	Sillers	
Dunn	Kowalczyk	Ogdahl	Solon	

Those who voted in the negative were:

Anderson	Hansen, Mel	Novak	O'Neill	Perpich, G.
Brown				

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 House File, herewith transmitted: H. F. No. 3707.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 21, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 3707: A bill for an act relating to taxation; providing for the taxation of oleomargarine and liquor; amending Minnesota Statutes 1971, Section 33.10, Subdivision 1, and by adding a subdivision; and Minnesota Statutes, 1973 Supplement, Section 340.47, Subdivision 1.

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

REPORTS OF COMMITTEES

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

H. F. No. 3707 for comparison to companion Senate Files, reports the following House File was found to have no companion Senate Files on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 3707 to the Committee on Taxes and Tax Laws.

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

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. McCutcheon moved that the vote whereby H. F. No. 1931 failed to pass the Senate on March 19, 1974, be now reconsidered.

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Friday, March 22, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.