

ONE HUNDRED THIRTEENTH DAY

St. Paul, Minnesota, Tuesday, March 26, 1974.

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Dunn	Laufenburger	Patton	Thorup
Arnold	Fitzsimons	Lewis	Perpich, G.	Ueland
Borden	Gearty	Lord	Pillsbury	Wegener
Brown	Hansen, Baldy	Milton	Purfeerst	Willet
Chmielewski	Hansen, Mel	Moe	Renneke	
Coleman	Hughes	Novak	Schrom	
Conzemius	Kirchner	Olson, J. L.	Stokowski	
Doty	Larson	O'Neill	Tennessen	

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

Quorum present.

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

MEMBERS EXCUSED

Messrs. Keefe, J.; McCutcheon, Kleinbaum, Perpich, A. J.; and Jensen were excused from the Session of today. Mr. Berg was

excused from this morning's Session. Mr. Brown was excused from the Session of today from 10:30 to 12:00 o'clock noon. Mr. Patton was excused from the Session of today beginning at 3:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 25, 1974

The Honorable Alec G. Olson
President of the Senate

Sir:

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

S. F. No. 2285, An act relating to the city of Duluth; expanding the subdivision control and regulatory power of the planning commission; modifying the procedure for approval of plats by such commission; making Minnesota Statutes, Section 462.358, Subdivision 4, applicable to the city; adopting additional building restrictions; amending Laws 1933, Chapter 93, Sections 1, 2, 4, 5, 6, 7 and 10.

S. F. No. 2350, An act relating to the county of Ramsey; providing for the retirement of employees thereof; providing certain benefits therefor; and authorizing the levy of certain taxes; amending Laws 1963, Chapter 852, Section 3, as amended.

S. F. No. 2501, An act relating to game and fish; distribution of certain proceeds from hunting leases; amending Minnesota Statutes 1971, Section 97.49, Subdivision 3.

S. F. No. 2687, An act relating to the basic sciences; abolishing the state board of examiners in the basic sciences, examinations, and registration in the basic sciences; amending Minnesota Statutes 1971, Sections 16.20, Subdivision 1; 146.01; 146.15; 146.18; and 146.19; repealing Minnesota Statutes 1971, Sections 146.02; 146.03; 146.04; 146.05; 146.06; 146.06, as amended; 146.07; 146.08; 146.09, as amended; 146.10; 146.11, as amended; 146.12; 146.16; 146.17; 146.21; 146.22; and 148.47.

S. F. No. 2740, An act relating to county courts; terms of judges in certain counties.

S. F. No. 2840, An act legalizing foreclosure sales heretofore made and the records of mortgage foreclosure proceedings; limiting the time within which actions may be brought or defenses interposed; questioning the validity of foreclosure proceedings.

S. F. No. 3002, An act relating to Lake county; consolidating the offices of treasurer and auditor.

S. F. No. 3068, An act relating to the municipal housing and redevelopment act; providing for the acquisition and disposal of vacant, open, undeveloped and sub-standard real property; amending Minnesota Statutes 1971, Sections 462.415, by adding a subdivision; 462.445, Subdivisions 1 and 4; 462.466; 462.525, Subdivision 1, and by adding subdivisions; and 462.545, Subdivision 1.

S. F. No. 3144, An act relating to retirement; miscellaneous amendments to the public employees retirement law; providing benefits to qualified survivors of a basic member or a member of the police and fire fund; including members of the Association of Minnesota Counties in membership in the public employees retirement association; amending Minnesota Statutes 1971.

S. F. No. 3152, An act relating to the county of Lake, authorizing the county to issue its general obligation bonds in an amount not to exceed \$350,000 for various county purposes and granting the county certain powers with respect thereto.

S. F. No. 3159, An act relating to mobile homes; providing for warranties on the sale of new mobile homes; prohibiting limitation of warranties; requiring honoring of warranties.

S. F. No. 3162, An act relating to the city of Minneapolis; survivor benefits for city employees; amending Laws 1973, Chapter 133, Section 23, Subdivision 7.

S. F. No. 3218, An act relating to municipalities, local improvements, special assessments; amending Minnesota Statutes, 1973 Supplement, Sections 429.011, Subdivision 2b; and 429.021, Subdivision 1.

S. F. No. 3287, An act relating to human services; providing for the designation of pilot boards; providing for transfer of administrative functions; amending Minnesota Statutes, 1973 Supplement, Sections 402.02, Subdivision 2; 402.03; 402.05, Subdivision 2; 402.06; and 402.08.

S. F. No. 3360, An act relating to independent school district No. 535 at Rochester; permitting and providing an alley system for at large election of the school board; amending Laws 1969, Chapter 193, Section 3.

S. F. No. 3331, An act relating to the termination of teachers due to discontinuance of position or lack of pupils in Independent School District No. 709, St. Louis county.

Sincerely,
Wendell R. Anderson, Governor

The Honorable Martin O. Sabo
Speaker of the House of Representatives

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1974 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation pursuant to the State Constitution, Article IV, Section 11:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1974	Date Filed 1974
	2148	221	March 22, 1974	March 22, 1974

Sincerely,
Arlen Erdahl
Secretary of State

INTRODUCTION OF BILLS

Messrs. Pillsbury and Krieger introduced—

S. F. No. 3583: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 1; prescribing the times for meetings of the legislature.

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

Messrs. Krieger and Pillsbury introduced—

S. F. No. 3584: A bill for an act relating to the legislature; regulating the sessions and interim activities of the legislature; amending Minnesota Statutes, 1973 Supplement, Section 3.011; repealing Minnesota Statutes, 1973 Supplement, Section 3.012.

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

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 2447.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 25, 1974

Mr. President:

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

H. F. No. 3575.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 25, 1974

FIRST READING OF HOUSE BILLS

H. F. No. 3575: A bill for an act providing additional bond issuing authority to provide compensation to those members of the armed forces who served during the Vietnam conflict; and appropriating the proceeds thereof.

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

REPORTS OF COMMITTEES

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 2785 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2785	2482				

Pursuant to Rule 49 the Committee recommends that H. F. No. 2785 be amended as follows:

Page 2, line 14, delete "12" and insert "11"

Page 6, line 13, delete "*the public employees*"

Page 6, delete line 14

Page 6, line 15, delete "*system, the teachers retirement association,*"

Page 10, line 19, delete "22,000" and insert "25,000"

In the title, line 10, delete "15A.083 by adding a subdivision;" and in line 14, delete "15A.081, Subdivision 1;"

And when so amended, H. F. No. 2785 will be identical to S. F. No. 2482 and further recommends that H. F. No. 2785 be given its second reading and substituted for S. F. No. 2482 and S. F. No. 2482 be indefinitely postponed.

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 3575 for comparison to companion Senate Files, reports the following House File was found to have no companion Senate File on Senate Calendars and is recommended to be re-referred to its respective Committee as follows:

H. F. No. 3575 to the Committee on Transportation and General Legislation.

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

SECOND READING OF HOUSE BILLS

H. F. No. 2785 was read the second time.

MOTIONS AND RESOLUTIONS

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. 2525: A bill for an act relating to Ramsey county; codifying the special laws relating to the county; amending Minnesota Statutes 1971, Sections 273.052; 273.063; 393.03; 393.04; and 393.05; Minnesota Statutes, 1973 Supplement, Section 393.06; and repealing General Statutes 1866, Chapter 8, Section 54; General Statutes 1878, Chapter 8, Section 59; General Statutes 1894, Section 596; Minnesota Statutes 1971, Sections 15.50, Subdivision 6(c); 38.26; 38.31; 282.323, Subdivision 3; 376.51; Chapter 391; and Sections 393.01, Subdivision 4; and 636.16; Special Laws 1867, Chapter 87; Special Laws 1871, Chapter 73; Special Laws 1873, Chapter 46; Laws 1874, Chapter 101, Section 1; Special Laws 1875, Chapter 90; Special Laws 1881, Chapter 410; Special Laws 1889, Chapters 398, 408, 420, 438 and 439; Special Laws 1891, Chapter 438; Laws 1903, Chapter 339; Laws 1907, Chapter 139, as amended by Laws 1945, Chapter 420, as amended by Laws 1949, Chapter 53; Laws 1909, Chapter 196; Laws 1909, Chapter 361, as amended by Laws 1949, Chapter 68; Laws 1911, Chapter 366, as amended by Laws 1915, Chapter 119, as amended by Laws 1935, Chapter 11, as amended by Laws 1949, Chapter 58; Laws 1913, Chapter 83; Laws 1915, Chapter 104; Laws 1919, Chapter 60; Laws 1921, Chapter 492, Sections 5, 6, 7 and 8, as amended by Laws 1923, Chapter 63, Section 1, as amended by Laws 1927, Chapter 420, Section 4, as amended by Laws 1929, Chapter 339, Section 1, as amended by Laws 1931, Chapter 310, Section 1, as amended by Laws 1939, Chapter 214, Sections 1 and 2, as amended by Laws 1945, Chapters 53 and 471, as amended by Laws 1949, Chapter 75; Laws 1925, Chapter 248; Laws 1927, Chapter 209, as amended by Laws 1949, Chapter 245, as amended by Laws 1957, Chapter 351, as amended by Laws 1973, Chapter 323; Laws 1927, Chapters 223 and 348; Laws 1929, Chapter 371 as amended by Extra Session Laws 1935, Chapter 90, as amended by Laws 1939, Chapter 178, as amended by Laws 1967, Chapter 521; Laws 1937, Chapter 164, as amended by Laws 1949, Chapter 59; Laws 1939, Chapter 79, as amended by Laws 1949, Chapter 71; Laws 1939, Chapter 129; Laws 1941, Chapter 241, as amended by Laws 1949, Chapters 67 and 622; Laws 1941, Chapter 513, as amended by Laws 1943, Chapter 259, as amended by Laws 1947, Chapter 301, as amended by Laws 1947, Chapter 525, as amended by Laws 1949, Chapter 179, as amended by Laws 1951, Chapter 358, as amended by Laws 1955, Chapter 355, as amended by Laws 1955, Chapter 629, as amended by Laws 1957, Chapter 853, as amended by Laws 1963, Chapter 777, as amended by Laws 1967, Chapter 454, as amended by Laws 1967, Chapter 537, as amended by Laws 1969, Chapter 728, as amended by Laws 1969, Chapter 875, as amended by Laws 1969, Chapter 1107, as amended by Laws 1971, Chapter 287; Laws 1943, Chapter 2, as amended by Laws 1949, Chapter 55, as amended by

Laws 1957, Chapter 217; Laws 1945, Chapter 54, Sections 1 and 2, as amended by Laws 1949, Chapter 66; Laws 1945, Chapter 561, as amended by Laws 1949, Chapter 64, as amended by Laws 1957, Chapter 855, as amended by Laws 1965, Chapter 628, as amended by Laws 1969, Chapter 667, as amended by Laws 1973, Chapter 769; Laws 1947, Chapter 457, as amended by Laws 1949, Chapters 56 and 178, as amended by Laws 1951, Chapter 592, as amended by Laws 1953, Chapter 499, as amended by Laws 1955, Chapter 66, as amended by Laws 1957, Chapter 109; Laws 1949, Chapters 52, 65, 171, 311 and 384; Laws 1951, Chapter 153, as amended by Laws 1953, Chapter 58, and Laws 1951, Chapter 105, Section 1, and Chapter 266; Laws 1951, Chapter 666, as amended by Laws 1955, Chapter 703, as amended by Laws 1971, Chapter 291, Section 2; Laws 1953, Chapters 48, 132, 244, 509 and 620; Laws 1955, Chapters 68, 69, 154, and Chapter 353, as amended by Laws 1957, Chapter 664, as amended by Laws 1961, Chapter 435, as amended by Laws 1963, Chapter 556, as amended by Laws 1971, Chapter 482, and Laws 1955, Chapters 354, 572 and 824; Laws 1957, Chapters 108, and 111; Laws 1957, Chapter 448, as amended by Laws 1971, Chapter 291, Section 1; Laws 1957, Chapters 682, 897 and 938; Laws 1959, Chapter 236, 237, 238, 373, 451, 497, 523 and Extra Session Laws, Chapter 52; Laws 1961, Chapter 583, as amended by Laws 1967, Chapter 750, as amended by Laws 1971, Chapter 701; Laws 1961, Chapter 589, Sections 1 and 2; Laws 1961, Chapter 676, Section 1, as amended by Laws 1965, Chapter 784, Section 1, as amended by Laws 1971, Chapter 472, Section 1; Laws 1961, Chapter 677, as amended by Laws 1965, Chapter 706, as amended by Laws 1969, Chapter 756; Laws 1963, Chapters 419, 724, 745, 774 and 776; Laws 1963, Chapter 852, as amended by Laws 1965, Chapter 492, as amended by Laws 1969, Chapter 1040, as amended by Laws 1971, Chapter 555; Laws 1965, Chapters 342, 372 and Laws 1965, Chapter 707, Section 1, as amended by Laws 1969, Chapter 1096, as amended by Laws 1971, Chapter 772; Laws 1967, Chapters 69, 211, 354, 473, 534 and 546 and Laws 1967, Chapter 682, as amended by Laws 1969, Chapter 992; Laws 1969, Chapters 626, 835, 905, Sections 2 and 920; Laws 1969, Chapter 1055, as amended by Extra Session Laws 1971, Chapter 35 as amended by Laws 1973, Chapter 335; Laws 1969, Chapter 1104, as amended by Laws 1971, Chapter 556 as amended by Laws 1973, Chapter 662; and Laws 1971, Chapters 300, 310, 385, 388, 525, 579, 606 and 611, and Chapter 851, as amended by Laws 1973, Chapter 695, 950 as amended by Laws 1973, Chapter 372, and Laws 1973, Chapter 329, Chapter 380, Section 16, and Chapters 397, 533 and 581 and Chapter 719, Section 1.

With the unanimous consent of the Senate, Mr. O'Neill moved to amend H. F. No. 2525, the printed bill, as follows:

Page 6, line 19, strike "inside" and insert "within"

Page 6, line 20, strike "outside" and insert "without"

Page 7, line 2, before the period insert " ; provided further that no such property situated in any other county shall be acquired without the approval by resolution of the county board thereof"

Page 59, strike line 24

Page 62, line 15, after "Chapter 372" insert "and subsequent acts"

Further, amend the title on page 3, line 3, after "Chapter 372" insert "and subsequent acts"

The motion prevailed. So the amendment was adopted.

H. F. No. 2525 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SUSPENSION OF RULES

Mr. Coleman moved that the Rules of the Senate be so far suspended as to make the General Orders Calendar a Special Orders Calendar for immediate consideration, remaining on the Order of Business of Motions and Resolutions. The motion prevailed.

SPECIAL ORDER

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

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	Krieger	Olson, A. G.	Spear
Arnold	Fitzsimons	Larson	Olson, J. L.	Stassen
Ashbach	Frederick	Laufenburger	O'Neill	Stokowski
Bernhagen	Gearty	Lewis	Patton	Tennessen
Blatz	Hansen, Baldy	Lord	Perpich, G.	Thorup
Borden	Hanson, R.	Milton	Pillsbury	Ueland
Chmielewski	Hughes	Moe	Purfeerst	Wegener
Coleman	Humphrey	North	Renneke	Willet
Conzemius	Keefe, S.	Novak	Schrom	
Davies	Knutson	Ogdahl	Sillers	
Doty	Kowalczyk	Olhoft	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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

The question being taken on the passage of the bill,

Mr. Bernhagen moved that those not voting be excused from voting. The motion did not prevail.

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

And the roll being called, there were yeas 31 and nays 25, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Moe	Pillsbury	Thorup
Borden	Hughes	North	Purfeerst	Wegener
Chenoweth	Humphrey	Novak	Solon	Willet
Coleman	Laufenburger	Olhoft	Spear	
Conzemius	Lewis	Olson, A. G.	Stassen	
Davies	Lord	O'Neill	Stokowski	
Doty	Milton	Perpich, G.	Tennessen	

Those who voted in the negative were:

Ashbach	Dunn	Hanson, R.	Kowalczyk	Olson, J. L.
Bang	Fitzsimons	Josefson	Krieger	Patton
Bernhagen	Frederick	Keefe, S.	Larson	Renneke
Blatz	Hansen, Baldy	Kirchner	Ogdahl	Sillers
Chmielewski	Hansen, Mel	Knutson	Olson, H. D.	Ueland

So the bill failed to pass.

SPECIAL ORDER

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

Mr. O'Neill moved to amend H. F. No. 3157, as amended by the Committee on Judiciary and adopted by the Senate on March 18, 1974, as follows:

Add a new section at the end of the bill as follows:

"Sec. 2. Minnesota Statutes 1971, Chapter 504, is amended by adding a section to read:

[504.23] [CODE VIOLATIONS, DISCLOSURE.] *All code violation records pertaining to a particular parcel of real property and the buildings, improvements and dwelling units located thereon kept by any state, county or city agency charged by the governing body of the appropriate political subdivision with the responsibility for enforcing a state, county or city health, housing, building, fire prevention or housing maintenance code shall be*

available to all persons having a reasonable need for the information contained in the records relating to the premises, at reasonable times and upon reasonable notice to the custodian of the records, for inspection, examination, abstracting or copying at the expense of the person obtaining the information. The persons to whom the records shall be available under this section include but are not limited to the following persons and their representatives:

(a) any person having any legal or beneficial interest in the premises, including a tenant;

(b) any person considering in good faith the lease or purchase of the premises; and

(c) a party to any action related to the premises, including actions maintained pursuant to sections 504.18 and 566.18 to 566.33."

Further, in the title amendment:

After "terms;" insert "disclosure of code violations;"

Strike "a section" and insert "sections"

The motion prevailed. So the amendment was adopted.

H. F. No. 3157 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 46 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Lord	Perpich, G.	Stokowski
Arnold	Hansen, Mel	Moe	Pillsbury	Tennessen
Ashbach	Hanson, R.	Nelson	Purfeerst	Thorup
Bernhagen	Hughes	Novak	Renneke	Ueland
Blatz	Humphrey	Olhoft	Schaaf	Wegener
Chmielewski	Josefson	Olson, A. G.	Schrom	Willet
Coleman	Keefe, S.	Olson, H. D.	Sillers	
Conzemius	Kowalczyk	Olson, J. L.	Solon	
Davies	Laufenburger	O'Neill	Spear	
Dunn	Lewis	Patton	Stassen	

Those who voted in the negative were:

Bang	Hansen, Baldy Krieger	Larson	Ogdahl
Frederick			

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

SPECIAL ORDER

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

Mr. Renneke moved to amend H. F. No. 3129, the printed bill, as follows:

Page 2, line 23, after "law" and before "to" insert "to the commissioner of natural resources or to any other state agency or political subdivision"

The motion prevailed. So the amendment was adopted.

H. F. No. 3129 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 44 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Nelson	Renneke
Arnold	Doty	Keefe, S.	Novak	Solon
Ashbach	Dunn	Knutson	Olson, A. G.	Spear
Bang	Frederick	Larson	Olson, J. L.	Stassen
Bernhagen	Gearty	Laufenburger	O'Neill	Thorup
Borden	Hansen, Mel	Lewis	Patton	Ueland
Chmielewski	Hanson, R.	Lord	Perpich, G.	Wegener
Coleman	Humphrey	Milton	Pillsbury	Willet
Conzernius	Jensen	Moe	Purfeerst	

Those who voted in the negative were:

Blatz	Hansen, Baldy	Kowalczyk	Ogdahl	Schrom
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So the bill, as amended, passed and its title was agreed to.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the proceedings on H. F. No. 2992. The following Senators answered to their names:

Anderson	Doty	Jensen	O'Neill	Solon
Bang	Dunn	Keefe, S.	Patton	Spear
Bernhagen	Gearty	Laufenburger	Perpich, G.	Tennessen
Borden	Hansen, Baldy	Lord	Pillsbury	Ueland
Chmielewski	Hansen, Mel	Ogdahl	Purfeerst	
Coleman	Hanson, R.	Olhoft	Renneke	
Davies	Humphrey	Olson, J. L.	Schrom	

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

Mr. Purfeerst moved that H. F. No. 2992 be taken from the table. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON 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.

March 22, 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. 2992, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendment and that the amendment adopted by the Senate on March 19, 1974 to H. F. No. 2992 be further amended as follows:

Page 2, line 1, after the period insert "The articles of this act are numbered out of sequence to facilitate the possible inclusion of other articles of the probate code in one chapter."

Page 6, line 3, after "estate" insert "or to actions pursuant to Minnesota Statutes, Section 573.02"

Page 6, line 7, after "court" insert "or county court"

Page 2, line 19, strike "524.5-401" and insert in lieu thereof "525.54"

Page 7, line 19, strike "defined" and insert in lieu thereof "described"

Page 7, line 20, strike "524.5-101" and insert in lieu thereof "525.54, other than a minor"

Page 9, line 21, strike "defined" and insert in lieu thereof "described"

Page 9, line 22, strike "524.5-101" and insert in lieu thereof "525.54, Subdivision 2"

Page 9, line 23, strike "defined in section" and insert in lieu thereof "described in sections"

Page 9, line 24, strike "524.5-101" and insert in lieu thereof "525.541 to 525.551"

Page 11, line 11, strike "article VI" and insert in lieu thereof "chapter 528"

Page 11, line 24, strike "defined" and insert in lieu thereof "described"

Page 11, line 24, strike "524.5-101" and insert in lieu thereof "525.54, Subdivision 1"

Page 21, line 8, after "article" insert "except that the time limited for filing claims under section 525.41 shall be 60 days from the date of the filing of the application for appointment of a personal representative. The notice to creditors shall be in the form prescribed by court rule."

Page 22, line 5, after the period insert "This section shall not be applicable to actions under Minnesota Statutes, Section 573.02."

Page 66, line 5, strike "or he may" and insert in lieu thereof "and shall"

Page 66, line 6, after "court" insert "and an executed copy of the Minnesota inheritance tax return with the court and the same shall be part of the court records"

Page 63, line 7, after "court" insert "and when so exercised shall transfer good title to the transferee to the same extent that decedent had title thereto"

Page 83, line 20, strike "Accodigly" and insert in lieu thereof "Accordingly"

Page 89, line 12, after "other" strike "death"

Page 89, line 14, after "been" and before "distributed" insert "inventoried and"

Page 89, line 15, after "claims" but before "remain" insert ", expenses or taxes"

Page 89, line 15, strike "state"

Page 89, strike lines 16 and 17

Page 89, line 18, strike "the distributees or it shall"

Page 104, line 20, strike "525.80, and 525.83" and insert in lieu thereof "and 525.80"

Page 105, strike lines 1 to 7 and insert in lieu thereof:

"Sec. 524.8-103. [EARLY EFFECTIVE DATE.] Notwithstanding section 524.8-101, the provisions of this act relating to bonds found at sections 524.3-603 to 524.3-606 and article IX of this act, and that portion of section 524.8-102 which repeals Minnesota Statutes 1971, Sections 525.32 to 525.324, are effective August 1, 1974.

ARTICLE IX"

Page 105, line 14, strike "Sec. 146" and insert in lieu thereof "Section 1"

Page 106, line 8, strike "147" and insert in lieu thereof "2"

Page 106, line 19, after "*fees*" insert "*and representative fees*"

Page 106, line 24, strike "148" and insert in lieu thereof "3"

Page 107, line 25, strike "147" and insert in lieu thereof "2"

Page 108, line 3, after "*fees*" insert "*and representative fees*"

Further, amend the title as follows:

Page 108, line 29, strike "525.80, and 525.83" and insert in lieu thereof "and 525.80"

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

House Conferees: (Signed) John C. Lindstrom, Neil S. Haugerud, Willis R. Eken, Arlan Stangeland

Senate Conferees: (Signed) Clarence M. Purfeerst, Robert J. Brown, Jack Davies, Ralph R. Doty, Robert Dunn

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2992 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. O'Neill moved that the Senate refuse to adopt the Conference Committee report on H. F. No. 2992, and the report be re-referred to the Conference Committee as formerly constituted for further consideration.

The question being taken on adoption of the motion of Mr. O'Neill,

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

Those who voted in the affirmative were:

Ashbach	Frederick	Josefson	Ogdahl	Schrom
Bang	Gearty	Kirchner	Olson, J. L.	Sillers
Berg	Hansen, Baldy	Knutson	O'Neill	Stassen
Bernhagen	Hansen, Mel	Krieger	Patton	Thorup
Blatz	Humphrey	Larson	Pillsbury	Ueland
Fitzsimons	Jensen	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Conzemius	Laufenburger	Olhoff	Spear
Arnold	Davies	Lewis	Olson, A. G.	Stokowski
Borden	Doty	Lord	Olson, H. D.	Tennessee
Brown	Dunn	Milton	Perpich, G.	Wegener
Chenoweth	Hanson, R.	Moe	Purfeerst	Willet
Chmielewski	Hughes	North	Schaaf	
Coleman	Keefe, S.	Novak	Solon	

The motion did not prevail.

The question recurred on the motion of Mr. Purfeerst to adopt the recommendations and Conference Committee Report on H. F. No. 2992.

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

And the roll being called, there were yeas 30 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Laufenburger	Olhoff	Solon
Arnold	Davies	Lord	Olson, A. G.	Spear
Borden	Doty	Milton	Olson, H. D.	Stokowski
Brown	Dunn	Moe	Perpich, G.	Tennessee
Chenoweth	Hughes	Nelson	Purfeerst	Wegener
Chmielewski	Keefe, S.	North	Schrom	Willet

Those who voted in the negative were:

Ashbach	Frederick	Josefson	Ogdahl	Renneke
Bang	Gearty	Kirchner	Olson, J. L.	Sillers
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Stassen
Blatz	Hansen, Mel	Krieger	Patton	Thorup
Fitzsimons	Jensen	Larson	Pillsbury	Ueland

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

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.

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,

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

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

Those who voted in the affirmative were:

Anderson	Conzemius	Kowalczyk	Olhoft	Solon
Arnold	Davies	Laufenburger	Olson, A. G.	Spear
Berg	Doty	Lewis	Olson, H. D.	Stokowski
Borden	Dunn	Lord	Perpich, G.	Tennessen
Brown	Hanson, R.	Milton	Purfeerst	Wegener
Chenoweth	Hughes	Moe	Renneke	Willet
Chmielewski	Humphrey	North	Schaaf	
Coleman	Keefe, S.	Novak	Schrom	

Those who voted in the negative were:

Ashbach	Frederick	Josefson	Nelson	Pillsbury
Bang	Gearty	Kirchner	Ogdahl	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Stassen
Blatz	Hansen, Mel	Krieger	O'Neill	Thorup
Fitzsimons	Jensen	Larson	Patton	Ueland

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

Mr. Coleman moved that the vote whereby H. F. No. 2992 was passed by the Senate on March 26, 1974, be now reconsidered.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 21 and nays 35, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Krieger	O'Neill	Ueland
Bernhagen	Hansen, Baldy	Larson	Patton	
Blatz	Kirchner	Nelson	Pillsbury	
Fitzsimons	Knutson	Ogdahl	Sillers	
Frederick	Kowalczyk	Olson, J. L.	Stassen	

Those who voted in the negative were:

Anderson	Coleman	Jensen	North	Renneke
Arnold	Conzemius	Keefe, S.	Novak	Schaaf
Ashbach	Davies	Laufenburger	Olhoft	Solon
Berg	Doty	Lewis	Olson, A. G.	Spear
Borden	Hanson, R.	Lord	Olson, H. D.	Stokowski
Brown	Hughes	Milton	Perpich, G.	Tennessen
Chenoweth	Humphrey	Moe	Purfeerst	Willet

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

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 that the House refuses to concur in the Senate amendments to House File No. 862:

H. F. No. 862: A bill for an act relating to highway traffic regulations; motor vehicle equipment; loads; weighing of certain vehicles; amending Minnesota Statutes 1971, Sections 169.67, Subdivision 4; 169.73, Subdivision 2; 169.80, Subdivision 3; 169.85; and Chapter 169, by adding a section.

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

Pehler, Voss and Laidig have been appointed as such committee on the part of the House.

House File No. 862 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 26, 1974

Mr. North moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 862, 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.

RECESS

Mr. Coleman moved that the Senate do now recess until 4:30 o'clock p.m. The motion prevailed.

The hour of 4:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Frederick, Pillsbury, Brown and Berg were excused from this evening's Session. Mr. Davies was excused from this evening's Session beginning at 6:10 o'clock p.m. Mr. Tennesen was excused from this evening's Session from 6:40 o'clock p.m. until 7:40 o'clock p.m. Mr. Josefson was excused from this evening's Session beginning at 8:00 o'clock p.m. Mr. Bernhagen was excused from this evening's Session beginning at 8:30 o'clock p.m.

Pursuant to Rule 21, Mr. Stokowski moved that the following members be excused for a Conference Committee on S. F. No. 3059:

Messrs. Kirchner, Ogdahl, Chenoweth, North and Stokowski. The motion prevailed.

CALL OF THE SENATE

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

Anderson	Doty	Josefson	Olhoft	Solon
Ashbach	Dunn	Keefe, S.	Olson, A. G.	Spear
Bang	Fitzsimons	Kirchner	Olson, J. L.	Stassen
Bernhagen	Gearty	Kowalczyk	O'Neill	Stokowski
Blatz	Hansen, Baldy	Lewis	Perpich, G.	Tennesen
Borden	Hansen, Mel	Lord	Pillsbury	Ueland
Brown	Hanson, R.	McCutcheon	Purfeerst	Wegener
Chmielewski	Hughes	Milton	Renneke	Willet
Coleman	Humphrey	Moe	Schrom	
Davies	Jensen	Novak	Sillers	

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

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 that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1759, and repassed said bill in accordance with the report of the Committee, so adopted.

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

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1974

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. 2367, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2367: A bill for an act authorizing the issuance of bonds by Independent School District No. 625.

Senate File No. 2367 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1974

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. 2576, and repassed said bill in accordance with the report of the Committee, so adopted.

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, Subdivisions 1 and 2 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 394.15; 394.16, as amended; 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.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 26, 1974

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. 2818, and repassed said bill in accordance with the report of the Committee, so adopted.

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.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 26, 1974

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. 3123, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 3123: A bill for an act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permit-

ting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 26, 1974

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. 3246, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 3246: A bill for an act relating to local government in Chisago and Pine county and the towns of Moose Lake in Carlton county and Windemere in Pine county; authorizing the county boards of Chisago and Pine counties to issue obligations and levy special assessments for improvements to bodies of water; authorizing the county board of Chisago county to establish water or sewer or combined water and sewer systems within cities; providing for the creation of a sewer district and a sanitary sewer board to administer the district; providing for the collection, treatment, and disposal of sewage in the Moose Lake and Windemere area.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 26, 1974

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. 3311, and repassed said bill in accordance with the report of the Committee, so adopted.

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.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 26, 1974

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. 3350, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 3350: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general ob-

ligation bonds for remodeling and new construction costs at St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority; amending Minnesota Statutes, 1973 Supplement, Section 250.05, Subdivision 4.

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 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. 2703: A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review commission; authorizing tax levies upon property within the metropolitan transit taxing district.

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

Salchert, Tomlinson and Andersen, R.

Senate File No. 2703 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1974

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 452:

H. F. No. 452: A bill for an act relating to crimes and criminals; indemnification of victims of violent crimes for expenses, providing a penalty for fraudulent claims; appropriating money.

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

Vento, Faricy and Forsythe have been appointed as such committee on the part of the House.

House File No. 452 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
March 26, 1974

Mr. O'Neill moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 452, 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 five members of the House, on the amendments adopted by the House to the following Senate File:

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

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

Salchert, Tomlinson, Faricy, Bell and Sieben, H.

Senate File No. 3059 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 26, 1974

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2360:

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.

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

Carlson, B.; Kvam and Sieben, H. have been appointed as such committee on the part of the House.

House File No. 2360 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 26, 1974

Mr. Laufenburger moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2360, 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 adopted the recommendation and report of the Conference Committee on House File No. 2675, and repassed said bill in accordance with the report of the Committee so adopted.

H. F. No. 2675: A bill for an act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

House File No. 2675 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 26, 1974

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2675

A bill for an act relating to energy; establishing a department of energy; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

March 25, 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. 2675 report that we have agreed upon the items in dispute and recommend as follows:

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

"Section 1. [FINDINGS AND PURPOSE.] The legislature finds and declares that the present rapid growth in demand for energy is in part due to unnecessary energy use; that a continuation of this trend will result in serious depletion of finite quantities of fuels, land and water resources, and threats to the state's environmental quality; that the state must insure consideration of urban expansion, transit systems; economic develop-

ment, energy conservation and environmental protection in planning for large energy facilities; that there is a need to carry out energy conservation measures; and that energy planning, protection of environmental values, development of Minnesota energy sources, and conservation of energy require expanded authority and technical capability and a unified, coordinated response within state government.

The legislature seeks to encourage thrift in the use of energy, and to maximize use of energy-efficient systems, thereby reducing the rate of growth of energy consumption, prudently conserving energy resources, and assuring statewide environmental protection consistent with an adequate, reliable supply of energy.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act, the following terms shall have the meanings here given them.

Subd. 2. "Agency" means the Minnesota energy agency as provided in this act.

Subd. 3. "Commission" means the legislative commission on energy.

Subd. 4. "Director" means the director of the Minnesota energy agency.

Subd. 5. "Large energy facility" means any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more, any interstate high voltage transmission line with a capacity of 200 kilovolts or more and over 100 miles in length, any facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline greater than six inches in diameter and over 50 miles in length used for the transportation of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline for transporting natural or synthetic gas at pressures in excess of 200 pounds per square inch and over 50 miles in length, any facility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas, any underground gas storage facility requiring a permit pursuant to Minnesota Statutes, Section 84.57, any facility designed or capable of serving as a depot for coal transported into this state for use within the state or transshipment from the state and any petroleum refinery.

Subd. 6. "Petroleum supplier" means any petroleum refinery in the state and any entity engaged in transmission or wholesale distribution of more than 100,000 gallons of crude petroleum or petroleum fuels or oil or derivatives thereof annually in this state.

Subd. 7. "Coal supplier" means any entity engaged in this state in the wholesale distribution of coal or transportation into this state of any coal intended for use or distribution in the state or transshipment from the state.

Subd. 8. "Utility" means any entity engaged in this state in the

generation, transmission or distribution of electric energy and any entity engaged in this state in the transmission or distribution of natural or synthetic natural gas, including, but not limited to a private investor owned utility or a public or municipally owned utility.

Subd. 9. "Construction" means significant physical alteration of a site to install or enlarge a large energy facility, but not including activities incident to preliminary engineering or environmental studies.

Sec. 3. [CREATION OF AGENCY.] Subdivision 1. There is hereby created in the executive branch the Minnesota energy agency.

Subd. 2. The agency shall be under the supervision of the director who shall organize the agency and employ such other officers, agents and employees as are necessary to carry out the functions of the agency. Duties of such officers, agents and employees shall be as specified by the director.

Subd. 3. The director shall be appointed by the governor with the advice and consent of the senate, to a four-year term which shall coincide with the term of the governor and until his successor is duly appointed and qualified. In appointing the director the governor should give due consideration to the listing of names submitted by the commission pursuant to section 4. The director shall serve at the pleasure of the governor.

A vacancy in the office of director shall be filled by the governor and the new appointee shall immediately take office and carry out all duties until the next session of the legislature when his appointment shall be submitted to the senate for confirmation.

The director may appoint a deputy who shall serve at his pleasure. The salaries of the director and the deputy shall be fixed by the governor until otherwise expressly provided for by law. The deputy may be authorized by the director to perform every duty, power and responsibility imposed on the director unless expressly forbidden by law. The director and his deputy shall serve in the unclassified service and shall be members of the Minnesota state retirement system.

Sec. 4. [CREATION OF COMMISSION; DUTIES.] Subdivision 1. There is hereby created a legislative commission on energy.

The commission shall be composed of three members from the senate, to be appointed by the committee on committees, three members from the house, to be appointed by the speaker and three public members to be appointed by the governor, no more than two to be of the same political party.

Subd. 2. The director of the office of legislative research shall serve as executive secretary of the commission. The commission shall utilize the office of legislative research and employ and specify the duties of such other officers, agents and employees as are necessary to carry out its functions.

Subd. 3. The commission shall:

(a) Submit to the governor a listing of ten persons whom it recommends for appointment as director;

(b) Review and evaluate policies adopted by the agency;

(c) Coordinate with the director of the agency and assist him in determining energy policies;

(d) Assist the director in eliminating duplication in effort among governmental departments and agencies involved in energy activities;

(e) Assist the director in charging governmental departments with specific information gathering goals and report such goals to the legislature and governor;

(f) Consult with the director and the agency on all matters regarding energy conservation;

(g) Routinely advise the director and the agency regarding the exercise of their other duties under this act;

(h) Continuously evaluate the energy policies of the state;

(i) Review and comment upon the other activities of the agency;

(j) Re-evaluate the report of the agency submitted pursuant to section 10;

(k) Recommend to the governor and the legislature any future energy legislation which it considers necessary or desirable;

(l) Submit an annual report of its activities to the governor and the legislature; and

(m) Include in its report to the 1975 legislative session and to the governor its assessment of the scope of the energy shortage in Minnesota and of the need for creating a permanent independent agency on energy.

Subd. 4. The commission shall expire on July 1, 1975 unless renewed by the legislature.

Sec. 5. [CONFLICT OF INTEREST.] No person shall be eligible to continue in office as director unless he has within six months after being appointed divested himself of any interest except fully vested pension rights in any utility, coal or petroleum supplier, or manufacturer of any major component of a large energy facility doing business within or outside this state.

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

Sec. 6. [JURISDICTION.] The agency has sole authority and responsibility for the administration of this act. Other laws notwithstanding, the authority granted the agency shall supersede the authority given any other agency whenever overlapping, dupli-

cation or additional administrative or legal procedures might occur in the administration of this act. The director shall consult with other state departments or agencies in matters related to energy and shall contract with them to provide appropriate services to effectuate the purposes of this act. Any other department, agency or official of this state or political subdivision thereof which would in any way affect the administration or enforcement of this act shall cooperate and coordinate all such activities with the agency to assure orderly and efficient administration and enforcement of this act.

The director shall designate a liaison officer from the agency whose duty shall be to insure the maximum possible consistency in procedures and to eliminate duplication between the division and the other agencies that may be involved in energy. The commissioner of administration shall, if and to the extent he deems it efficient and beneficial, transfer to the agency, pursuant to Minnesota Statutes, Sections 16.125, 16.13 and 16.135, the functions, employees or work of any agency of the state if such functions or work relate to or if such employees are engaged in matters which fall within the jurisdiction of the agency pursuant to this act.

Sec. 7. [DUTIES.] Subdivision 1. It shall be the duty of the director to:

(a) Manage the agency as the central repository within the state government for the collection of data on energy;

(b) Prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(c) Undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(d) Carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of this act;

(e) Collect and analyze data relating to present and future demands and resources for all sources of energy, and specify energy needs for the state and various service areas as a basis for planning large energy facilities;

(f) Require certificate of need for construction of large energy facilities;

(g) Evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of this act, and make recommendations for changes in energy pricing policies and rate schedules;

(h) Study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(i) Design a state program for the conservation of energy; this

program shall include but not be limited to, general commercial, industrial, and residential areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(j) Inform and educate the public about the ways in which persons can conserve energy;

(k) Dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation or the development of alternative energy technologies which conserve nonrenewable energy resources while creating minimum environmental impact;

(1) Charge other governmental departments and agencies involved in energy related activities with specific information gathering goals and require that those goals be met.

Sec. 8. [POWERS.] The director may:

(a) Adopt rules and regulations, pursuant to chapter 15 necessary to carry out the purposes of this act;

(b) Make all contracts pursuant to this act and do all things necessary to cooperate with the United States government, and to qualify for, accept and disburse any private grant intended for the administration of this act. Notwithstanding any other law the agency is designated the state agency to apply for, receive and accept federal funds made available to the state for the purposes of this act;

(c) Contract for professional services if such work or services cannot be satisfactorily performed by employees of the agency or by any other state agency;

(d) Enter into interstate compacts to jointly carry out such research and planning with other states or the federal government where appropriate;

(e) Distribute informational material at no cost to the public upon reasonable request.

Sec. 9. [ENERGY EMERGENCY ALLOCATION PLAN.] Subdivision 1. Within nine months after the effective date of this act, the director shall prepare and issue an emergency conservation and allocation plan in the manner set forth in subdivision 2. Such plan shall provide a variety of strategies and staged conservation measures to reduce energy use and in the event of an energy supply emergency, shall establish guidelines and criteria for allocation of fuels to priority users. The plan shall contain alternative conservation actions and allocation plans to reasonably meet various foreseeable shortage circumstances and allow a choice of appropriate responses. The plan shall be consistent with requirements of federal emergency energy conservation and allocation laws and regulations and shall:

(a) Give priority to individuals, institutions, agriculture and businesses which demonstrate they have engaged in energy-saving measures and shall include provisions to insure that:

(1) Immediate allocations to individuals, institutions, agricul-

ture and businesses be based on needs at energy conservation levels;

(2) Successive allocations to individuals, institutions, agriculture and businesses be based on needs after implementation of required action to increase energy conservation;

(3) Needs of individuals and institutions are adjusted to insure the health and welfare of the young, old and infirm;

(b) Insure maintenance of reasonable job safety conditions and avoid environmental sacrifices;

(c) Establish procedures for fair and equitable review of complaints and requests for special exemptions regarding emergency conservation measures or allocations.

Subd. 2. Within four months after the effective date of this act, the director shall circulate, in a manner designed to assure widespread public notice, a tentative plan of energy conservation measures and allocation priorities and criteria, and shall solicit, in a time, form and manner prescribed by him public comments thereon. Further the director may require all utilities, coal suppliers and petroleum suppliers to comment thereon, as prescribed by him, and to submit suggested emergency conservation measures and allocation criteria. The director may by written order, to the extent he deems appropriate, require joint preparation and submission of such comments and proposals by utilities, coal suppliers and petroleum suppliers. Industry participants in such co-operative planning, acting at the request of the director, shall be deemed thereby to have performed actions permitted by a regulatory body acting under authority of this state within the meaning of Minnesota Statutes, Section 325.8017, Subdivision 2.

Subd. 3. In the process of soliciting public comments on the tentative plan, the director shall hold at least five public meetings in various geographical areas of the state to insure public comment. The final plan shall be based on comments received from the public and utilities, coal suppliers and petroleum suppliers, the independent evaluation and analysis of the director and the guidelines set forth in subdivision 1.

Subd. 4. At least once every five years and whenever construction of a new large energy facility is completed which affects the supply of energy in Minnesota, the director shall review and if necessary revise the emergency conservation and allocation plan.

Subd. 5. Upon a declaration of an energy supply emergency by the executive council or the legislature, the director shall request the division of civil defense to implement and enforce the emergency conservation allocation plan. The executive council and the legislative commission may terminate an energy supply emergency at any time, but no energy supply emergency may continue for longer than 30 days unless renewed by the executive council and the legislative commission. Each renewed energy supply emergency may not continue for longer than 30 days. Each person shall carry out the responsibilities specified in the emergency conservation

allocation plan, and violation of any provision of such emergency conservation or allocation requirements shall be deemed a violation of this act and the rules or regulations promulgated thereunder for purposes of enforcement pursuant to section 15 hereof.

Sec. 10. [FORECASTS, STATISTICS AND INFORMATION.] Subdivision 1. In order to further the purposes of this act, the director shall develop and maintain an effective program of collection, compilation, and analysis of energy statistics. The statistical program shall be developed to insure a central state repository of energy data and so that the state may coordinate and cooperate with other governmental data collection and record keeping programs.

Subd. 2. In addition to supplying such current statistical and short range forecasting information as the director may require, each utility, coal supplier, petroleum supplier and large energy facility in the state shall prepare and transmit to the director by January 1, 1975, and every year thereafter, a report specifying in five, ten, and 20-year forecasts the projected demand for energy within their respective service areas and the facilities necessary to meet the demand.

The report shall be in a form specified by the director and contain all information deemed relevant by the director.

Subd. 3. The director shall, to the maximum extent feasible, provide that forecasts required under this section be consistent with material required by other state and federal agencies in order to prevent unnecessary duplication.

Subd. 4. Reports issued pursuant to this section shall be available for public inspection in the office of the agency during normal business hours.

Subd. 5. The director shall review and evaluate forecasts of energy demands and resources as they relate to the most current population growth and development estimates, statewide and regional land use, transportation, and economic development programs and forecasts.

Sec. 11. [STATE ENERGY POLICY AND CONSERVATION REPORT.] Subdivision 1. Beginning January 1, 1976, and at least every two years thereafter, the director shall transmit to the governor and the legislature a comprehensive report designed to identify emerging trends related to energy supply, demand, conservation, public health and safety factors, and to specify the level of statewide and service area energy need. The report shall include, but not be limited to, all of the following:

(a) A final report on the accuracy and acceptability of the energy forecasts received under section 10 and the alternatives to meeting that demand;

(b) An estimate of statewide and geographical area energy need for the forthcoming five and ten year period which, in the judgment of the director, will reasonably balance requirements of state and service area growth and development, protection of

public health and safety, preservation of environmental quality, and conservation of energy resources. Such forecasts established by the director shall serve as the basis for certification of large energy facilities in section 13;

(c) The anticipated level of statewide and geographical area energy demand for 20 years, which shall serve as the basis for long range action;

(d) The identification of potential adverse social, economic, or environmental effects caused by a continuation of the present energy demand trends;

(e) An assessment of the state's energy resources, including examination of the availability of commercially developable and imported fuels;

(f) The estimated reduction in annual energy consumption resulting from various energy conservation measures;

(g) The status of the department's ongoing studies;

(h) A description of the emergency allocation plan;

(i) Recommendations to the governor and the legislature for administrative and legislative actions to accomplish the purposes of this act.

Subd. 2. Prior to the preparation of a final report, the director shall issue a draft report to the legislative commission on energy, the environmental quality council and any person, upon request, and shall hold a public meeting. Notice of the public meeting shall be provided to each regional development commission.

Subd. 3. The director shall distribute the final report to any person upon request.

Sec. 12. [ENERGY CONSERVATION.] Subdivision 1. After consultation with the director and the commissioner of public safety, the commissioner of highways shall, pursuant to chapter 15, promulgate regulations establishing maximum energy use standards for street, highway and parking lot lighting. Such standards shall be consistent with overall protection of the public health, safety and welfare. No new highway, street or parking lot lighting shall be installed in violation of these regulations and existing lighting levels should be reduced consistent with the regulations as soon as feasible and practical, consistent with overall energy conservation.

Subd. 2. The director may investigate promotional practices by energy suppliers and, pursuant to chapter 15, may promulgate regulations to limit such practices in order to reduce the rate of growth of energy demand.

Subd. 3. After July 1, 1974, no new natural gas outdoor lighting shall be installed in the state.

Subd. 4. In recognition of the compelling need for energy conservation in order to safeguard the public health, safety and wel-

fare, it is necessary to provide building design and construction standards consistent with the most efficient use of energy. Therefore, the commissioner of administration, in consultation with the director, shall, no later than April 1, 1975, and pursuant to Minnesota Statutes, Chapter 15, promulgate building design and construction standards regarding heat loss control, illumination and climate control. Such standards shall apply to all new buildings and remodeling affecting heat loss control, illumination and climate control. Such standards shall be economically feasible in that the resultant savings in energy procurement shall exceed the cost of the energy conserving requirements amortized over the life of the building. The standards shall become part of the state building code and be effective six months after promulgation.

Subd. 5. The director, in conjunction with the commissioner of administration, shall conduct studies of the state's purchase and use of supplies, automobiles and equipment having a significant impact on energy use in order to determine the potential for energy conservation. The director may promulgate regulations to insure that energy use and conservation will be considered in state purchasing and, where appropriate, to require certain minimum energy efficiency standards in purchased products and equipment. No state purchasing of equipment or material use shall occur that is not in conformity with these regulations.

Subd. 6. In consultation with the director, the commissioner of highways shall begin an efficiency study of the present traffic flow system within the state. The study shall consider the feasibility of a computer-coordinated traffic system and other measures for increasing the efficiency of present traffic loads.

Subd. 7. The commissioner of administration shall begin a study of expanding the state telecommunication system to reduce travel between all state departments and agencies.

Subd. 8. The tax study commission shall study the feasibility of encouraging car pools and private busing through the use of tax incentives.

Subd. 9. In conjunction with the motor vehicle services division, the director shall study the feasibility of modifying motor vehicle license fees to reflect energy consumption.

Sec. 13. [CERTIFICATE OF NEED.] Subdivision 1. Within six months after the submission of the first biennial report the director shall, pursuant to chapter 15 and this act, promulgate assessment of need criteria to be used in the determination of need for large energy facilities pursuant to this section.

Subd. 2. After promulgation of the assessment of need criteria, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the director pursuant to this act and consistent with the criteria for assessment of need.

Subd. 3. No proposed large energy facility shall be certified for

construction unless the applicant has justified its need. In assessing need, the director shall evaluate:

(1) The accuracy of the long range energy demand forecasts on which the necessity for the facility is based;

(2) The effect of existing or possible energy conservation programs under this act or other federal or state legislation on long term energy demand;

(3) The relationship of the proposed facility to overall state energy needs;

(4) Promotional activities which may have given rise to the demand for this facility;

(5) Socially beneficial uses of the output of this facility, including its uses to protect or enhance environmental quality;

(6) The effects of the facility in inducing future development;

(7) Possible alternatives for satisfying the energy demand including but not limited to potential for increased efficiency of existing energy generation facilities;

(8) The policies, rules and regulations of other state and federal agencies and local governments.

Subd. 4. After promulgation of the criteria for assessment of need, any utility, coal supplier or petroleum supplier shall apply for a certificate of need to construct a new large energy facility. The application shall be on forms and in a manner established by the director. In reviewing each application the director shall hold at least one public hearing pursuant to chapter 15.

Subd. 5. Within six months of the submission of an application, the director shall approve or deny a certificate of need for the facility. Such approval or denial of the certificate shall be accompanied by a statement of the reasons for the decision. Issuance of the certificate may be made contingent upon modifications required by the director.

Subd. 6. Any application for a certificate of need shall be accompanied by a fee not to exceed \$50,000. The director shall establish by regulation pursuant to chapter 15 and this act, a schedule of fees based on the output or capacity of the facility and the difficulty of assessment of need. Funds collected in this manner shall be credited to the general fund of the state treasury.

Subd. 7. Other state agencies authorized to issue permits for siting, construction or operation of large energy facilities shall present their position regarding need and participate in the public hearing process prior to the issuance or denial of a certificate of need. Issuance or denial of certificates of need shall be the sole and exclusive prerogative of the director and said determinations and certificates shall be binding upon other state departments and agencies, regional, county and local governments and special purpose government districts except as provided in Laws 1973, Chapter 342 and Chapter 412, Section 4, Subdivision 9.

Subd. 8. This section shall not apply in any case where the direc-

tor shall determine after being advised by the attorney general that its application has been preempted by federal law.

Sec. 14. [SUBPOENA POWER.] The director shall have the power, for the purposes of this act, to issue subpoenas for production of books, records, correspondence and other information and to require attendance of witnesses. Such subpoenas may be served anywhere in the state by any person authorized to serve processes of courts of record. If a person does not comply with a subpoena, the director may apply to the district court of Ramsey county and the court shall compel obedience to the subpoena by a proper order. A person failing to obey the order is punishable by the court as for contempt.

Sec. 15. [ENFORCEMENT, PENALTIES.] Subdivision 1. Any person who violates this act or any rule or regulation promulgated hereunder or knowingly submits false information in any report required by this act shall be guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

Subd. 2. The provisions of this act or any rules or regulations promulgated hereunder may be enforced by injunction, action to compel performance or other appropriate action in the district court of the county wherein the violation takes place. The attorney general shall bring any action under this subdivision upon the request of the director, and the existence of an adequate remedy at law shall not be a defense to an action brought under this subdivision.

Subd. 3. When the court finds that any person has violated this act or any rule or regulation thereunder, has knowingly submitted false information in any report required by this act, or has violated any court order issued under this act, the court may impose a civil penalty of not more than \$10,000 for each violation. These penalties shall be paid to the general fund in the state treasury.

Sec. 16. Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2, is amended to read:

Subd. 2. The council shall include as permanent members the director of the state planning agency, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the executive officer of the department of health, the commissioner of highways, *the director of the Minnesota energy agency*, a representative of the governor's office designated by the governor, the chairman of the citizens advisory committee, and three other members of the citizens advisory committee as designated by the governor.

Sec. 17. [APPROPRIATIONS.] The agency is hereby authorized positions either permanent or temporary upon approval by the legislative advisory committee of the agency's work program, priorities and proposed job assignments. There is appropriated to the director of the energy agency from the general fund the sum of \$30,000 for preliminary organization of the agency upon passage of this act. Such other financing as may be required shall be from the general contingent account and shall be authorized prior to the employment of personnel. There is hereby appropriated to the

general contingent account for fiscal year 1974-1975 from the general fund the sum of \$320,000. There is hereby appropriated to the legislative commission on energy from the general fund the sum of \$30,000 for fiscal year 1974-1975.

Sec. 18. [EFFECTIVE DATE.] This act is effective the day following final enactment.

Sec. 19. [EXPIRATION DATE.] The provisions of this act shall expire December 31, 1979 unless renewed by the legislature."

Further, amend the title in line 2 by striking "a" and in line 3 by striking "department of energy" and inserting in lieu thereof "the Minnesota energy agency"

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

House Conferees: (Signed) Willard M. Munger, William N. Kelly, Richard A. Andersen

Senate Conferees: (Signed) George R. Conzemius, Winston W. Borden, Harmon T. Ogdahl

CALL OF THE SENATE

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

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

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

Mr. Conzemius moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2675 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. 2675: A bill for an act relating to energy; establishing the Minnesota energy agency; providing for a central repository for state energy data; providing for the declaration of an energy emergency; requiring an emergency allocation plan; promulgation of specific energy conservation regulations; biennial energy reports; energy and energy conservation studies and research; certificate of need for construction of large energy facilities; prescribing penalties; appropriating money; amending Minnesota Statutes, 1973 Supplement, Section 116C.03, Subdivision 2.

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 43 and nays 12, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Novak	Solon
Arnold	Doty	Keefe, S.	Ogdahl	Spear
Ashbach	Dunn	Kirchner	Olhoft	Stassen
Bang	Fitzsimons	Lewis	Olson, A. G.	Tennessen
Bernhagen	Gearty	Lord	Olson, H. D.	Thorup
Borden	Hansen, Baldy	McCutcheon	O'Neill	Wegener
Chmielewski	Hansen, Mel	Milton	Perpich, G.	Willet
Coleman	Hughes	Moe	Pillsbury	
Conzemius	Humphrey	Nelson	Schaaf	

Those who voted in the negative were:

Blatz	Knutson	Larson	Purfeerst	Schrom
Hanson, R.	Kowalczyk	Olson, J. L.	Renneke	Sillers
Jensen	Krieger			

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

Mr. Bang gave notice of intention to move for reconsideration of H. F. No. 2675.

Mr. Conzemius moved that the vote whereby H. F. No. 2675 was passed by the Senate on March 26, 1974, be now reconsidered.

The question being taken on adoption of the motion,

And the roll being called, there were yeas 8 and nays 42, as follows:

Those who voted in the affirmative were:

Blatz	Jensen	Krieger	Olson, J. L.	Ueland
Hansen, Mel	Knutson	Larson		

Those who voted in the negative were:

Anderson	Fitzsimons	Lord	Olson, H. D.	Spear
Arnold	Gearty	McCutcheon	O'Neill	Stassen
Bernhagen	Hansen, Baldy	Milton	Perpich, G.	Tennessen
Borden	Hughes	Moe	Pillsbury	Thorup
Chmielewski	Humphrey	Nelson	Purfeerst	Wegener
Coleman	Keefe, S.	Novak	Schaaf	Willet
Conzemius	Kirchner	Ogdahl	Schrom	
Davies	Kowalczyk	Olhoft	Sillers	
Doty	Lewis	Olson, A. G.	Solon	

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

RECONSIDERATION

Mr. Lord moved that the vote whereby H. F. No. 1896 failed to pass the Senate on March 25, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

H. F. No. 1896: A bill for an act relating to telephone companies; costs to be charged to telephone companies for investigative procedures initiated by the department of public service; amending

Minnesota Statutes 1971, Section 237.29, Subdivision 1; and repealing Minnesota Statutes 1971, Section 237.32.

Mr. Lord moved to amend H. F. No. 1896, the printed bill, as follows:

Page 1, line 8, after "company" and before "shall" insert ", except those serving 25 customers or less,"

Mr. Olson, H. D. moved to amend the Lord amendment to H. F. No. 1896, the printed bill, as follows:

Strike "25" and insert "500"

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

The question recurred on the adoption of the Lord amendment. The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

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

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

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

H. F. No. 1896 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. Lord moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 22 and nays 29, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Keefe, S.	Olson, A. G.	Ueland
Borden	Gearty	Lewis	Olson, H. D.	Wegener
Coleman	Hughes	Lord	Purfeerst	
Davies	Humphrey	Novak	Solon	
Doty	Josefson	Olhoft	Spear	

Those who voted in the negative were:

Anderson	Conzemius	Kirchner	Nelson	Schrom
Arnold	Fitzsimons	Knutson	Olson, J. L.	Sillers
Ashbach	Hansen, Baldy	Kowalczyk	O'Neill	Stassen
Bernhagen	Hansen, Mel	Larson	Perpich, G.	Tennessen
Blatz	Hanson, R.	McCutcheon	Pillsbury	Willet
Chmielewski	Jensen	Moe	Renneke	

So the bill, as amended, failed to pass.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

Arnold	Dunn	Kirchner	Ogdahl	Spear
Bang	Fitzsimons	Kowalczyk	Olhoff	Stassen
Bernhagen	Gearty	Krieger	Olson, A. G.	Stokowski
Blatz	Hansen, Baldy	Larson	Olson, J. L.	Tennessen
Borden	Hanson, R.	Lewis	Pillsbury	Ueland
Chmielewski	Humphrey	Lord	Purfeerst	Willet
Coleman	Jensen	Milton	Renneke	
Conzemius	Josefson	Nelson	Schaaf	
Doty	Keeffe, S.	North	Schrom	

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

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. 2360, pursuant to the request of the House:

Messrs. Conzemius, Krieger, Coleman.

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. 452, pursuant to the request of the House:

Messrs. O'Neill, Doty, Humphrey.

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

Without objection, the Senate reverted to the Order of Business of Messages from the House, remaining on the Order of Business of Motions and Resolutions.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 3090:

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

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

Niehaus, Patton and LaVoy have been appointed as such committee on the part of the House.

House File No. 3090 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 26, 1974

Mr. Conzemius moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 3090, 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.

RECONSIDERATION

Mr. Conzemius renewed his motion that the vote whereby H. F. No. 2837 was passed by the Senate on March 22, 1974, be now reconsidered. The motion prevailed. So the vote was reconsidered.

H. F. No. 2837: A bill for an act relating to intoxicating liquor; authorizing off-sale of certain wines by certain manufacturers; amending Minnesota Statutes 1971, Section 340.13, Subdivision 1.

With the unanimous consent of the Senate, Mr. Conzemius moved to strike the amendments made to H. F. No. 2837 by the Committee on Labor and Commerce, adopted March 2, 1974, and the amendment by Mr. Conzemius, adopted March 20, 1974.

The motion prevailed. So the amendments were stricken.

H. F. No. 2837 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 7, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, S.	Nelson	Schaaf
Arnold	Conzemius	Knutson	North	Schrom
Ashbach	Dunn	Kowalczyk	Ogdahl	Sillers
Bang	Gearty	Larson	Olhoft	Solon
Blatz	Hansen, Baldy	Lewis	Olson, A. G.	Spear
Borden	Hanson, R.	Lord	Olson, H. D.	Stokowski
Chenoweth	Humphrey	McCutcheon	Perpich, G.	Tennessen
Chmielewski	Jensen	Milton	Pillsbury	Ueland

Those who voted in the negative were:

Bernhagen	Hansen, Mel	Novak	Olson, J. L.	Renneke
Doty	Josefson			

So the bill passed 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. 1866, and repassed said bill in accordance with the report of the Committee, so adopted.

H. F. No. 1866: A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

House File No. 1866 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 26, 1974

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1866

A bill for an act relating to public welfare; providing for supplementary assistance payments to recipients; providing for the administration and agency and judicial review thereof.

March 22, 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. 1866, report that we have agreed upon the items in dispute and recommend as follows:

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

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

Subd. 2. "Supplemental security income" means benefits paid under the federal program of supplemental security income for the aged, blind, and disabled, Title XVI of the Social Security Act, as enacted by section 301 of the Social Security Amendments of 1972.

Subd. 3. "Applicant for supplemental security income" means an individual who has applied for supplemental security income and who, but for excess income or resources, would be a recipient of supplemental security income.

Subd. 4. "Supplemental aid" means state and county payments to eligible applicants for or recipients of supplemental security income, in accordance with the provisions of this act and rules and regulations promulgated by the commissioner of welfare.

Subd. 5. "Commissioner" means the commissioner of public welfare or his designee.

Subd. 6. "Department" means the department of public welfare.

Subd. 7. "Local agency" means the county welfare boards in the several counties of the state except that it may also include any multi-county welfare boards or departments where those have been established in accordance with law.

Subd. 8. "Income" means earned and unearned income from any source whatsoever, reduced by amounts paid for federal and state personal income taxes and federal social security taxes.

Sec. 2. [1973 CATEGORICAL AID RECIPIENTS, PROVISIONS FOR SUPPLEMENTAL AID.] Subdivision 1. Commencing January 1, 1974, the commissioner shall certify to each local agency the names of all county residents who were eligible for and did receive aid during December, 1973 pursuant to a categorical aid program of old age assistance, aid to the blind, or aid to the disabled. From and after January 1, 1974, the state and the county shall each pay one half of the supplemental aid calculated for each county resident certified under this section who is an applicant for or recipient of supplemental security income. The amount of supplemental aid for each individual eligible under this section shall be calculated pursuant to the formula prescribed in Title II, Section 212 (a) (3) of Public Law 93-66, as amended.

Subd. 2. An individual eligible for supplemental aid under this section may renounce his or her rights to aid under this section and become eligible for supplemental aid under the provisions of section 3 of this act; or, the individual may retain eligibility under this section and have the amount of his or her supplemental aid recalculated pursuant to the provisions of section 4 of this act.

Sec. 3. [NEW APPLICANTS AND RECIPIENTS; PROVISIONS FOR SUPPLEMENTAL AID.] Subdivision 1. For all applicants for or recipients of supplemental security income who did not receive aid pursuant to any categorical aid program referred to in section 2 during December, 1973, and who make application to the appropriate local agency, the local agency shall determine whether the individual meets the eligibility criteria prescribed in subdivision 2. For each individual who meets the relevant eligibility criteria prescribed in subdivision 2, the local agency shall certify to the commissioner the amount of supplemental aid to which the individual is entitled in accordance with all of the standards in effect December 31, 1973, for the appropriate categorical aid program. In computing the amount of supplemental aid under this section, the local agency shall deduct from the gross amount of the individual's determined needs all income, subject to the criteria for income disregards in effect December 31, 1973, for the appropriate categorical aid program. From and after the first of the month in which an effective application is filed, the state and the county shall each pay one half of the supplemental aid to which the individual is entitled under this section.

Subd. 2. The eligibility criteria for supplemental aid under this section shall be those in effect December 31, 1973 for the categorical aid programs of old age assistance, aid to the blind, and aid to the disabled. The local agency shall apply the relevant criteria to

each application. Effective July 1, 1974, the real property equity limitation for applicants other than the blind shall be \$12,000. Effective January 1, 1975, the real property equity limitation for all applicants for supplemental aid under this section shall be \$15,000. The local agency in its discretion may permit eligibility of an applicant having assets in excess of the amount prescribed in this section if liquidation of the assets would cause undue loss or hardship.

Sec. 4. [RECALCULATION OF SUPPLEMENTAL AID IN CASES OF CHANGED CIRCUMSTANCES.] A recipient of supplemental aid may, if his or her circumstances change substantially after becoming a recipient of supplemental aid, have the amount of his or her aid recalculated in accordance with the standards set forth in section 3.

Sec. 5. [FISCAL AND ADMINISTRATIVE PROCEDURES.] The commissioner of public welfare shall supervise county administration of supplemental aid, and shall, by rule and regulation, establish necessary administrative and fiscal procedures. The procedures may include, but not be limited to:

(a) Procedures for processing claims of the counties for reimbursement by the state for expenditures made by the counties;

(b) Procedures by which county liability for supplemental aid may be deducted from state liability to the county under any other public assistance program authorized by law;

(c) Procedures by which the local agencies may contract with the commissioner of public welfare for state administration of supplemental aid.

Sec. 6. [ADMINISTRATIVE AND JUDICIAL REVIEW.] Any applicant or recipient aggrieved by an order or determination of the local agency may appeal the order or determination in the manner provided by Minnesota Statutes, 1973 Supplement, Section 245A.12.

Sec. 7. [RULES AND REGULATIONS.] The commissioner of public welfare shall promulgate all rules and regulations necessary to carry out the provisions of this act; and may enter into any contracts and agreements necessary for the administration of supplemental aid.

Sec. 8. [SPECIAL 1974 FISCAL PROCEDURES.] Notwithstanding any law to the contrary, any county board of commissioners may, by majority vote at any time following the effective date of this act, transfer surplus funds to the appropriate fund for purposes of this act; and it may immediately levy taxes and issue certificates of indebtedness in anticipation of collection of said taxes, for the purpose of providing money necessary to pay supplemental aid as required by this act during the calendar year 1974.

Sec. 9. Minnesota Statutes, 1973 Supplement, Section 261.063, is amended to read:

261.063 [TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.] The board of county commis-

sioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for poor relief, general assistance, aid to dependent children, *county share of county and state supplemental aid to supplemental security income applicants or recipients*, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

Sec. 10. Except as otherwise provided in section 3, this act shall be effective April 1, 1974; provided, however, that payments authorized under section 2 shall be made retroactive to January 1, 1974."

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

"A bill for an act relating to public welfare; providing supplemental aid to certain supplemental security income applicants and recipients after December 31, 1973; providing a penalty for failure to levy taxes for the purposes of county supplementation of supplemental security income applicants and recipients; amending Minnesota Statutes, 1973 Supplement, Section 261.063."

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

House Conferees: (Signed) M. J. McCauley, Thomas H. Resner, Don Samuelson

Senate Conferees: (Signed) Roger D. Moe, William G. Kirchner, Robert J. Tennesen

Mr. Tennesen moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1866 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. 1866: A bill for an act relating to public welfare; providing supplemental aid to certain supplemental security income applicants and recipients after December 31, 1973; providing a penalty for failure to levy taxes for the purposes of county supplementation of supplemental security income applicants and recipients; amending Minnesota Statutes, 1973 Supplement, Section 261.063.

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	Nelson	Schaaf
Arnold	Doty	Kirchner	North	Schrom
Ashbach	Dunn	Knutson	Novak	Sillers
Bang	Gearty	Kowalczyk	Olhoft	Solon
Bernhagen	Hansen, Bald	Larson	Olson, A. G.	Spear
Blatz	Hansen, Mel	Lewis	Olson, H. D.	Stassen
Borden	Hanson, R	Lord	Olson, J. L.	Stokowski
Chenoweth	Hughes	McCutcheon	Perpich, G.	Tennessen
Chmielewski	Jensen	Milton	Pillsbury	Ueland
Coleman	Josefson	Moe	Renneke	

So the bill, as amended by the Conference Committee, was re-passed 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. 2120, and re-passed said bill in accordance with the report of the Committee, so adopted.

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.

House File No. 2120 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 26, 1974

CONFERENCE COMMITTEE REPORT ON 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.

March 25, 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. 2120, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments and that H. F. No. 2120, the printed bill, be further amended as follows:

Page 1, line 3, strike "*initially*"

Page 1, line 4, after "receives" insert "*on or*"

Page 1, line 5, after "week" and before the period insert "*as adjusted*"

Page 1, line 5, strike "*Thereafter,*"

Page 1, line 6, strike "*January 1, 1975*" and insert "*July 1, 1974*"

Page 1, line 7, after "*be*" strike the remainder of the line

Page 1, line 8, strike everything through the word "*annually*"

Page 1, line 9, strike "*of each prior year*" and insert "*then in effect*"

Page 1, line 11, after the word "*January*" insert the words "*of the year*"

Page 1, line 13, after the word "*January*" insert the words "*of the year*"

Page 1, line 14, after "*effect*" and before the period, insert the words "*and raising the product to the next highest full dollar amount*"

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

House Conferees: (Signed) Donald Moe, David Cleary, John Sarna

Senate Conferees: (Signed) John Milton, Baldy Hansen, Otto T. Bang, Jr.

Mr. Milton moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2120 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. 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.

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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Borden	Dunn	Josefson	Lewis
Arnold	Chenoweth	Gearty	Keefe, S.	Lord
Ashbach	Chmielewski	Hansen, Baldy	Kirchner	McCutcheon
Bang	Coleman	Hansen, Mel	Knutson	Milton
Bernhagen	Conzemius	Hanson, R.	Kowalczyk	Moe
Blatz	Doty	Jensen	Larson	Nelson

North	Olson, A. G.	Pillsbury	Sillers	Stokowski
Novak	Olson, H. D.	Renneke	Solon	Tennessen
Ogdahl	Olson, J. L.	Schaaf	Spear	Ueland
Olhoft	Perpich, G.	Schrom	Stassen	Willet

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

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2703

A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review committee; authorizing a tax levy upon property within the metropolitan transit taxing district.

March 25, 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. 2703, 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. 2703 be amended as follows:

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

"Section 1. [METROPOLITAN TRANSIT COMMISSION; AUTOMATED SMALL VEHICLE FIXED GUIDEWAY SYSTEM; PLANNING.] Subdivision 1. The metropolitan transit commission shall develop plans for an automated small vehicle fixed guideway system capable of development into a regional type system. In preparing its plans, the metropolitan transit commission shall include recent studies and developments in transit technology. The metropolitan council shall cooperate with the metropolitan transit commission and provide general policy guidance in developing the plans. The plans shall be subject to review by the metropolitan council in accordance with the provisions of section 3 of this act. The plans shall provide for demand activated origin to destination service, at least during non-peak or non-rush hour periods. "Demand activated" means, for the purpose of this section, that a vehicle is waiting or comes within a very short time for the use of one individual or party. "Origin to destination" means, for the purpose of this section, that the vehicle travels to any other station in the system without stops or transfers.

Subd. 2. The metropolitan transit commission shall issue written monthly reports to the metropolitan council and to members of the House and Senate metropolitan and urban affairs committees summarizing the status of the studies described in this sec-

tion. After final approval by the council of the study design for the development of the plans, and before the study is begun or consultants are hired, the metropolitan transit commission shall present the study design to a joint meeting of the House and Senate committees on metropolitan and urban affairs at which public testimony shall be taken.

Subd. 3. The plans shall provide for a safe and reliable system which is compatible with local circulation routes and which is adaptable to carry freight as well as passengers. The plans shall have a positive impact on efforts to minimize urban sprawl.

Subd. 4. The system shall be flexible to allow for expansion and improvement in order to accommodate changes made possible by changes in technology. The system shall be designed so as to maximize compatibility with the environment, including, but not limited to, such techniques as tunneling, to the extent practically and economically feasible; and above-ground guideways, designed to be as small as possible and aesthetically coordinated with the surrounding community.

Subd. 5. The plans shall specify general routes, route mileage, vehicle size, vehicle type and other technical matters.

Subd. 6. The plans shall be in such form that direct, valid comparison can be made with the other mass transit options reported in metropolitan transit commission consultant report III-A-2 on the following factors: capital cost, operating cost, 30-year net present cost, number of riders, completion date, route miles, safety, reliability, environmental impact, effect on development in the metropolitan area, reduction of energy requirements, capacity to meet future passenger levels higher than estimated, and technological feasibility. The final report of the commission required in section 3 shall be based on a thorough alternative systems analysis.

Sec. 2. [TAX LEVY; SMALL VEHICLE FIXED GUIDEWAY SYSTEM PLANNING.] Subdivision 1. The metropolitan transit commission shall levy for the planning program authorized by this act upon all taxable property within the metropolitan transit taxing district a tax in excess of all taxing limitations, without affecting the amount or rate of taxes which may be levied by the commission for other purposes or by any local government in the area. The levy made for the purposes of sections 1 to 3 of this act shall not exceed one-twentieth of a mill on each dollar of assessed valuation of all taxable property in the metropolitan transit taxing district. The certification and collection of the tax levied pursuant to this section shall be accomplished in accordance with Minnesota Statutes, Section 473A.111, Subdivision 3.

Subd. 2. This section shall be effective for taxes assessed in 1974 and payable in 1975.

Sec. 3. [METROPOLITAN COUNCIL REVIEW.] The metropolitan transit commission shall submit its study design for the development of the plans to the metropolitan council for prompt review and approval. The commission shall not alter or revise

the study design unless agreed to by the council. In addition, before any consultant is hired for the purposes of this act he shall have his contract for employment approved by the metropolitan council. The metropolitan transit commission shall submit a report to the metropolitan council and to the legislature by January 1, 1975, on the plans it has considered and its final recommendations. Based upon the plans developed according to section 1 of this act, the metropolitan council shall make a final report to the legislature on its findings and recommendations based upon the metropolitan council's development guide on or before February 1, 1975.

Sec. 4. Following the approval by the legislature of the council's final report required under section 3 of this act, the metropolitan transit commission shall prepare socioeconomic and environmental impact studies, and preliminary engineering studies for a transit development program based on the recommendations contained in the final report.

Sec. 5. This act is effective on the date following its final enactment."

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

"A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; authorizing tax levies upon property within the metropolitan transit taxing district."

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

Senate Conferees: (Signed) John C. Chenoweth, Robert D. North, William G. Kirchner

House Conferees: (Signed) Richard Andersen, John Tomlinson, John J. Salchert

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2703 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. 2703: A bill for an act relating to metropolitan public transit; directing the metropolitan transit commission to plan an automated small vehicle fixed guideway system; establishing a joint metropolitan transit planning legislative review committee; authorizing a tax levy upon property within the metropolitan transit taxing district.

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 43 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	North	Sillers
Arnold	Fitzsimons	Knutson	Novak	Solon
Bernhagen	Gearty	Kowalczyk	Olhoft	Spear
Borden	Hansen, Mel	Lewis	Olson, A. G.	Stassen
Chenoweth	Hanson, R.	Lord	Olson, H. D.	Stokowski
Chmielewski	Hughes	McCutcheon	Pillsbury	Tennessee
Coleman	Humphrey	Milton	Purfeerst	Thorup
Conzemius	Jensen	Moe	Renneke	
Doty	Keefe, S.	Nelson	Schaaf	

Those who voted in the negative were:

Bang	Hansen, Baldy	Larson	Perpich, G.	Ueland
Blatz	Josefson	Olson, J. L.	Schrom	Willett

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Committee on Rules and Administration, designated H. F. No. 3470, No. 21 on the General Orders Calendar, a Special Order to be heard immediately.

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

CALL OF THE SENATE

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

Anderson	Fitzsimons	Knutson	Ogdahl	Sillers
Ashbach	Gearty	Kowalczyk	Olhoft	Solon
Bang	Hansen, Mel	Larson	Olson, J. L.	Spear
Bernhagen	Hanson, R.	Lewis	O'Neill	Stassen
Blatz	Hughes	Lord	Perpich, G.	Stokowski
Borden	Humphrey	McCutcheon	Pillsbury	Thorup
Chenoweth	Jensen	Milton	Purfeerst	Ueland
Chmielewski	Josefson	Moe	Renneke	Wegener
Doty	Keefe, S.	Nelson	Schaaf	Willett
Dunn	Kirchner	North	Schrom	

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

H. F. No. 3470 was read the third time, and placed on its final passage.

The question being taken on the passage of the bill,

Mr. Jensen moved that those not voting be excused from voting. The motion did not prevail.

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

And the roll being called, there were yeas 23 and nays 26, as follows:

Those who voted in the affirmative were:

Borden	Gearty	Lord	Olhoff	Solon
Chenoweth	Hughes	McCutcheon	Perpich, G.	Stokowski
Coleman	Humphrey	Milton	Purfeerst	Willet
Conzemius	Keefe, S.	Moe	Schaaf	
Doty	Lewis	Ogdahl	Schrom	

Those who voted in the negative were:

Ashbach	Fitzsimons	Knutson	Olson, J. L.	Stassen
Bang	Hansen, Mel	Kowalczyk	O'Neill	Ueland
Bernhagen	Hanson, R.	Larson	Pillsbury	
Blatz	Jensen	Nelson	Renneke	
Chmielewski	Josefson	North	Sillers	
Dunn	Kirchner	Olson, H. D.	Spear	

So the bill failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Wednesday, March 27, 1974. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate.