

## TWENTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 20, 1975

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

### CALL OF THE SENATE

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

Arnold	Dunn	Kowalczyk	Olson, A. G.	Spear
Berg	Frederick	Larson	Olson, J. L.	Stumpf
Bernhagen	Hansen, Baldy	Laufenburger	Patton	Ueland
Brataas	Hanson, R.	Lewis	Perpich, A. J.	Willet
Brown	Humphrey	McCutcheon	Perpich, G.	
Coleman	Keefe, J.	Milton	Pillsbury	
Davies	Keefe, S.	Moe	Purfeerst	
Doty	Kleinbaum	Olhoft	Schrom	

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

Prayer was offered by the Chaplain, Rev. George W. Chant.

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

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

The President declared a quorum present.

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

### MEMBERS EXCUSED

Mr. Ashbach was excused from the early part of today's Session. Mr. Kirchner was excused from the Session of today.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

March 14, 1975

The Honorable Alec Olson  
President of the Senate  
State of Minnesota

Dear Sir:

The following appointment to the State Board of Human Rights is hereby submitted to the Senate for confirmation as required by law:

Earl D. Craig, 400 Groveland Avenue, Minneapolis, Hennepin County, effective March 14, 1975, for a term expiring January 1, 1978.

Sincerely,  
Wendell R. Anderson, Governor

Referred to the Committee on Governmental Operations.

March 14, 1975

The Honorable Alec Olson  
President of the Senate  
State of Minnesota

Dear Sir:

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

John Knapp, Albany, Stearns County, effective March 1, 1975, for a term expiring March 1, 1981.

Sincerely,  
Wendell R. Anderson, Governor

Referred to the Committee on Taxes and Tax Laws.

March 19, 1975

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. 7, An act relating to motor vehicle registration; exempting trailers used by farmers to carry liquid fertilizer from licensing requirements;

S. F. No. 19, An act relating to metropolitan government; reorganizing various laws relating to the metropolitan council, metropolitan commissions and other metropolitan governmental entities;

S. F. No. 103, An act relating to the Gillette hospital authority; authorizing use of certified public accountants to audit and examine the financial records of the authority;

S. F. No. 348, An act relating to insurance; modifying regulations of farmers and township mutual insurance companies.

Sincerely,  
Wendell R. Anderson, Governor

#### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time and referred to the committees indicated.

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

S. F. No. 991: A bill for an act relating to sales, consumer credit; providing for maximum finance charges and a penalty.

Referred to the Committee on Labor and Commerce.

Mr. Willet introduced—

S. F. No. 992: A bill for an act relating to taxation; providing a sales and use tax exemption for elderly, disabled and poor persons for heating products; appropriating money; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Chmielewski introduced—

S. F. No. 993: A bill for an act relating to highways; adding an additional leg or alternative route to the highway route designated as the Voyageur highway; amending Minnesota Statutes 1974, Section 161.14, Subdivision 18.

Referred to the Committee on Transportation and General Legislation.

Mr. Perpich, A. J. introduced—

S. F. No. 994: A bill for an act relating to taxation; assessment and collection of personal property taxes on mobile homes; amending Minnesota Statutes 1974, Section 273.13, Subdivision 3; and Chapter 274, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Purfeerst and Merriam introduced—

S. F. No. 995: A bill for an act relating to agriculture; requiring the regulation of the spraying and dusting of crops; requiring the regulation of agricultural pest control; weed seed; regulating economic poisons and devices; amending Minnesota Statutes 1974, Sections 18.033, by adding a subdivision; 18A.07; 21.47, Subdivisions 8 and 9; 21.49, Subdivision 1; and 24.074.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Humphrey and Schaaf introduced—

S. F. No. 996: A bill for an act establishing a special advisory committee on presidential primary elections; appropriating money.

Referred to the Committee on Transportation and General Legislation.

Mr. Olhoft introduced—

S. F. No. 997: A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain lands in the county of Otter Tail.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Ogdahl, Gearty and Purfeerst introduced—

S. F. No. 998: A bill for an act relating to the state building code; extending its application to all municipalities and new buildings; authorizing municipalities to adopt and enforce building maintenance codes; clarifying state agency rulemaking regarding building code subject matter; clarifying appeals to the commissioner; limiting surcharge computation to valuation; amending Minnesota Statutes 1974, Sections 16.84; 16.851; 16.86, Subdivision 4; 16.863; 16.866, Subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Sillers, Chenoweth and Fitzsimons introduced—

S. F. No. 999: A bill for an act relating to education; tax levies; increasing the levy for districts participating in educational service areas; amending Minnesota Statutes 1974, Section 275.125, Subdivision 3.

Referred to the Committee on Education.

Messrs. Olson, A. G.; Kowalczyk and Laufenburger introduced—

S. F. No. 1000: A bill for an act relating to banks; authorizing consumer banking facilities.

Referred to the Committee on Labor and Commerce.

Messrs. O'Neill, Chenoweth and Brown introduced—

S. F. No. 1001: A bill for an act relating to education; handicapped children; providing additional instruction for mentally retarded pupils; amending Minnesota Statutes 1974, Section 120.17, by adding a subdivision.

Referred to the Committee on Education.

Messrs. Spear, Bang and Laufenburger introduced—

S. F. No. 1002: A bill for an act relating to insurance; requiring

that certain residual liability insurance coverage plans be offered to owners of certain motorcycles under the Minnesota no-fault automobile insurance act; amending Minnesota Statutes 1974, Sections 65B.48, Subdivision 5; and 65B.49, by adding a subdivision.

Referred to the Committee on Labor and Commerce.

Messrs. Hansen, Baldy; Laufenburger and Keefe, S. introduced—

S. F. No. 1003: A bill for an act relating to insurance; requiring insurers to reduce premiums for a husband and wife insured under separate employee group insurance policies covering hospital and medical expense.

Referred to the Committee on Labor and Commerce.

Messrs. Hansen, Baldy; Bang and Keefe, S. introduced—

S. F. No. 1004: A bill for an act relating to insurance; requiring insurers of employee group insurance policies covering hospital and medical expense to coordinate benefits when a husband and wife are covered under separate policies.

Referred to the Committee on Labor and Commerce.

Messrs. Hansen, Baldy; Laufenburger and Keefe, J. introduced—

S. F. No. 1005: A bill for an act relating to insurance; prohibiting the issuance of certain policies purporting to limit or decrease coverage on account of other policies carried by the insured; amending Minnesota Statutes 1974, Sections 62A.03, by adding a subdivision; and 62C.14, by adding a subdivision.

Referred to the Committee on Labor and Commerce.

Messrs. Keefe, J. and Bang introduced—

S. F. No. 1006: A bill for an act relating to the legislature; regulating procedure for bills in committees.

Referred to the Committee on Rules and Administration.

Messrs. Olhoft, Larson and Laufenburger introduced—

S. F. No. 1007: A bill for an act relating to public contracts; providing an exception to the prohibition against interest of public officers in certain governmental units; amending Minnesota Statutes 1974, Section 471.88, Subdivision 5.

Referred to the Committee on Local Government.

Messrs. Nelson, Lewis and Milton introduced—

S. F. No. 1008: A bill for an act relating to health; establishing a program for the care of persons suffering from hemophilia; provid-

ing for an advisory committee to act with the department of health to implement the program; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Olson, H. D. introduced—

S. F. No. 1009: A bill for an act relating to agriculture; licensing; fees; amending Minnesota Statutes 1974, Sections 17.35, Subdivision 6; 18.032, Subdivision 6; 18.53; 18.54, Subdivision 1; 18A.02, Subdivision 3; 21.54, Subdivision 2; 24.072, Subdivisions 2 and 4; 28A.03; 28A.04; 28A.05; 28A.08; 28A.09; 28A.15, Subdivision 5; 31.31; 31.39; 32.075; 32.394, Subdivision 8, and by adding subdivisions; 32.59; and 34.05, Subdivisions 1 and 2.

Referred to the Committee on Natural Resources and Agriculture

Messrs. Frederick, Laufenburger and Konzemius introduced—

S. F. No. 1010: A bill for an act relating to commerce; interest rates on money; prescribing maximum interest rates on certain loans; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

Referred to the Committee on Labor and Commerce.

Messrs. Coleman, Doty and Ogdahl introduced—

S. F. No. 1011: A bill for an act relating to local government; providing certain local government aids; repealing Minnesota Statutes 1974, Section 477A.01, Subdivisions 1 to 17.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stokowski, Gearty and Ogdahl introduced—

S. F. No. 1012: A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.03; 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

Referred to the Committee on Labor and Commerce.

Messrs. Perpich, A. J.; Larson and McCutcheon introduced—

S. F. No. 1013: A bill for an act relating to taxation; providing a property tax freeze for certain disabled veterans; amending Minnesota Statutes 1974, Section 273.011, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Olson, H. D.; Berg and Purfeerst introduced—

S. F. No. 1014: A bill for an act relating to the waters of the state; eliminating certain permit requirements for certain public drainage systems; amending Minnesota Statutes 1974, Section 105.42, Subdivision 1.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Anderson, Bang and Hansen, Baldy introduced—

S. F. No. 1015: A bill for an act relating to commerce; providing qualifications for legal newspapers; amending Minnesota Statutes 1974, Section 331.02, Subdivision 1.

Referred to the Committee on Labor and Commerce.

Messrs. Borden, Humphrey and Schaaf introduced—

S. F. No. 1016: A bill for an act relating to department of natural resources; eliminating requirements for specific divisions and directors in the department of natural resources; amending Minnesota Statutes 1974, Sections 84.01, Subdivision 3; 84.028, Subdivision 3; 84.085; 84.086; 84.087; 105.40, Subdivisions 1 and 12; repealing Minnesota Statutes 1974, Sections 84.081; 84.082; 84.083; 84.084; 88.01, Subdivision 2; 97.40, Subdivisions 3 and 4; and 105.37, Subdivisions 3 and 4; and Laws 1973, Chapter 615, Section 3.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Purfeerst, Patton and Olhoft introduced—

S. F. No. 1017: A bill for an act relating to agriculture; local pest control; amending Minnesota Statutes 1974, Section 18.022, Subdivision 1, and by adding a subdivision; and Chapter 18, by adding a section.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Hansen, Baldy introduced—

S. F. No. 1018: A bill for an act relating to taxation; imposing an excise tax upon the gross receipts or gross proceeds from outdoor advertising; providing a penalty.

Referred to the Committee on Taxes and Tax Laws.

Mr. Hansen, Baldy introduced—

S. F. No. 1019: A bill for an act relating to commerce; banks and trust companies; authorized investments; amending Minnesota Statutes 1974, Section 48.61, by adding a subdivision.

Referred to the Committee on Labor and Commerce.

Mr. Hansen, Baldy introduced—

S. F. No. 1020: A bill for an act relating to intoxicating liquor; minimum resale prices for off-sale sales at retail; providing a penalty.

Referred to the Committee on Labor and Commerce.

Mr. Hansen, Baldy introduced—

S. F. No. 1021: A bill for an act relating to counties; providing for county control over drainage systems; amending Minnesota Statutes 1974, Sections 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivision 2; 106.101, Subdivisions 2, 4 and 5; 106.121, Subdivision 4; 106.131; 106.201; 106.221, Subdivision 2; 106.631, Subdivision 1; repealing Minnesota Statutes 1974, Section 106.021, Subdivision 6.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Perpich, A. J.; Hansen, Baldy and Kleinbaum introduced—

S. F. No. 1022: A bill for an act relating to state government; finances; creating a budget protection fund; establishing limitations; and appropriating money.

Referred to the Committee on Finance.

Messrs. North; Keefe, J. and Lewis introduced—

S. F. No. 1023: A bill for an act relating to public health; authorizing the state board of health to prescribe fees for certain services provided by the board; appropriating money; amending Minnesota Statutes 1974, Section 144.965; repealing Laws 1974, Chapter 154, Section 2, Subdivision 2.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Solon and Doty introduced—

S. F. No. 1024: A bill for an act relating to police pensions in the city of Duluth; amending Laws 1953, Chapter 91, Section 1, Subdivisions 7; and 8, as amended; Section 7; and Section 11, Subdivisions 1, as amended, and 2.

Referred to the Committee on Governmental Operations.

Messrs. Solon and Doty introduced—

S. F. No. 1025: A bill for an act relating to the city of Duluth; firemen's service pensions and survivor benefits; amending Laws 1965, Chapter 179, Section 1; repealing Laws 1955, Chapter 188, Section 8.

Referred to the Committee on Governmental Operations.



Mr. Frederick introduced—

S. F. No. 1026: A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations; exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Willet, Wegener and Olhott introduced—

S. F. No. 1027: A bill for an act relating to game and fish; license exemption for certain persons; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 2; and 98.47, Subdivision 1.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Moe introduced—

S. F. No. 1028: A bill for an act relating to agriculture; prohibiting for one year the sale or transfer of agricultural land for nonagricultural purposes; providing for exceptions; prohibiting the state from acquiring any land for one year except for certain state park purposes.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Keefe, S.; Ogdahl and Olson, A. G. introduced—

S. F. No. 1029: A bill for an act relating to Hennepin county; hospital and medical care for poor persons funding; amending Laws 1963, Chapter 738, Section 3, Subdivision 3; repealing Laws 1963, Chapter 738, Section 7.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. Moe, Dunn and Olson, H. D. introduced—

S. F. No. 1030: A bill for an act relating to pollution control; authorizing a county solid waste grants-in-aid program; appropriating money; amending Minnesota Statutes 1974, Sections 116.06, Subdivision 1; and 400.03, Subdivision 1; and Chapter 116, by adding sections.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Ogdahl, Gearty and Doty introduced—

S. F. No. 1031: A bill for an act relating to taxation; providing a heritage preservation credit; amending Minnesota Statutes 1974, Sections 290.982; 290.983; and 290.987.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Davies, Stassen and McCutcheon introduced—

S. F. No. 1032: A bill for an act relating to taxation; reducing the period of redemption for certain land sold or bid in for the state at a tax judgment sale; amending Minnesota Statutes 1974, Section 281.17.

Referred to the Committee on Judiciary.

Messrs. Nelson, Schmitz and Laufenburger introduced—

S. F. No. 1033: A bill for an act relating to taxation; permitting credits for contributions to be carried forward for income tax purposes; amending Minnesota Statutes 1974, Section 290.21, Subdivision 3.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Dunn, Chmielewski and Bernhagen introduced—

S. F. No. 1034: A bill for an act relating to traffic regulations; authorizing town boards to determine speed limits on town roads; amending Minnesota Statutes 1974, Chapter 169, by adding a section.

Referred to the Committee on Transportation and General Legislation.

Messrs. Olson, A. G.; Ogdahl and Willet introduced—

S. F. No. 1035: A bill for an act relating to railroad safety; appropriating money to the department of public service for the purpose of enforcing certain railroad track safety standards.

Referred to the Committee on Transportation and General Legislation.

Messrs. Perpich, G.; Hansen, Baldy and Keefe, S. introduced—

S. F. No. 1036: A bill for an act relating to state employees; authorizing salary deductions for union political committees; amending Minnesota Statutes 1974, Sections 10.39, Subdivision 1; and 16A.17, Subdivision 5.

Referred to the Committee on Governmental Operations.

Messrs. Perpich, G.; Gearty and Spear introduced—

S. F. No. 1037: A bill for an act relating to employment agencies; relieving job applicants from the payment of reference or placement fees; requiring employers to pay all employment agency service charges; amending Minnesota Statutes 1974, Section 184.37; 184.38, Subdivisions 3, 4, 13, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 184.38, Subdivision 11.

Referred to the Committee on Labor and Commerce.

Mrs. Brataas and Mr. Frederick introduced—

S. F. No. 1038: A bill for an act relating to Olmsted county; providing for the filing of surveys with the county surveyor.

Referred to the Committee on Local Government.

Mrs. Brataas and Mr. Frederick introduced—

S. F. No. 1039: A bill for an act relating to plats and surveys in Olmsted county; providing for approval by the county surveyor and providing for a fee.

Referred to the Committee on Local Government.

Messrs. Humphrey, Pillsbury and Borden introduced—

S. F. No. 1040: A bill for an act relating to the housing finance agency; providing for certain powers relating to low income housing; amending Minnesota Statutes 1974, Section 462A.07, Subdivision 13.

Referred to the Committee on Governmental Operations. Mr. Hansen, Baldy questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Davies, Mrs. Brataas and Mr. Keefe, S. introduced—

S. F. No. 1041: A bill for an act relating to crimes; specifying the acts constituting sexual offenses; admissibility of evidence in sex offense prosecutions; providing penalties; amending Minnesota Statutes 1974, Chapter 609, by adding sections; repealing Minnesota Statutes 1974, Sections 609.29; 609.291; 609.292; 609.293; 609.294; 609.295; and 609.296.

Referred to the Committee on Judiciary.

Mr. Humphrey introduced—

S. F. No. 1042: A bill for an act relating to energy; postponing the deadline for promulgation of energy conserving building design and construction standards by the commissioner of administration; amending Minnesota Statutes 1974, Section 116H.12, Subdivision 4.

Referred to the Committee on Governmental Operations.

Messrs. Merriam, Nelson and Schrom introduced—

S. F. No. 1043: A bill for an act relating to peace officer training; removal of peace training exemption for communities of less than a population of 1,000; amending Minnesota Statutes 1974, Sections 626.846; 626.847; and 626.852; repealing Minnesota Statutes 1974, Section 626.853.

Referred to the Committee on Judiciary.

Mr. Perpich, G. introduced—

S. F. No. 1044: A bill for an act relating to game and fish; closing the deer season for 1975.

Referred to the Committee on Natural Resources and Agriculture.

Messrs. Doty; Keefe, S. and McCutcheon introduced—

S. F. No. 1045: A bill for an act relating to labor relations; re-defining professional strikebreaker; amending Minnesota Statutes 1974, Section 179.01, Subdivision 16.

Referred to the Committee on Labor and Commerce.

Messrs. Doty and Solon introduced—

S. F. No. 1046: A bill for an act authorizing the city of Duluth to negotiate contracts for maintenance of city parks and public works under terms and conditions as will promote the employment of needy elderly citizens; limiting the amount of total annual compensation for individuals under such contracts.

Referred to the Committee on Metropolitan and Urban Affairs.

Messrs. North, Stassen and Milton introduced—

S. F. No. 1047: A bill for an act relating to the organization and operation of state government; providing for membership terms, compensation, removal of members, and filling of membership vacancies of certain state boards, commissions, committees, councils, authorities, the housing finance agency and the tax court; amending Minnesota Statutes 1974, Sections 3.922, Subdivision 2; 3.924; 3.927; 10A.02, Subdivision 2; 15.50, Subdivision 1, and by adding a subdivision; 16.71, Subdivision 1, and by adding a subdivision; 16.823, Subdivisions 2 and 3; 35.02; 40.03, Subdivisions 1 and 3, and by adding a subdivision; 43.03, Subdivision 1, and by adding a subdivision; 85A.01, Subdivisions 1 and 4, and by adding a subdivision; 105.71, Subdivisions 1 and 3, and by adding a subdivision; 116.02, Subdivisions 1, 2 and 4; 116C.03, by adding a subdivision; 116C.05, Subdivision 1, and by adding a subdivision; 116E.02, Subdivisions 1, 2 and 4, and by adding a subdivision; 121.02, Subdivisions 1 and 2, and by adding a subdivision; 136.12; 136.61, Subdivision 1, and by adding a subdivision; 136A.02, Subdivision 1, and by adding a subdivision; 136A.26; 139.01; 139.02; 144.01; 144.04; 175.006, Subdivision 1, and by adding a subdivision; 179.72, Subdivisions 1 and 2, and by adding a subdivision; 182.664, Subdivision 1, and by adding a subdivision; 197.978, Subdivision 1, and by adding a subdivision; 216A.03, Subdivision 1, and by adding a subdivision; 238.04, Subdivision 2, and by adding a subdivision; 241.045, Subdivision 3, and by adding a subdivision; 250.05, Subdivisions 2 and 3, and by adding a subdivision; 256.975, Subdivision 1, and by adding a subdivision; 271.01, Subdivision 2, and by adding a subdivision; 275.551; 299B.05, Subdivisions 2 and 3, and by add-

ing a subdivision; 352.03, Subdivision 1, and by adding a subdivision; 363.04, Subdivision 4, and by adding a subdivision; 414.01, Subdivisions 3 and 6a, and by adding a subdivision; 462A.04, Subdivision 1, and by adding a subdivision; 490.15; 626.842; Chapter 15, by adding a section; repealing Minnesota Statutes 1974, Sections 3.922, Subdivision 3; 10A.02, Subdivision 6; 16.823, Subdivision 5; 43.03, Subdivision 3; 136.61, Subdivision 4; 136A.02, Subdivision 4; 216A.03, Subdivision 2; 238.04, Subdivisions 4 and 5; 352.03, Subdivisions 2 and 3; 363.04, Subdivision 6; 462A.04, Subdivisions 2 and 5.

Referred to the Committee on Governmental Operations.

Messrs. Coleman, Pillsbury and Gearty introduced—

S. F. No. 1048: A bill for an act relating to attorneys at law; making lawyers officers of the legislature; amending Minnesota Statutes 1971, Chapter 481, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Coleman, Brown and McCutcheon introduced—

S. F. No. 1049: A bill for an act relating to the practice of law; removing certain restrictions thereon; amending Minnesota Statutes 1974, Section 481.02, Subdivision 3; repealing Minnesota Statutes 1974, Sections 481.02, Subdivisions 1, 2, and 5; 481.03; 481.04; 481.05; and 481.11.

Referred to the Committee on Judiciary.

Messrs. Coleman, Brown and McCutcheon introduced—

S. F. No. 1050: A bill for an act relating to attorneys; repealing the statutory lien for attorney's fees; repealing Minnesota Statutes 1974, Section 481.13.

Referred to the Committee on Judiciary.

Messrs. Coleman, Pillsbury and McCutcheon introduced—

S. F. No. 1051: A bill for an act relating to commerce; consumer services; providing for investigation of accusations against attorneys.

Referred to the Committee on Labor and Commerce.

Messrs. Coleman; Keefe, J. and McCutcheon introduced—

S. F. No. 1052: A bill for an act relating to attorneys; providing for regulation of the practice of law within and outside of the courts of this state; repealing Minnesota Statutes 1974, Sections 481.01 and 481.15.

Referred to the Committee on Judiciary.

Messrs. Coleman, Pillsbury and McCutcheon introduced—

S. F. No. 1053: A bill for an act relating to attorneys at law; providing standards for organization and operation of legal services organizations; cooperation of attorneys; amending Minnesota Statutes 1974, Section 481.02, Subdivision 3; and Chapter 481, by adding a section.

Referred to the Committee on Judiciary.

Messrs. Coleman, Pillsbury and McCutcheon introduced—

S. F. No. 1054: A bill for an act relating to insurance; legal expense insurance; authorizing the use of closed panel insurance plans; amending Minnesota Statutes 1974, Section 60A.08, Subdivision 10.

Referred to the Committee on Labor and Commerce.

Messrs. Stokowski, Ogdahl and Merriam introduced—

S. F. No. 1055: A bill for an act relating to financial institutions; authorizing and regulating face amount certificate investment companies; amending Minnesota Statutes 1974, Chapter 54, by adding sections; and Sections 54.26; and 54.27; repealing Minnesota Statutes 1974, Chapter 59, and Sections 54.28; 54.29; and 54.293.

Referred to the Committee on Labor and Commerce.

Messrs. Schaaf, O'Neill and Borden introduced—

S. F. No. 1056: A bill for an act relating to criminal procedure; delaying the effective date of proposed new rules of criminal procedure.

Referred to the Committee on Judiciary.

#### MESSAGES FROM THE HOUSE

Mr. President:

I hereby announce the adoption by the House of the Joint Rules of the Senate and House of Representatives for the Sixty-Ninth Session, herewith returned.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 17, 1975

Mr. President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

House Concurrent Resolution No. 4: A house concurrent resolu-

tion relating to adjournment of the legislature between March 26 and March 31, 1975.

Edward A. Burdick, Chief Clerk, House of Representatives  
Transmitted March 17, 1975

Mr. Coleman moved that House Concurrent Resolution No. 4 be now adopted.

House Concurrent Resolution No. 4: A house concurrent resolution relating to adjournment of the legislature between March 26 and March 31, 1975.

*Be it Resolved*, by the House of Representatives, the Senate concurring, that either house of the legislature may adjourn on March 26, 1975 to any day not later than March 31, 1975.

The motion prevailed. So the resolution was adopted.

Mr. President:

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

S. F. No. 304: A bill for an act authorizing the sale and conveyance of the elevated water storage tank at the Anoka State Hospital and related easements to the city of Anoka.

S. F. No. 304 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 17, 1975

Mr. Anderson moved that S. F. No. 304 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 182: A bill for an act relating to counties; eliminating payment of certain fees to county sheriffs; requiring county boards to furnish board and other services for prisoners in county jails; amending Minnesota Statutes 1974, Sections 387.20, Subdivisions 5 and 6; 641.02; 641.03; 641.12; and 641.13; repealing Minnesota Statutes 1974, Section 641.11.

S. F. No. 182 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives  
Returned March 17, 1975

Mr. Schmitz moved that the Senate do not concur in the amendments by the House to S. F. No. 182 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 114, 130, 527, 611 and 586.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 17, 1975

### FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H. F. No. 114: A bill for an act relating to the operation of state government; providing for the regulation of publications, duplicating services, guidebooks, state vehicles, disposition of surplus state lands; amending Minnesota Statutes 1974, Sections 15.047, Subdivision 1; 16.02, Subdivisions 16 and 24; 16.75, Subdivision 7; 16.80, Subdivision 1; 94.09, Subdivision 3; 94.10, Subdivision 1; and 482.07, by adding a subdivision.

Referred to the Committee on Governmental Operations.

H. F. No. 130: A bill for an act relating to the city of Minneapolis; authorizing the city council to grant certain powers and duties to the commission on human relations, director, and department of civil rights and to subject certain areas of city government to the civil rights ordinance; repealing Laws 1967, Chapter 743.

Referred to the Committee on Metropolitan and Urban Affairs.

H. F. No. 527: A bill for an act relating to the purchase of surplus state property at public auction by state employees; amending Minnesota Statutes 1974, Section 15.055.

Referred to the Committee on Governmental Operations.

H. F. No. 611: A bill for an act relating to cities; powers of statutory cities; enabling cities to provide decorations; amending Minnesota Statutes 1974, Section 412.221, by adding a subdivision.

Referred to the Committee on Rules and Administration.

H. F. No. 586: A bill for an act relating to the housing finance agency; providing for certain powers relating to low income housing; amending Minnesota Statutes 1974, Section 462A.07, Subdivision 13.

Referred to the Committee on Rules and Administration.



**REPORTS OF COMMITTEES**

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of S. F. No. 79 and with the exception of reports pertaining to appointments. The motion prevailed.

Mr. Chenoweth from the Committee on Metropolitan and Urban Affairs, to which were referred the following appointments as reported in the Journal for January 16, 1975:

**METROPOLITAN COUNCIL**

Todd J. Lefko

Gladys S. Brooks

Robert Short

**CHAIRMAN OF METROPOLITAN WASTE CONTROL COMMISSION**

Joseph Strauss

Reports the same back with the recommendation that the appointments be confirmed.

Mr. Chenoweth moved the foregoing committee report be laid on the table. The motion prevailed.

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

H. F. No. 286: A bill for an act relating to education; school districts; powers and duties; authorizing the leasing of school buildings; amending Minnesota Statutes 1974, Sections 123.36, Subdivision 7; 123.37, Subdivision 3; and 124.15, Subdivision 2.

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

Page 1, line 11, before "*buildings*" strike "*school*" and insert "*existing*"

Page 1, line 15, before "*buildings*" strike "*school*" and insert "*existing*"

Page 2, line 14, before "*buildings*" strike "*school*" and insert "*existing*"

Amend the title as follows:

Page 1, line 3, strike "*school*" and insert "*existing*"

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

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

S. F. No. 565: A bill for an act relating to school districts; investment of school district funds; amending Minnesota Statutes 1974, Section 471.561.

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

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

S. F. No. 38: A bill for an act relating to education; requiring each school district to make reports concerning the consumption of energy; amending Minnesota Statutes 1974, Section 120.78, Subdivision 1.

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

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

S. F. No. 363: A bill for an act relating to education; appropriating money to the department of education for deficiencies in shared time foundation aids and to implement a uniform financial reporting system for local school districts.

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

Page 1, line 9, strike "\$135,000" and insert "\$175,000"

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

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

H. F. No. 31: A bill for an act relating to education; more exactly defining the conditions for the reception of certain transportation aids; amending Minnesota Statutes 1974, Sections 123.77, Subdivision 2; and 123.78, Subdivision 1a.

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

Page 1, strike lines 8 through 11 and renumber the sections accordingly

Page 1, line 18, after "district" insert "*at least*"

Page 1, line 19, strike "an adjacent contiguous" and insert "*another*"

Page 2, line 5, strike "an adjacent contiguous" and insert "*another*"

Page 2, line 12, after "to" strike "the" and insert "*a*"

Page 2, line 13, strike "the adjacent contiguous" and insert "*another*"

Page 2, strike lines 16 through 18

Amend the title as follows:

Page 1, line 5, strike "Sections 123.77, Subdivision 2; and" and insert "Section"

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

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

S. F. No. 79: A bill for an act relating to taxation; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Minnesota Statutes 1974, Section 296.02, Subdivision 1.

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

Page 1, after line 6, insert the following:

"Section 1. Minnesota Statutes 1974, Section 161.081, is amended to read:

161.081 [HIGHWAY USER TAX, DISTRIBUTION OF PORTION OF PROCEEDS.] Pursuant to article XVI XIV, section 5, of the constitution, five percent of the net highway user tax distribution fund is set aside, and apportioned as follows:

(1) ~~70~~ 60 percent to the trunk highway fund;

(2) ~~24~~ 31 percent to a separate account in the county state-aid highway fund to be known as the county turnback account, which account in the state treasury is hereby created;

(3) 9 percent to a separate account in the municipal state-aid street fund to be known as the municipal turnback account, which account in the state treasury is hereby created.

Sec. 2. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

*Subd. 2a. An amount equal to 32 percent of the county turnback account shall be expended, within counties having two or more towns, on town road bridge structures that are 20 feet or more in length. The expenditures on such bridge structures shall be on a matching basis, and not more than 50 percent of the cost of any such bridge structure shall be paid from the county turnback account."*

Page 1, after line 15, insert the following:

"Sec. 4. [PROVISIONS OF SECTIONS 1 AND 2 NOT SEVERABLE.] *The provisions of sections 1 and 2 are not severable, and if any provision of sections 1 and 2 is found unconstitutional, all of the provisions of sections 1 and 2 are unconstitutional. Section 3 is severable in accordance with Minnesota Statutes, Section 645.20.*"

Page 1, line 17, delete "section 1" and insert "section 3"

Renumber the sections in sequence.

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

"A bill for an act relating to taxation; reapportioning the five percent of the net highway user tax distribution fund set aside pursuant to Article XIV, Section 5, of the Minnesota Constitution; allocating a portion of the apportionment to the county state-aid highway fund for use on town road bridge structures on a matching basis; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; and 296.02, Subdivision 1."

And when so amended the bill do pass. Mr. Brown questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

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

S. F. No. 730: A bill for an act relating to motor vehicles; application for certificate of title for a previously registered vehicle; amending Minnesota Statutes 1974, Section 168A.26.

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

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

S. F. No. 458: A bill for an act relating to game and fish; removing the racoon from the unprotected list and providing for a season thereon; amending Minnesota Statutes 1974, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.

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

Page 2, line 20, strike "Racoon" and insert "Raccoon"

Page 2, line 20, strike "October 1st and December 15th"

Page 2, at the end of line 22, add "*Clubs or associations organized within Minnesota shall be authorized to conduct night raccoon hunts between sunset and one-half hour before sunrise throughout the year for the limited purpose of training dogs to trail and tree raccoons, provided that persons shall not intentionally capture, kill, or otherwise physically harm raccoons except during the designated raccoon hunting season.*"

Amend the title as follows:

Page 1, line 2, strike "racoon" and insert "raccoon"

Page 1, line 3, strike "providing for" and insert "authorizing the commissioner of natural resources to prescribe"

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

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

S. F. No. 303: A bill for an act relating to game and fish; authorizing use of portable fish houses within the boundary waters canoe area.

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

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

H. F. No. 51: A bill for an act relating to distinctions on the basis of sex; abolishing these distinctions in the law concerning changing of names; amending Minnesota Statutes 1974, Sections 259.10; 259.11; 517.08, Subdivision 3; 518.27; and Chapter 517, by adding a section.

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

Page 3, line 24, strike "*The names*"

Page 3, strike lines 25 through 28 and insert "*If in completing the report of marriage the woman fails to designate a name after marriage in the space provided, it shall be presumed that she has adopted the surname of the groom.*"

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

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

S. F. No. 156: A bill for an act relating to anatomical gifts; authorizing an individual to make an anatomical gift by means of a statement on his Minnesota driver's license; amending Minnesota Statutes 1974, Section 525.924, by adding a subdivision.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 171.07, is amended by adding a subdivision to read:

*Subd. 5. The department shall provide a donor document to each person making application for a driver's license or a nonqualification certificate whereby any such person, 18 years of age or more, may execute an anatomical gift, pursuant to the provisions of the Uniform Anatomical Gift Act, sections 525.921 to 525.93. The*

*commissioner of public safety shall prescribe the form of the donor document. The department shall identify donors of anatomical gifts by the designation "organ donor" on the front side of the donor's driver's license or nonqualification certificate. The designation "organ donor" shall constitute sufficient legal authority for the removal of all body organs or parts upon death of the donor for the purpose of transplantation, and the designation shall be removed only upon written notice to the department. No designation may be noted upon the driver's license or nonqualification certificate of any person under 18.*

Sec. 2. Minnesota Statutes 1974, Section 171.12 is amended by adding a subdivision to read:

*Subd. 5. The department shall file all donor documents received by it, and in connection therewith maintain convenient records in order that donor status shall be readily ascertainable. On request of any interested party upon or after the donor's death, the department shall produce the donor document for examination.*

Sec. 3. Minnesota Statutes 1974, Section 525.924, Subdivision 2, is amended to read:

*Subd. 2. A gift of all or part of the body under section 525.922, subdivision 1, may also be made by document other than a will. The gift becomes effective upon the death of the donor. The document, which may be a card designed to be carried on the person, must be signed by the donor in the presence of two witnesses who must sign the document in his presence. If the donor cannot sign, the document may be signed for him at his direction and in his presence in the presence of two witnesses who must sign the document in his presence. Delivery of the document of gift during the donor's lifetime is not necessary to make the gift valid. The existence of a document of gift may be evidenced by a notation on the donor's driver's license in the manner provided by section 1 of this act.*

Sec. 4. Minnesota Statutes 1974, Section 525.927, Subdivision 3, is amended to read:

*Subd. 3. A person who acts in good faith in accord with the terms of sections 525.921 to 525.93, sections 1 and 2 of this act, or the anatomical gift laws of another state or foreign country is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his act."*

Further amend the title as follows:

Page 1, strike lines 3 through 8 and insert the following:

*"providing for the identification of donors by the designation "organ donor" on the driver's license or nonqualification certificate; amending Minnesota Statutes 1974, Sections 171.07, by adding a subdivision; 171.12, by adding a subdivision; 525.924, Subdivision 2; and 525.927, Subdivision 3."*

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

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

S. F. No. 51: A bill for an act relating to courts; district court term in Sibley county; amending Minnesota Statutes 1974, Section 484.09, Subdivision 8.

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

Mr. Olson, A. G., from the Committee on Local Government, to which was referred

S. F. No. 702: A bill for an act relating to the city of Moorhead; authorizing the city to construct, maintain and operate a certain electric power transmission system; amending Laws 1955, Chapter 178, Section 1.

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 669: A bill for an act relating to the county of Itasca; providing for government of certain townships for hospital district; amending Laws 1974, Chapter 217, Section 1.

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

Page 1, line 10, after "district" insert "*or requesting annexation to a hospital district*"

Page 1, line 23, after "referendum" insert "*to be conducted as provided in section 447.31, subdivision 3,*"

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

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

S. F. No. 160: A bill for an act relating to commerce; interest rates on money; exempting loans made by state banks from the maximum interest rate set by state law and substituting in lieu thereof a rate based upon the federal reserve discount rate on short term commercial paper in the ninth federal reserve district; amending Minnesota Statutes 1974, Section 334.01, by adding a subdivision.

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

Page 1, line 15, after "*section 49.42,*" insert "*any agricultural credit corporation and any thrift institution as defined in section 51A.02, subdivision 23,*"

Page 1, line 22, after "*district*" insert "*or an interest charge that is otherwise permitted by Minnesota Statutes*"

Page 1, after line 22, insert:

"Sec. 2. Minnesota Statutes 1974, Section 334.01, is amended by adding a subdivision to read:

*Subd. 4. A loan which is not usurious when made does not thereafter become usurious because the maximum rate of interest which may be charged falls below the rate of interest charged for the loan."*

Further amend the title as follows:

Page 1, line 2, strike all the language after "commerce;"

Strike lines 3 and 4

Line 5, strike "substituting in lieu thereof a" and insert:

"permitting state banks, agricultural credit corporations and thrift institutions to charge an interest"

Line 9, strike "a subdivision" and insert "subdivisions"

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

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

S. F. No. 244: A bill for an act relating to the City of Minneapolis; authorizing the issuance of on-sale liquor licenses to certain establishments.

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

Page 1, strike lines 19, 20, 21, 22

Page 2, strike lines 1, 2, 3, 4, 5

Page 2, line 6, strike "(3)" and insert "(2)"

Page 2, after line 18, insert:

"(3) To any nonprofit corporation which was organized prior to January 1, 1947, whose purpose is to promote education and recreation in the field of contemporary art; to promote the creation and enjoyment of art of all kinds; to present exhibitions, programs in performing arts and films, design and architectural and related educational activities and to acquire and show works of art documenting major contemporary artistic styles. Any license issued pursuant to this paragraph may authorize the sale of intoxicating liquor only to members of such nonprofit corporations and their guests, and other persons who are participating in artistic and educational opportunities provided by such nonprofit corporations."

Page 2, line 27, after "7." insert: "The governing body may issue to each of the above establishments a special license for the sale



of intoxicating liquor on Sundays, pursuant to Minnesota Statutes, Section 340.14, Subdivision 5, subject to the restrictions contained therein, except as to the requirement that facilities for the service of food be available."

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

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

S. F. No. 272: A bill for an act relating to the organization and operation of state government; transferring functions of certain state agencies; permitting the creation of two advisory agencies; abolishing various state agencies; amending Minnesota Statutes 1974, Sections 116C.03, Subdivision 2; 173.02, Subdivision 4; 173.04, Subdivisions 2 and 3; 206.08; 241.045, Subdivision 1; 256.482, Subdivision 5; and 507.09; repealing Minnesota Statutes 1974, Sections 12.12; 29.011; 29.013; 94.36 to 94.40; 115.17; 116C.04, Subdivisions 8 and 9; 116C.05; 136B.01; 136B.02; 173.04, Subdivision 1; 176.621; 176.631; 332.36; and 507.08.

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

Page 2, line 28, strike "*commerce*" and insert "*securities*"

Page 2, line 30, strike "*commerce commission*" and insert "*commissioner of securities*"

Page 2, line 31, strike "*commerce commission*" and insert "*commissioner of securities*"

Page 5, line 13, after "*appoint*" strike "*an*" and insert "*a non-partisan*"

Page 8, strike lines 18 to 32

Page 9, strike lines 1 to 3

Page 9, after line 3, insert:

"Sec. 8. Minnesota Statutes 1974, Section 15.047, Subdivision 1, is amended to read:

15.047 [REGULATIONS.] Subdivision 1. The ~~publication board~~ *commissioner of administration* shall prescribe regulations for carrying out the provisions of sections ~~15.046~~ 15.047 to 15.049. Among other things, such regulations shall provide for:

(1) periodic publication of all rules and regulations filed with the secretary of state in accordance with sections ~~15.046~~ 15.047 to 15.049;

(2) the selection, compilation and publication of such orders of administrative agencies as it may deem necessary;

(3) a uniform manner and form for the preparation, printing and indexing of regulations and compilations to the end that all regulations and compilations be published uniformly at the earliest practicable date;

(4) the commissioner of administration shall prepare the compilation and indexing of the rules and regulations for publication.

Sec. 9. Minnesota Statutes 1974, Section 124.212, Subdivision 10, is amended to read:

Subd. 10. The equalization aid ~~review committee and school loan board~~, consisting of the commissioner of education, the commissioner of administration, and the commissioner of revenue, is hereby continued and permanently established. The duty of this ~~committee board~~ shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the market value of taxable property in such district, then said ~~committee board~~ shall call upon the department of revenue to ascertain the market value of such property, and adjust such values as required by law to determine the adjusted assessed valuation. The department of revenue shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. The commissioner of revenue is authorized to reimburse any county or governmental official for services performed at his request in ascertaining such adjusted valuation. On or before March 15, annually, the department of revenue shall submit its report on the assessed values established by the previous year's assessment to said ~~committee board~~ for approval or rejection and, if approved, such report shall be filed not later than the following July 1 with the commissioner of education and each county auditor for those school districts for which he has the responsibility for determination of mill rates. A copy of the adjusted assessed value so filed shall be forthwith mailed to the clerk of each district involved and to the county assessor or supervisor of assessments of the county or counties in which such district is located.

Sec. 10. Minnesota Statutes 1974, Section 124.41, is amended to read:

124.41 [SCHOOL LOANS.] Subdivision 1. The members of the equalization aid ~~review committee and school loan board~~ defined in section ~~124.211~~ 124.212, subdivision 3 10, are hereby ~~constituted a school loan committee, with the commissioner of administration as chairman, the commissioner of revenue as vice chairman, and the commissioner of education as secretary, for receiving shall receive and considering consider applications for and granting grant or denying deny loans under Extra Session Laws 1959, Chapter 27.~~

Subd. 2. The ~~committee board~~, with the assistance of the attorney general or an assistant designated by him, shall prepare forms of applications for debt service loans and capital loans and instruments evidencing such loans, and shall promulgate regulations to facilitate its operations in compliance with sections 124.36 to 124.47, and such regulations shall be subject to the procedure set forth in Minnesota Statutes, Sections 15.0411 through 15.0422.

Subd. 3. The ~~committee board~~ may employ a clerk, who may be designated assistant secretary, to serve at its pleasure and to

be in unclassified service of the state, and fix his compensation, which shall be paid out of the administration account of the fund. The committee and the equalization aid committee may agree to make such person an employe of both and divide his duties and compensation.

Sec. 11. Minnesota Statutes 1974, Section 197.977, is amended to read:

197.977 [APPEALS.] Whenever the commissioner has determined the amount of adjusted compensation to be due an applicant, or that the claim of any applicant be disallowed, he shall promptly notify the applicant thereof. Any applicant aggrieved by any determination of the commissioner may demand of the commissioner that the claim be reviewed by a board. Any demand for review shall be filed with the commissioner, in writing, within 60 days after the commissioner has mailed notice to the applicant of his determination. Upon receipt of a demand for review, the commissioner shall certify the demand, together with all files and records relating to the claim, to a board. Unless a demand for review as hereinabove provided is filed with the commissioner by an applicant, all orders, decisions and acts of the commissioner with reference to the claim of the applicant shall be final and conclusive upon the applicant. *After the expiration of the review boards as provided in section 197.978, subdivision 4, the orders, decisions, and acts of the commissioner subsequent to the expiration shall be appealable to district court as a contested case pursuant to sections 15.0424 to 15.0426.*

Sec. 12. Minnesota Statutes 1974, Section 197.978, is amended by adding a subdivision to read:

*Subd. 4. Review boards created under this section shall cease to exist after June 30, 1977; provided that the boards shall continue to hear and decide claims submitted to them before that date.*

Sec. 13. Minnesota Statutes 1974, Chapter 198, is amended by adding a section to read:

[198.055] [VETERANS ADVISORY COMMITTEE.] *Subdivision 1. [CREATION; MEMBERS.] The veterans advisory committee is hereby established. The committee shall consist of seven members appointed by the commissioner. Each member shall be appointed to serve a four year term and shall serve until his successor is appointed and qualified. Organizations of veterans in this state may submit to the commissioner names of possible appointees to the committee, and the commissioner shall give consideration to such names. The commissioner shall also give consideration for appointment to persons having experience in the fields of mental and physical health services, education, vocational rehabilitation, and other fields of activity of the department of veterans affairs. The committee shall select a chairman and a secretary. The committee shall meet at such times as it is called by its chairman or three of its members. Members of the committee shall serve for terms of four years with four of the members having terms coterminous with the governor; the remaining three members having terms ending one year after the term of the governor. Members shall serve*

*until their successors are appointed, but no members shall serve after six months after the end of their terms. Seven of the members of the veterans home board, as designated by the governor, serving at the effective date of this section pursuant to Minnesota Statutes 1974, Section 198.06, shall serve as the members of the advisory committee until their regular terms expire at which time the commissioner shall appoint members consistent with this section. The commissioner of veterans affairs may attend any meeting of the committee and consult with the members on matters of policy relating to the department of veterans affairs and furnish such information as may be necessary to the committee. For official meetings each committee member shall receive a per diem compensation of \$35 and expenses as prescribed for state employees in section 43.329.*

*Subd. 2. [DUTIES AND RESPONSIBILITIES.] The committee may examine the operation of the department of veterans affairs, including the administration of the statutory duties of the commissioner. It may also examine any issues and problems relating to veterans. The committee may make recommendations to the commissioner it may determine to be appropriate.*

*Sec. 14. The employees of the board of trustees of the Minnesota veterans home, which is hereby abolished, are transferred to the department of veterans affairs without reduction in compensation or benefits or loss of tenure.*

*Sec. 15. Minnesota Statutes 1974, Section 198.001, is amended by adding a subdivision to read:*

*Subd. 4. "Administrator" means the administrator of the Minnesota veterans home.*

*Sec. 16. Minnesota Statutes 1974, Section 198.001, is amended by adding a subdivision to read:*

*Subd. 5. "Commissioner" means the commissioner of veterans affairs.*

*Sec. 17. Minnesota Statutes 1974, Section 198.01, is amended to read:*

*198.01 [VETERANS HOME; ELIGIBILITY OF VETERANS.] The Minnesota veterans home shall be maintained at Minneapolis, and shall provide a home for veterans of all wars, and their wives, widows, mothers and fathers spouses, surviving spouses, and parents, who meet eligibility and admission requirements, and who comply with the rules and regulations of the home. Persons who served in the armed forces of the United States during a period of war, and who were discharged or released therefrom under conditions other than dishonorable, and who did not receive a bad conduct discharge, shall be eligible for admission to the Minnesota veterans home. Persons who received bad conduct or dishonorable discharges from the armed forces of the United States, as a result of drug dependency or abuse shall be eligible for admission to the Minnesota veterans home. "Period of war," as it refers to eligibility, is defined as follows:*

~~(1) Active service in any campaign against the Indians in Minnesota in 1902 whether as soldiers of the United States or not.~~

~~(2) (1) Civil War, or war between the states.~~

~~(3) (2) Mexican War.~~

~~(4) (3) Spanish-American War, April 21, 1898 through July 4, 1902.~~

(a) Includes Philippine Insurrection and Boxer rebellion.

(b) Includes service in Moro Province, April 21, 1898 through July 15, 1903.

~~(5) (4) World War I, April 6, 1917 through April 1, 1920.~~

(a) Includes service in Russia, April 16, 1917 through April 1, 1920.

(b) Service through July 2, 1921 if active duty performed during basic war period.

~~(6) (5) World War II, December 7, 1941 through December 31, 1946.~~

(a) Through July 25, 1947 if continuous duty began on or before December 31, 1946.

~~(7) (6) Korean Conflict, June 27, 1950 through January 31, 1955.~~

~~(8) (7) Vietnam era, August 5, 1964 to a date as shall hereafter be determined by presidential proclamation or concurrent resolution of the Congress through July 27, 1973.~~

Sec. 18. Minnesota Statutes 1974, Section 198.022, is amended to read:

198.022 [ELIGIBILITY OF SPOUSES, SURVIVING SPOUSES, PARENTS.] The ~~veterans home board commissioner~~ is hereby authorized to admit eligible ~~wives with their husbands, widows, mothers, and fathers when accompanying mothers, spouses accompanying veterans, or to admit spouses, surviving spouses and parents~~ of those veterans who are or if living would be, eligible for admission to the home.

(1) All applicants for admission to the Minnesota veterans home must be without adequate means of support and unable by reason of wounds, disease, old age, or infirmity to properly maintain themselves.

(2) Veterans must have served in a Minnesota regiment or have been credited to the state of Minnesota, ~~or have served in any campaign against the Indians as aforesaid~~, or have been a resident of the state for ~~three years next~~ preceding the date of application for admission.

(3) ~~Wives, widows, mothers and fathers~~ Spouses, surviving spouses, and parents of eligible veterans must be at least 55 years of age, and have been residents of the state of Minnesota ~~no less~~

than five years next preceding the date of application for admission.

(4) A ~~widow~~ *surviving spouse*, eligible for admission except that the veteran did not serve in a Minnesota regiment or was not a resident of Minnesota at the time of his death may be eligible for admission provided ~~she~~ *he* has resided in the state not less than 15 years next preceding the date of application for admission.

(5) A ~~wife, widow, or mother~~ *spouse, surviving spouse or parent* of the veteran who has previously been a resident of Minnesota for not less than ten years and who lost ~~her~~ *his* residency in the state by moving therefrom for the benefit of ~~her~~ *his* health or the health of ~~her husband or son~~ *his spouse or child*, and who has returned to the state for the purpose of making it ~~her~~ *his* home is eligible for admission to the veterans home provided ~~she~~ *he* is otherwise eligible.

(6) A ~~wife or widow~~ *spouse or surviving spouse* of a veteran of the Civil War ~~or of a veteran who served in any campaign against the Indians as aforesaid~~ shall be eligible for admission if ~~she~~ *he* was married to the veteran prior to the year 1905. A ~~wife or widow~~ *spouse or surviving spouse* of a veteran of the Spanish-American War, the Philippine Insurrection, or the Boxer rebellion shall be eligible for admission if ~~she~~ *he* was married to the veteran prior to December 31, 1937.

Sec. 19. Minnesota Statutes 1974, Section 198.03, is amended to read:

198.03 [MAINTENANCE CHARGES.] Any person otherwise eligible for admission to the Minnesota veterans home, except that he has means of support, may, at the discretion of the ~~commissioner of veterans home~~ *board affairs*, be admitted to the Minnesota veterans home upon entering into and complying with the terms of a contract made by him with ~~such board~~ *the commissioner*, providing for reasonable compensation to be paid by such person to the state of Minnesota for his care, support, and maintenance in the home.

Sec. 20. Minnesota Statutes 1974, Section 198.05, is amended to read:

198.05 [NEW BUILDINGS.] The department of administration shall have and exercise full authority in the erection and construction of new buildings at the veterans home. When new buildings are to be erected and constructed by authority of the state or old buildings to be remodeled it shall be the duty of the department of administration to cause to be prepared plans and specifications for the same, but in so doing it shall consult with the ~~trustees of the veterans home~~ *commissioner* in respect to these plans and specifications and shall adopt and carry out, so far as it deems practicable, their requests and desires in the matter.

Sec. 21. Minnesota Statutes 1974, Section 198.06, is amended to read:

198.06 [ADMINISTRATOR; APPOINTMENT; DUTIES.] The Minnesota veterans home shall be governed by *the commissioner* and is under the management of *nine trustees, one of whom shall be a woman, to be known as the veterans home board administrator.* The *trustees administrator* shall be appointed by the governor with the consent of the senate, each for a term of six years, and until his successor qualifies. There shall be one trustee appointed from each congressional district, and one at large. No two members of the board of trustees, except the one member appointed at large, shall reside, at the time of appointment, in the same congressional district. Vacancies shall be filled by like appointment for unexpired terms. Not more than five of the trustees shall be members of the same political party. In the selection of trustees, preference shall be given to honorably discharged veterans *commissioner and shall serve in the classified civil service. The person selected must be qualified under Minnesota Statutes, Chapter 43, and must hold a master's degree in hospital administration or a related field.* The veterans home board *commissioner* shall determine policy and shall adopt and enforce rules for the government of the home and proper bylaws for the conduct of its business. *It* The *commissioner* shall make rules not inconsistent with this chapter, respecting the admission, maintenance, conduct and discharge of residents of the home, and the disbursements of funds under its control.

Sec. 22. Minnesota Statutes 1974, Section 198.16, is amended to read:

198.16 [DONATIONS; GENERAL PURPOSES.] The *veterans home board commissioner* is hereby authorized to accept on behalf of the state any gift, grant, bequest, or devise made for the purposes of this chapter, and administer the same as directed by the donor. All proceeds therefrom including moneys derived from the sale of any real or personal property shall be deposited in the state treasury and credited to the Minnesota veterans home endowment, bequest, and devises fund. Said fund shall consist of two accounts, one of which shall include any trusts prescribed by the donor, the other shall include any currently expendable proceeds. Disbursements from this fund shall be made *by the state treasurer upon warrants of the commissioner of finance* in the manner provided for the issuance of other state warrants.

Whenever the *veterans home board commissioner* shall deem it advisable, in accordance with law, to sell or otherwise dispose of any real or personal property thus acquired, the *commissioner of administration* upon the request of the *board commissioner of veterans affairs* shall sell or otherwise dispose of said property in the manner provided by law for the sale or disposition of other state property by the commissioner of administration.

Sec. 23. Minnesota Statutes 1974, Section 198.161, is amended to read:

198.161 [DONATIONS; PARTICULAR PURPOSES.] The *veterans home board commissioner* may accept donations and gifts of money for the benefit of the residents of the home. All moneys

so received shall be deposited in a separate account at the home and records shall be kept, clearly showing the identity of the donor, the purpose of the donation and the ultimate disposition of the donation. Each donation shall be duly receipted and shall be expended or used by the ~~veterans home board~~ *commissioner* as nearly in accordance with the condition of the gift or donation as is compatible with the best interests of the residents of the home. The donations so received to the extent they are made to the state of Minnesota are hereby appropriated to the ~~veterans home board~~ *commissioner of veterans affairs* for the purposes of this chapter.

Sec. 24. Minnesota Statutes 1974, Section 198.23, is amended to read:

198.23 [PERSONAL PROPERTY OF RESIDENTS; WILLS.] As a condition of admission to the home, every person shall execute his will, and deposit the same with the administrator of the home, disposing of any personal property of which he may die possessed. Upon the decease of any such testator, the ~~veterans home board~~ *commissioner* shall cause such of his personal estate as may be left in his possession to be disposed of pursuant to the will. All property of the deceased resident of the home not so bequeathed by will, and remaining at the home, unclaimed, for one year after his death, shall be inventoried, appraised, and sold, and the proceeds thereof paid into the state treasury to the credit of the Minnesota veterans home endowment, bequest and devises fund.

Sec. 25. Minnesota Statutes 1974, Section 198.261, is amended to read:

198.261 [CANTEEN AND COFFEE SHOP.] Any profits derived from the operation of the canteen and coffee shop at the Minnesota veterans home shall be used by the ~~veterans home board~~ *commissioner* only for the direct benefit of the residents of the home.

Sec. 26. Minnesota Statutes 1974, Section 198.265, is amended to read:

198.265 [DEPOSITORY ACCOUNTS.] The ~~Minnesota veterans home~~ *commissioner* may accept moneys from residents for safe keeping purposes to be returned to such residents on demand. Sufficient money shall be retained at the home to satisfy normal demand withdrawal requests of the residents and other anticipated needs. Residents' deposits shall otherwise be deposited in the state treasury to a separate investment account provided by the commissioner of finance, which shall be invested by the state board of investment in accordance with section 11.17. Residents' moneys on deposit in this account may be placed in this account only after the member has signed an agreement that he is willing to have the money in an account that does not draw interest directly to the resident himself.

There is annually appropriated from the account established by this section a sufficient amount to return to the Minnesota veterans



home, upon written request, sufficient money to satisfy the demand of residents for the return of their money and other requirements.

The interest earned from the investment of the deposits is annually appropriated to the ~~Minnesota veterans home~~ *commissioner* from the account established by this section to be used by the ~~veterans home board~~ *commissioner* only for the direct benefit of the residents of the home, and the interest shall be available to the home not less than twice each year.

Page 9, line 4, after "Sections" insert "4.20; 4.25;"

Page 9, line 5, after "12.12;" insert "15.046;"

Page 9, line 6, strike "116C.04, Subdivisions 8 and 9; 116C.05;"

Page 9, line 7, after "176.631;" insert "198.001, Subdivision 3; 198.07; 198.071; 198.072; 198.073; 198.08; 198.09;"

Renumber the sections in sequence

Further amend by striking the title in its entirety and insert the following:

"A bill for an act relating to the organization and operation of state government; transferring functions of certain state agencies; permitting the creation of two advisory agencies; creating the veterans advisory committee; establishing an expiration date for the Vietnam veterans bonus review board; combining the equalization aid review committee and the school loan committee into the equalization aid and school loan board; abolishing various state agencies; amending Minnesota Statutes 1974, Chapter 198, by adding a section; Sections 15.047, Subdivision 1; 124.212, Subdivision 10; 124.41; 173.02, Subdivision 4; 173.04, Subdivisions 2 and 3; 197.977; 197.978, by adding a subdivision; 198.001, by adding subdivisions; 198.01; 198.022; 198.03; 198.05; 198.06; 198.16; 198.161; 198.23; 198.261; 198.265; 206.08; 241.045, Subdivision 1; 256.482, Subdivision 5; and 507.09; repealing Minnesota Statutes 1974, Sections 4.20; 4.25; 12.12; 15.046; 29.011; 29.013; 94.36 to 94.40; 115.17; 136B.01; 136B.02; 173.04, Subdivision 1; 176.621; 176.631; 198.001, Subdivision 3; 198.07; 198.071; 198.072; 198.073; 198.08; 198.09; 332.36 and 507.08."

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

Mr. Olson, A. G. from the Committee on Local Government, to which was referred

S. F. No. 375: A bill for an act relating to city and town government; excluding statutory cities from the application of certain city laws; modifying the application of other laws to conform to the present classification of cities; amending various statutes to reflect the conversion of villages and boroughs to statutory cities; repealing various obsolete provisions of municipal laws; amending Minnesota Statutes 1974, Sections 144.154; 145.01; 205.07, Subdivision 1; 205.10; 205.11; 205.13; 205.14, Subdivision 3; 205.15; 205.16; 205.17, Subdivisions 1 and 3; 205.20, Subdivisions 1 and 4;

329.09; 366.10; 410.05, Subdivision 1; 412.02, Subdivision 5; 412.022, Subdivision 1; 412.023, Subdivision 5; 412.131; 412.171; 412.191, Subdivision 1; 412.311; 412.571, Subdivisions 1, 4 and 5; 413.02, Subdivisions 1 and 2; 415.11, Subdivision 1; 427.09; 427.10; 427.11; 427.12; 429.111; 437.02; 440.11; 440.135, Subdivision 1; 446.04, Subdivision 1; 447.05; 451.06; 451.09; 452.01, Subdivision 1; 455.01; 455.05; 455.13; 455.23; 455.26; 455.27; 455.28; 455.29; 455.30; 455.32; 456.32; 457.13; 458.09, Subdivision 1; 458.20; 458.25; 458.46; 463.04; 465.26; 465.71; 471.38, Subdivision 1; Chapters 205, by adding a section; 410, by adding a section; and repealing Minnesota Statutes 1974, Sections 118.05; 145.02; 197.64; 205.05; 205.06; 205.07, Subdivision 2; 205.08; 205.09; 205.091; 205.12; 274.013; 275.24; 275.36; 368.12; 368.50 to 368.84; 412.017; 412.022, Subdivisions 2 and 3; 412.191, Subdivision 5; 412.841; 415.031 to 415.07; 416.03; 416.04; 416.08 to 416.15; 418.13 to 418.15; 423.21; 426.09; 426.10; 426.15 to 426.18; 435.05; 435.41; 435.46; 436.02; 436.04; 437.01; 438.03, 438.04; 438.07; 440.12; 440.16 to 440.32; 440.39; 441.10 to 441.20; 441.265 to 441.46; 443.14 to 443.17; 443.20 to 443.25; 444.15; 446.03; 447.08; 447.09; 447.23; 448.04 to 448.16; 448.26 to 448.49; 449.04; 449.05; 449.07; 450.06 to 450.08; 452.01, Subdivision 2; 452.02 to 452.07; 452.18 to 452.20; 453.01 to 453.14; 454.01 to 454.045; 455.02 to 455.04; 455.06 to 455.11; 455.15 to 455.22; 456.01 to 456.15; 456.23; 457.02; 457.12; 458.26 to 458.31; 458.47 to 458.49; 459.08 to 459.13; 461.01; 461.07 to 461.11; 465.05 to 465.08; 465.51; 465.52; 465.57; 465.59 to 465.63; 471.05 to 471.14; 471.48; 645.44, Subdivision 3a; Chapter 460, as it appears in Minnesota Statutes 1945; Laws 1895, Chapter 239; Laws 1897, Chapter 85; Laws 1901, Chapter 379; Laws 1907, Chapter 22; Laws 1911, Chapter 53; Laws 1913, Chapters 7 and 47; Laws 1915, Chapters 125 and 230, Sections 2 and 3; Laws 1917, Chapter 190; Laws 1919, Chapter 424; Extra Session Laws 1935, Chapter 8; Laws 1937, Chapter 198; Laws 1941, Chapter 266, as amended; Laws 1947, Chapter 470 and Laws 1953, Chapter 697.

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

Page 4, line 25, after "*regular*" insert "*, primary, or special*"

Page 4, line 25, strike "*election*" and insert "*elections*"

Page 6, line 24, strike "*limits*" and insert "*regulates*"

Page 10, line 20, after "*notice*" insert "*of the regular city election*"

Page 11, line 18, strike "Unless the charter"

Page 11, line 19, strike "specifically prohibits the rotation of"

Page 11, strike line 20

Page 11, line 21, strike "provides otherwise by resolution,"

Page 18, line 31, strike "*statutory city*"

Page 19, lines 2 through 5, strike the new language and reinstate the old language.

Page 19, line 13, strike "*any*" and insert "*the*"

Page 19, line 14, strike "*such*"

Page 21, line 9, strike "*incumbernt*" and insert "*incumbent*"

Page 39, after line 20, insert:

"Sec. 64. Minnesota Statutes 1974, Section 465.70, is amended to read:

465.70 [TELEVISION SIGNAL DISTRIBUTION SYSTEMS; CERTAIN CITIES.] Any statutory city or any *home rule charter* city of the third or fourth class more than 50 miles from the boundaries of a city of the first class, or any two or more of such ~~statutory cities or~~ cities acting under an agreement accepted by the governing body of each such participating municipality, may own, construct, acquire, purchase, maintain and operate within its corporate limits a television signal distribution system for the purpose of receiving, transmitting, and distributing television impulses and television energy, including audio signals and transient visual images, to the inhabitants of the city ~~or statutory city~~. This system shall be considered a public utility. The city ~~or statutory city~~ may erect, construct, operate, repair, and maintain in, upon, along, over, across, through and under its streets, alleys, highways and public grounds, poles, cross-arms, cables, wires, guy-wires, stubs, anchors, towers, antennas, pipes, connections, and other appliances, fixtures, and equipment necessary, expedient, or useful in connection therewith. It may prescribe reasonable rates and charges for the use of these facilities and the services furnished. It may prescribe, make and maintain rules for the operation thereof and do all things necessary and incidental to accomplish such purpose. Subject to and in accordance with chapter 475, the city ~~or statutory city~~ may issue obligations in a maximum amount of \$100,000 for acquisition and betterment of the system."

Renumber subsequent sections

Page 41, line 29, strike "*465.05*" and insert "*463.05*"

Page 41, line 30, after "*465.63;*" insert "*471.01; 471.02; 471.03; 471.04;*"

Page 42, line 4, after "*Chapter 424;*" insert "*Laws 1921, Chapter 30;*"

Amend the title as follows:

Page 1, line 25, after "*465.26;*" insert "*465.70;*"

Page 2, line 6, strike "*465.05*" and insert "*463.05; 465.06*"

Page 2, line 7, after "*465.63;*" insert "*471.01 to 471.04;*"

Page 2, line 15, after "*424;*" insert "*Laws 1921, Chapter 30;*"

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

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

S. F. No. 442: A bill for an act relating to natural resources; directing the release of certain lands and the conveyance of certain lands in Aitkin county.

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

Page 1, line 7, strike "natural resources" and insert "administration"

Page 1, line 19, strike "natural resources" and insert "administration"

Page 1, line 19, after "convey" insert "to Mr. and Mrs. Kenneth G. Bergquist"

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

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

S. F. No. 452: A bill for an act relating to game and fish; affording protection to turtles and regulating the taking thereof; amending Minnesota Statutes 1974, Sections 97.40, Subdivision 11; 98.46. Subdivision 5; and 101.45.

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

Page 4, lines 2 and 3, strike "*A holder of a valid license*" and insert "*Any person permitted by law*"

Page 4, line 4, after "*possess*" insert "*, buy, sell*"

Page 4, line 4, strike "*at any time and*"

Page 4, line 9, strike "*three*" and insert "*ten*"

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

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

S. F. No. 624: A bill for an act relating to local water and related land resources management; granting municipalities authority to construct flood prevention or control facilities on certain bodies of water; amending Minnesota Statutes 1974, Section 459.20.

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

Page 1, line 22, after "*municipality*" insert "*and only in conjunction with projects undertaken pursuant to or in anticipation of an*

*agreement with the government of the United States or any agency thereof"*

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

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

S. F. No. 564: A bill for an act relating to pollution; requiring that rules and regulations of the pollution control agency for the prevention, abatement and control of noise pollution applicable to agricultural production and processing be approved by the commissioner of agriculture; amending Minnesota Statutes 1974, Sections 116.06, by adding a subdivision; and 116.07, Subdivision 4.

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

Page 3, line 6, strike "*or standard*"

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 278 and 445 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
278	118				
445	552				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 445 be amended as follows:

Page 3, line 18, delete "*and with the intention of*" and insert "*shall stop in obedience to a red or stop signal and may then make a left turn into said one-way street,*"

Page 3, delete line 19

Page 3, line 20, delete "*such*" and insert "*the*"

Page 3, line 22, delete "*lawfully*"

Page 3, line 22, delete "*through the*" and insert "*as directed by the signal at said*"

And when so amended, H. F. No. 445 will be identical to S. F. No. 552 and further recommends that H. F. No. 445 be given its second reading and substituted for S. F. No. 552 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 278 be amended as follows:

Page 1, line 13, after "24." insert [BRAND NAME.]

Page 1, delete lines 18 and 19, and insert

*"Subd. 25. [GENERIC NAME.] "Generic name" means the established name as defined pursuant to section 352 of the federal act."*

Page 1, line 22, before "It" insert *"Except as provided in subdivision 2,"*

Page 1, line 25, restore the stricken language and delete *"a drug"*

Page 2, lines 1 and 2, restore the stricken language

Page 2, delete lines 4 to 28 and insert

*"Subd. 2. A pharmacist who receives a prescription for a brand name legend drug may, with the written or verbal consent of the purchaser, dispense any drug having the same generic name as the brand name drug prescribed if the prescriber has not written in his own handwriting "dispense as written" or "D.A.W." on the prescription or, when an oral prescription is given, has not expressly indicated the prescription is to be dispensed as communicated. A pharmacist may not substitute a generically equivalent drug product unless, in the pharmacist's professional judgment, the substituted drug is therapeutically equivalent and interchangeable to the prescribed drug. A pharmacist shall notify the purchaser if he is dispensing a drug other than the brand name drug prescribed.*

*Subd. 3. A pharmacist dispensing a drug under the provisions of subdivision 2 shall not dispense a drug of higher cost than the brand name drug prescribed. Any difference between the wholesale cost to the pharmacist of the drug dispensed and the brand name drug prescribed shall be passed on to the purchaser."*

Page 3, line 2, delete *"after February 1, 1976"*

Page 3, line 3, delete *"such"* and insert *"the"*

Page 3, line 4, after *"drug."* delete *"The"*

Page 3, delete lines 5, 6 and 7

Page 3, line 12, delete *"any such"* and insert *"the"*

Page 3, line 19, after *"fraudulent"* insert a comma

Page 3, line 22, strike *"such"* and insert *"the"*

Page 3, line 23, after *"adulterated"* strike *"or"* and insert a comma

Page 3, line 23, delete *"is being"*

Page 3, line 26, strike *"such"* and insert *"the"*

Page 3, line 29, strike *"such"* and insert *"the"*

Page 3, line 30, after *"adulterated"* strike the comma and after *"misbranded"* insert a comma

Page 4, line 6, after "misbranded" insert a comma

Page 4, line 8, strike "such" and insert "*the*"

Page 4, line 10, strike "; provided, that when" and insert ". *If*"

Page 4, line 15, strike "such" and insert "*the*"

Page 4, line 16, strike "such" and insert "*the*"

Page 4, line 17, strike "such" and insert "*the*"

Page 4, line 19, strike "such" and insert "*the*"

Page 4, line 23, strike "such" and insert "*the*"

Page 4, delete lines 24 and 25

Further, amend the title as follows:

In line 6, after "otherwise;" insert "providing for manufacturer disclosure;"

And when so amended, H. F. No. 278 will be identical to S. F. No. 118 and further recommends that H. F. No. 278 be given its second reading and substituted for S. F. No. 118 and that the Senate File 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. 227 for comparison to companion Senate Files, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
227	388				

And that the above Senate File 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. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 178 and 586 for proper reference, recommends the above House Files be referred to their respective committees as follows:

H. F. No. 586 to the Committee on Governmental Operations.

H. F. No. 178 to the Committee on Labor and Commerce.

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

**SECOND READING OF SENATE BILLS**

S. F. Nos. 565, 38, 730, 458, 303, 51, 702, 669, 160, 244, 272, 375, 442, 452, 624 and 564 were read the second time.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 286, 31, 51, 227, 445 and 278 were read the second time.

**MOTIONS AND RESOLUTIONS**

Mr. Gearty moved that S. F. No. 543 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Natural Resources and Agriculture. The motion prevailed.

Mr. Gearty moved that S. F. No. 898 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

Mr. Moe moved that the appointment of:

**EXECUTIVE DIRECTOR OF THE POLLUTION CONTROL AGENCY**

Grant Merritt, 8124-40th Avenue North, Minneapolis, Hennepin County, effective January 6, 1975, for a term expiring January 1, 1979, be taken from the table. The motion prevailed.

**CONFIRMATION**

Mr. Moe moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported March 13, 1975, the Senate, having advised with, do now consent to and confirm the appointment of:

**EXECUTIVE DIRECTOR OF THE POLLUTION CONTROL AGENCY**

Grant Merritt, 8124-40th Avenue North, Minneapolis, Hennepin County, effective January 6, 1975, for a term expiring January 1, 1979.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 45 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, S.	North	Sillers
Arnold	Davies	Kleinbaum	Ogdahl	Solon
Bang	Doty	Laufenburger	Olhoft	Spear
Borden	Dunn	Lewis	Olson, A. G.	Stassen
Brataas	Gearty	McCutcheon	O'Neill	Stokowski
Brown	Hansen, Mel	Merriam	Perpich, A. J.	Stumpf
Chenoweth	Hughes	Milton	Perpich, G.	Tennessee
Chmielewski	Humphrey	Moe	Pillsbury	Wegener
Coleman	Keefe, J.	Nelson	Schmitz	Willet



Those who voted in the negative were:

Berg	Frederick	Knutson	Olson, J. L.	Schrom
Bernhagen	Hansen, Baldy	Kowalczyk	Patton	Ueland
Blatz	Hanson, R.	Larson	Purfeerst	
Fitzsimons	Josefson	Olson, H. D.	Renneke	

The motion prevailed. So the appointment was confirmed.

Mr. Moe moved that the following appointments be taken from the table.

#### **COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE**

Jon Wefald, 61 Flandrau Place, St. Paul, Ramsey County, effective January 6, 1975, for a term expiring January 1, 1979.

#### **COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES**

Robert Herbst, 10444-5th Avenue Circle, Bloomington, Hennepin County, effective January 6, 1975, for a term expiring January 1, 1979.

The motion prevailed.

#### **CONFIRMATION**

Mr. Moe moved that in accordance with the report from the Committee on Natural Resources and Agriculture, reported March 13, 1975, the Senate, having advised with, do now consent to and confirm the appointments of:

#### **COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE**

Jon Wefald, 61 Flandrau Place, St. Paul, Ramsey County, effective January 6, 1975, for a term expiring January 1, 1979.

#### **COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES**

Robert Herbst, 10444-5th Avenue Circle, Bloomington, Hennepin County, effective January 6, 1975, for a term expiring January 1, 1979.

The motion prevailed. So the appointments were confirmed.

Without objection, the Senate reverted to the Order of Business of Committee Reports.

#### **REPORTS OF COMMITTEES**

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

House Concurrent Resolution No. 1, A house concurrent resolution providing for a joint convention of the Senate and the House

of Representatives for the purpose of electing members of the Board of Regents of the University of Minnesota.

Reports the same back with the recommendation that the resolution be adopted.

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

#### MOTIONS AND RESOLUTIONS—CONTINUED

House Concurrent Resolution No. 1: A house concurrent resolution providing for a joint convention of the Senate and the House of Representatives for the purpose of electing members of the Board of Regents of the University of Minnesota.

BE IT RESOLVED, by the House of Representatives of the State of Minnesota, the Senate concurring therein, that the House of Representatives and the Senate meet in joint convention on Thursday, March 20, 1975, at 4:00 p.m. in the House of Representatives for the purpose of electing members to the Board of Regents of the University of Minnesota; and

BE IT FURTHER RESOLVED, that the Education Committee of the Senate and the Higher Education Committee of the House of Representatives in a joint meeting be and they are hereby appointed to submit a slate of nominations and to report same at the meeting of the joint convention.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Willet moved that the names of Messrs. Olhoft and Olson, H. D. be added as co-authors to S. F. No. 992. The motion prevailed.

Mr. Coleman, from the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Bernice Schneider, Stenographer II, effective March 10, 1975.

Marie Annette Kent, Stenographer I, effective March 19, 1975.

Jeanne Zanka, transferred from Indexer I to Clerk Typist I, effective March 8, 1975.

Marcella Stark substituted for Jeanne Zanka in the Indexer I classification, effective March 10, 1975.

Geraldine Zak substituted for John Gopher in the Page classification, effective March 18, 1975.

Douglas W. Nethercut substituted for Mary E. Elchert in the Page classification, effective March 17, 1975.

Robert Graham, Sergeant, effective March 10, 1975.

Rev. George W. Chant, Chaplain, effective March 17, 1975.

Sally Finney transferred from Stenographer I to Stenographer II, effective March 22, 1975.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mrs. Brataas moved that the name of Mr. Laufenburger be added as co-author to S. F. Nos. 1038 and 1039. The motion prevailed.

Mr. Anderson moved that S. F. No. 304 be taken from the table. The motion prevailed.

### CONCURRENCE AND REPASSAGE

Mr. Anderson moved that the Senate concur in the amendments by the House to S. F. No. 304 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 304: A bill for an act authorizing the sale and conveyance of the elevated water storage tank at the Anoka State Hospital and related easements to the city of Anoka.

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

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

And the roll being called, there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### GENERAL ORDERS

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

After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Borden reported that the committee had considered the following:

H. F. No. 103, which the committee recommends to pass.

S. F. No. 228, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Page 3, line 15, after "*penalty*" insert "*to be imposed by the state fire marshal*"

H. F. No. 139, which the committee recommends to pass with the following amendment offered by Mr. Laufenburger:

Page 1, line 21, strike "*any culvert*" and insert "*all culverts*"

H. F. No. 84, which the committee recommends to pass with the following amendments offered by Messrs. McCutcheon, Stassen, Nelson and Doty:

Mr. McCutcheon moved to amend H. F. No. 84, as amended pursuant to Rule 49, adopted by the Senate March 13, 1975, as follows:

Page 1, after line 10, insert:

"Section 1. Minnesota Statutes 1974, Section 43.18, is amended to read:

43.18 [VACANCIES.] Subdivision 1. [NOTICE.] Appointing officers shall give written notice to the commissioner of personnel of their intention to establish new positions and of the existence of any vacancy to be filled in any office or employment in the classified service, and, within a reasonable time after the receipt of this notice, the commissioner shall certify, from the list of eligibles, appropriate for the grade and class in which the position is classified, the first three names on such list together with any additional names of persons having an examination rating within three points of the person on the list with the highest examination rating, except as provided in section 43.23. In the case of an eligible list for initial entry into the state service, the commissioner, however, shall certify the first ten names on such list in the manner as provided in this section.

Subd. 2. [PROMOTIONS.] In the case of positions to be filled by examinations other than open competitive examinations, the commissioner shall certify, from the list of eligibles, appropriate for the grade and class in which the position is classified, the first three names on such list together with any additional names of persons having an examination rating within three points of the person on the list with the highest examination rating, except as provided in section 43.23 and 43.19, subdivision 1.

Subd. 3. [ORIGINAL ENTRY.] In the case of positions to be filled by open competitive examination, the commissioner shall certify the first ten names on the list. Appointments from the list shall only be made from the first ten available eligibles. The commissioner shall promulgate rules so that a determination of unavailability by an appointing authority will be based on a statement of unavailability from the eligible or lack of response by the eligible to notification by certified mail of the open position. Before requesting a recertification based on unavailability or rejection of an eligible, the appointing authority shall demonstrate the unavailability of an eligible or shall provide reasons for requesting the removal of an eligible's name from the certification.

Subd. 4. [APPOINTMENT; PROBATION.] The appointing officer shall appoint on probation, with sole reference to merit an

fitness, one of the said candidates, whose name is certified in the manner above set forth, to fill such vacancy, except as provided in section 43.23. The provisions of this section shall not apply when the office or employment is among those listed in section 43.20, for which competitive examinations are not required."

Page 1, line 17, strike "In all examinations under this chapter"

Page 1, line 18, strike "given" and insert "*available pursuant to this section*"

Page 3, strike lines 9 to 12 and insert:

*"A veteran's preference under this section may only be used in the state civil service and political subdivisions of the state in the securing of positions to be filled by open competitive examinations and may not be used for the filling of promotional positions. An open competitive examination is an examination open to current employees and non-employees of the state or political subdivision."*

Renumber the remaining sections accordingly

Page 4, line 7, strike "*in employment and appointment*"

Page 4, lines 8 and 9, strike "*in employment and appointment*"

Page 4, line 20, strike "2" and insert "3"

Page 6, line 11, strike "2" and insert "3"

Page 6, line 22, strike "2" and insert "3"

Amend the title as follows:

Line 3, strike "appointments or promotions" and insert "employment"

Line 5, after the semicolon insert "restricting discretion in the selection of state civil service employees"

Line 6, after "Sections" insert "43.18;"

Mr. Stassen moved to amend H. F. No. 84, as amended pursuant to Rule 49, adopted by the Senate March 13, 1975, as follows:

Page 3, after line 12, insert:

*"Notwithstanding the foregoing, in any governmental agency giving an exam, where an applicant for a promotional examination is a disabled veteran and he has passed the promotional examination for his first promotion after entering that position, he may elect to have a credit of five points added to that examination rating. The decision to make such election may be made either before or after the examination. If the election is made and the promotion is gained, such election shall preclude the use of a five point preference in further promotions. If the disabled veteran is able to perform the duties of the position sought under the promotion with reasonable efficiency, his name shall be placed on the list of eligibles with the names of other eligible persons. The name of a disabled veteran with such augmented rating shall be entered ahead of the other eligibles when their ratings are the same."*

The question being taken on the adoption of the amendment.  
And the roll being called, there were yeas 41 and nays 25, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Keefe, J.	Olson, J. L.	Solon
Bang	Dunn	Knutson	O'Neill	Stassen
Berg	Fitzsimons	Kowalczyk	Patton	Ueland
Bernhagen	Frederick	Larson	Pillsbury	Wegener
Blatz	Hansen, Baldy	Laufenburger	Purfeerst	Willet
Brown	Hansen, Mel	Moe	Renneke	
Chenoweth	Hanson, R.	Nelson	Schmitz	
Chmielewski	Jensen	Olson, A. G.	Schrom	
Conzemius	Josefson	Olson, H. D.	Sillers	

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	North	Schaaf
Arnold	Gearty	Lewis	Ogdahl	Spear
Borden	Hughes	McCutcheon	Olhoff	Stokowski
Brataas	Humphrey	Merriam	Perpich, A. J.	Stumpf
Coleman	Keefe, S.	Milton	Perpich, G.	Tennessee

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 84, as amended pursuant to Rule 49, adopted by the Senate March 13, 1975, as follows:

Page 3, after line 16, insert:

*"It shall not extend to any veteran who receives a monthly veteran's pension benefit based solely on length of service."*

Mr. Doty moved to amend H. F. No. 84, as amended pursuant to Rule 49, adopted by the Senate March 13, 1975, as follows:

At the end of the Stassen amendment insert:

*"For purposes of the preference to be used by a disabled veteran in securing a promotional position, the term "disabled veteran" means a person entitled to disability compensation under laws administered by the Veterans Administration for a service-connected disability rated at 50 percentum or more."*

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Doty	McCutcheon	Olson, H. D.	Stokowski
Arnold	Gearty	Merriam	O'Neill	Stumpf
Bang	Hansen, Mel	Milton	Perpich, A. J.	Tennessee
Borden	Hughes	Moe	Perpich, G.	Wegener
Brataas	Humphrey	Nelson	Purfeerst	
Chenoweth	Keefe, S.	North	Schaaf	
Coleman	Kleinbaum	Olhoff	Solon	
Davies	Lewis	Olson, A. G.	Spear	

Those who voted in the negative were:

Berg	Fitzsimons	Keefe, J.	Patton	Stassen
Bernhagen	Frederick	Knutson	Pillsbury	Ueland
Blatz	Hansen, Baldy	Kowalczyk	Renneke	Willet
Brown	Hanson, R.	Laufenburger	Schmitz	
Chmielewski	Jensen	Ogdahl	Schrom	
Dunn	Josefson	Olson, J. L.	Sillers	

The motion prevailed. So the amendment was adopted.

Mr. Doty moved to amend the Stassen amendment to H. F. No. 84 as follows:

Line 3 of the Stassen amendment, strike "*disabled*" and after "*veteran*" insert "*with a 50 percent or greater disability*"

The question being taken on the adoption of the Doty amendment to the Stassen amendment,

And the roll being called, there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kowalczyk	Olson, A. G.	Renneke
Arnold	Dunn	Larson	Olson, H. D.	Sillers
Ashbach	Fitzsimons	Merriam	Olson, J. L.	Solon
Bang	Hansen, Mel	Nelson	O'Neill	Stokowski
Borden	Hanson, R.	North	Patton	
Brataas	Humphrey	Ogdahl	Perpich, G.	
Coleman	Knutson	Olhoff	Pillsbury	

Those who voted in the negative were:

Berg	Davies	Keefe, J.	Perpich, A. J.	Stumpf
Bernhagen	Frederick	Keefe, S.	Purfeerst	Tennessen
Blatz	Gearty	Kleinbaum	Schaaf	Ueland
Brown	Hansen, Baldy	Laufenburger	Schmitz	Wegener
Chenoweth	Hughes	Lewis	Schrom	Willet
Chmielewski	Jensen	McCutcheon	Spear	
Conzemius	Josefson	Milton	Stassen	

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

Mr. Schaaf moved to amend H. F. No. 84, as amended pursuant to Rule 49, adopted by the Senate March 13, 1975, as follows:

Page 3, after line 12, insert:

*"No veteran shall be eligible for a preference pursuant to this section after five years next following the effective date of this act or after five years next following that veteran's most recent date of discharge or separation, excluding any time spent in a hospital or similar institution for treatment of a service connected disability, whichever is the later. The commissioner of veterans affairs may at any time, upon petition of a veteran and upon a showing of good cause, grant an additional use of the preference given by this section. Before granting a petition, the commissioner shall have promulgated rules establishing procedures and standards for the permitting of an additional use. The commissioner shall promptly report the granting of a petition to the commissioner of personnel and shall also report, at the request of the petitioning veteran, to a local personnel officer."*

Page 3, line 13, after "*preference*" insert "*, including the right to petition the commissioner for an additional use,*"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 3 and nays 57, as follows:

Messrs. Keefe, S.; Merriam and Schaaf voted in the affirmative.

Those who voted in the negative were:

Anderson	Davies	Kleinbaum	Olson, A. G.	Sillers
Arnold	Doty	Kowalczyk	Olson, H. D.	Solon
Ashbach	Dunn	Larson	Olson, J. L.	Spear
Berg	Fitzsimons	Laufenburger	O'Neill	Stassen
Bernhagen	Frederick	Lewis	Patton	Stokowski
Blatz	Gearty	McCutcheon	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Milton	Perpich, G.	Tennessee
Brataas	Hanson, R.	Moe	Pillsbury	Ueland
Brown	Hughes	Nelson	Purfeerst	Willet
Chmielewski	Humphrey	North	Renneke	
Coleman	Jensen	Ogdahl	Schmitz	
Conzemius	Josefson	Olhoff	Schrom	

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

### RECESS

Mr. Coleman moved that the committee do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m., having arrived, the Chairman called the committee to order.

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

Without objection, the Senate reverted to the Order of Business of Motions and Resolutions.

### MOTIONS AND RESOLUTIONS—CONTINUED

#### CALL OF THE SENATE

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

Anderson	Chmielewski	Gearty	McCutcheon	Purfeerst
Arnold	Coleman	Hansen, Baldy	Moe	Renneke
Berg	Conzemius	Hanson, R.	Olhoff	Schrom
Bernhagen	Davies	Humphrey	Olson, A. G.	Solon
Borden	Dunn	Josefson	Olson, H. D.	Stokowski
Brataas	Fitzsimons	Keefe, S.	Olson, J. L.	Tennessee
Brown	Frederick	Kleinbaum	Perpich, A. J.	Willet

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate resolve itself into a Committee of the Whole. The motion prevailed.

### GENERAL ORDERS—CONTINUED

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



After some time spent therein, the committee arose, and the President having resumed the chair, Mr. Borden reported that the committee had considered the following:

S. F. Nos. 249 and 236, which the committee recommends to pass.

S. F. No. 242 which the committee reports progress, subject to the following motion:

Mr. Brown moved to amend S. F. No. 242 as follows:

Page 2, line 11, strike "*at the pleasure of the*" and insert "*and may be removed only for cause.*"

Page 2, strike line 12

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 27 and nays 26, as follows:

Those who voted in the affirmative were:

Ashbach	Coleman	Josefson	Nelson	Renneke
Berg	Doty	Keefe, J.	Olson, A. G.	Ueland
Bernhagen	Fitzsimons	Knutson	Olson, J. L.	Willet
Blatz	Frederick	Kowalczyk	O'Neill	
Brataas	Hansen, Mel	Larson	Patton	
Brown	Hanson, R.	McCutcheon	Pillsbury	

Those who voted in the negative were:

Anderson	Hughes	Milton	Purfeerst	Tennessen
Arnold	Humphrey	Moe	Schaaf	Wegener
Borden	Keefe, S.	North	Schmitz	
Conzemius	Kleinbaum	Olhoft	Spear	
Davies	Lewis	Olson, H. D.	Stokowski	
Gearty	Merriam	Perpich, A. J.	Stumpf	

The motion prevailed. So the amendment was adopted. The committee then progressed S. F. No. 242.

S. F. No. 583, which the committee recommends to pass with the following amendment offered by Mr. Wegener:

Page 1, line 13, after "*appointment*" insert "*by the town board*"

Mr. Coleman moved to amend S. F. No. 583 as follows:

Strike everything after the enacting clause and insert:

"Section 1. [TOWN GOVERNMENT ABOLISHED.] Subdivision 1. Effective January 1, 1977, all organized towns, including towns having the powers of a statutory city, shall be abolished, and the functions, powers and duties of towns shall be transferred to and imposed upon the counties in which towns are located. Every county shall provide for the government of the territory of the former towns as unorganized territory of the county.

Subd. 2. Any funds belonging to towns remaining in or thereafter coming into the treasury of the county in which the towns were located shall be disposed of in the manner provided in section 365.47.

Subd. 3. In the event the outstanding bonds, warrants and judgments exceed the amount which may be raised by a one-year levy as provided in section 365.47, the county board may issue funding or refunding bonds in accordance with section 365.48.

Subd. 4. Any property, real or personal, of a town which is needed for county purposes shall become the property of the county but the reasonable value thereof, as determined by the county board shall be credited to the town and used for the purpose of paying off outstanding bonds, warrants, or judgments. Any other property of the town shall become the property of the county without any allowance being made therefor. Any surplus funds of the town, after all obligations have been paid, shall be credited to the general fund of the county.

Subd. 5. To the extent possible, every county shall give preference to employees of the former towns if additional county employees are necessary to carry out the functions, powers, and duties imposed on the county by this act.

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

Amend the title by striking it in its entirety and inserting:

"A bill for an act relating to towns; abolishing towns; providing for the transfer of town powers to counties."

Mr. Chenoweth moved to amend the Coleman amendment to S. F. No. 583 as follows:

Section 1, line 2, after the first "towns" insert "located wholly within the metropolitan area as defined in Laws 1975, Chapter 13, Section 1, Subdivision 2,"

Amend the title as follows:

Page 2, line 2, of the title amendment after the first "towns" insert "within the metropolitan area"

The question being taken on the adoption of the Chenoweth amendment to the Coleman amendment,

And the roll being called, there were yeas 14 and nays 46, as follows:

Those who voted in the affirmative were:

Chenoweth	Keefe, J.	Merriam	O'Neill	Stumpf
Coleman	Lewis	North	Pillsbury	Tennessen
Davies	McCutcheon	Ogdahl	Schaaf	

Those who voted in the negative were:

Anderson	Conzemius	Humphrey	Olson, A. G.	Spear
Arnold	Doty	Jensen	Olson, H. D.	Stassen
Ashbach	Dunn	Josefson	Olson, J. L.	Stokowski
Bang	Fitzsimons	Kleinbaum	Patton	Ueland
Bernhagen	Frederick	Knutson	Perpich, A. J.	Wegener
Blatz	Gearty	Larson	Purfeerst	Willet
Borden	Hansen, Baldy	Laufenburger	Renneke	
Brataas	Hansen, Mel	Moe	Schmitz	
Brown	Hanson, R.	Nelson	Schrom	
Chmielewski	Hughes	Olhoft	Solon	

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

The question recurred on the Coleman amendment.

And the roll being called, there were yeas 14 and nays 49, as follows:

Those who voted in the affirmative were:

Bang	Davies	McCutcheon	Ogdahl	Stumpf
Chenoweth	Keefe, J.	Merriam	Pillsbury	Tennessee
Coleman	Lewis	North	Schaaf	

Those who voted in the negative were:

Anderson	Conzemius	Humphrey	Moe	Schmitz
Arnold	Doty	Jensen	Olhoft	Schrom
Ashbach	Dunn	Josefson	Olson, A. G.	Solon
Berg	Fitzsimons	Keefe, S.	Olson, H. D.	Spear
Bernhagen	Frederick	Kleinbaum	Olson, J. L.	Stassen
Blatz	Gearty	Knutson	O'Neill	Stokowski
Borden	Hansen, Baldy	Kowalczyk	Patton	Ueland
Brataas	Hansen, Mel	Larson	Perpich, A. J.	Wegener
Brown	Hanson, R.	Laufenburger	Purfeerst	Willet
Chmielewski	Hughes	Milton	Renneke	

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

Mr. Borden moved that the report of the Committee of the Whole, as kept by the Secretary, be adopted.

Mr. Schrom requested that the report on S. F. No. 249 be divided out.

The question being taken on the adoption of the motion of Mr. Borden,

The motion prevailed. So the report was adopted.

Mr. Schrom moved that the report on S. F. No. 249 be rejected. The motion prevailed.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Nelson moved that S. F. No. 939 be withdrawn from the Committee on Metropolitan and Urban Affairs and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

#### RECESS

Mr. Coleman moved that the Senate do now recess until after the Joint Convention. The motion prevailed.

At the appointed time, the President called the Senate to order.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:30 o'clock a.m., Monday, March 24, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate