

THIRTY-SEVENTH DAY

St. Paul, Minnesota, Wednesday, April 23, 1975

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

Prayer was offered by the Chaplain, Rev. Ronald C. Peterson.

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

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

The President declared a quorum present.

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Milton, Ogdahl and Kleinbaum introduced—

S. F. No. 1662: A bill for an act relating to mobile homes; redefining certain terms; providing a penalty; amending Minnesota Statutes 1974, Sections 327.31, Subdivisions 5 and 11; 327.51, Subdivision 3; 327.55, Subdivision 1, and by adding a subdivision.

Referred to the Committee on Labor and Commerce.

Messrs. Sillers and Fitzsimons introduced—

S. F. No. 1663: A bill for an act relating to crimes; prescribing that one who causes grievous bodily injury or death when operat-

ing a motor or certain other vehicles while under the influence of a drug or alcoholic beverage is guilty of criminal negligence; amending Minnesota Statutes 1974, Section 169.121, Subdivision 3; and Chapter 609, by adding a section.

Referred to the Committee on Judiciary.

Messrs. O'Neill, Laufenburger and Frederick introduced—

S. F. No. 1664: A bill for an act relating to taxation; providing for the property tax classification of homesteads of survivors of totally disabled veterans; amending Minnesota Statutes 1974, Section 273.13, Subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

Mr. O'Neill, Mrs. Brataas and Mr. Sillers introduced—

S. F. No. 1665: A bill for an act relating to taxation; increasing personal credits against income tax; amending Minnesota Statutes 1974, Section 290.06, Subdivision 3c.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Milton; Keefe, S. and Humphrey introduced—

S. F. No. 1666: A bill for an act relating to public health; establishing a child health disability prevention program to be administered by the department of health and community units; requiring health screening of children; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Ogdahl, Gearty and Coleman introduced—

S. F. No. 1667: A bill for an act relating to certain officers and employees of the state and their dependents; providing optional insurance coverage for certain officers and employees; amending Minnesota Statutes 1974, Section 43.491, Subdivision 2.

Referred to the Committee on Governmental Operations.

Messrs. Nelson, Gearty and Ogdahl introduced—

S. F. No. 1668: A bill for an act relating to Ramsey and Hennepin counties; establishing an inter-county community corrections commission; providing that counties contiguous to Hennepin or Ramsey may become members of the commission; appropriating money.

Referred to the Committee on Metropolitan and Urban Affairs. Mr. Davies questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Humphrey introduced—

S. F. No. 1669: A bill for an act relating to the city of Crystal; license fees for “off-sale” liquor licenses.

Referred to the Committee on Labor and Commerce.

Mr. Perpich, A. J. introduced—

S. F. No. 1670: A bill for an act relating to St. Louis county; authorizing payment of auto mileage expense to county commissioners of St. Louis county; amending Laws 1959, Chapter 301, Section 1; repealing Laws 1951, Chapter 391, Section 2.

Referred to the Committee on Local Government.

Mr. Tennesen introduced—

S. F. No. 1671: A bill for an act relating to taxation; providing a deduction for travel expenses for medical purposes; amending Minnesota Statutes 1974, Section 290.09, Subdivision 10.

Referred to the Committee on Taxes and Tax Laws.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 286, 645, 730, 764 and 997.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1975

Mr. President:

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

S. F. No. 72: A bill for an act relating to elections; permitting the use of a petition in lieu of filing fees; amending Laws 1975, Chapter 5, Section 15, by adding a subdivision.

There has been appointed as such committee on the part of the House: Enebo, Sarna and Knickerbocker.

Senate File No. 72 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1975

Mr. President:

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

S. F. No. 226: A bill for an act relating to employment services; unemployment compensation; administrative expense; amending Minnesota Statutes 1974, Section 268.05, Subdivision 5.

There has been appointed as such committee on the part of the House: Beauchamp, Voss and Biersdorf.

Senate File No. 226 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1975

Mr. President:

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

S. F. No. 499: A bill for an act relating to insurance; authorizing an insurer to refuse to renew an automobile insurance policy under certain circumstances; amending Minnesota Statutes 1974, Section 65B.17.

There has been appointed as such committee on the part of the House: Prah, Sieloff and Anderson, G.

Senate File No. 499 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 21, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 49, 174, 493, 556, 700, 100, 503, 594, 686, 911, 351, 775, 778, 1073, 1187, 715, 988, 1230, 1252, 1422, 967, 1207, 1499, 1500 and 1501.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 21, 1975

FIRST READING OF HOUSE BILLS

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

H. F. No. 49: A bill for an act relating to the city of Duluth;

authorizing the rendering of emergency service by a physician's trained mobile intensive care paramedic; granting limited immunity from civil liability for paramedics and physicians advising or instructing paramedics.

Referred to the Committee on Rules and Administration.

H. F. No. 174: A bill for an act relating to trade regulations; providing for unit pricing of certain packaged commodities; providing for exemptions.

Referred to the Committee on Labor and Commerce.

H. F. No. 493: A bill for an act relating to commerce; franchises; amending Minnesota Statutes 1974, Sections 80C.01, by adding subdivisions; 80C.04, by adding a subdivision; 80C.13, by adding subdivisions; and 80C.14.

Referred to the Committee on Rules and Administration.

H. F. No. 556: A bill for an act relating to highway traffic regulations; speed restrictions; authorizing local authorities to reduce speed limits on certain portions of highways and streets during school hours; amending Minnesota Statutes 1974, Section 169.14, Subdivision 5, and by adding a subdivision.

Referred to the Committee on Transportation and General Legislation.

H. F. No. 700: A bill for an act relating to elections; making the uniform municipal election day mandatory; amending Minnesota Statutes 1974, Sections 205.10; 205.11, Subdivisions 1 and 2; 205.13; and 205.20; repealing Minnesota Statutes 1974, Sections 205.03; 205.04; 205.05; 205.06; 205.07; 205.08; 205.09; 205.091; 205.12; 205.18; and 205.19.

Referred to the Committee on Transportation and General Legislation.

H. F. No. 100: A bill for an act relating to game and fish; authorizing the commissioner of natural resources to establish limitations on fishing contests and to issue special permits for fishing contests; amending Minnesota Statutes 1974, Section 101.42, by adding a subdivision.

Referred to the Committee on Rules and Administration.

H. F. No. 503: A bill for an act relating to game and fish; prohibiting use of certain sonic equipment; amending Minnesota Statutes 1974, Section 101.42, by adding subdivisions.

Referred to the Committee on Natural Resources and Agriculture.

H. F. No. 594: A bill for an act relating to employments licensed by the state; architects, engineers and surveyors; raising the minimum public building cost for which services of a licensed architect, engineer

or land surveyor are required; amending Minnesota Statutes 1974, Section 326.03, Subdivision 2.

Referred to the Committee on Rules and Administration.

H. F. No. 686: A bill for an act relating to Independent School District No. 497; allowing financing of a deficit.

Referred to the Committee on Education.

H. F. No. 911: A bill for an act relating to crime; prohibiting removing, altering or obliterating identifying marks on property; providing penalties; amending Minnesota Statutes 1974, Section 609.52, Subdivision 2.

Referred to the Committee on Judiciary.

H. F. No. 351: A bill for an act relating to the city of Moorhead; firemen's relief funds and pensions therein; amending Laws 1955, Chapter 75, Sections 14, Subdivisions 1, 2, and 6; and 16; as amended, added, and renumbered.

Referred to the Committee on Governmental Operations.

H. F. No. 775: A bill for an act relating to retirement benefits of certain legislative employees; authorizing payment of contributions for intermittent service during regular and special sessions.

Referred to the Committee on Rules and Administration.

H. F. No. 778: A bill for an act relating to retirement; survivor's benefits payable by the firemen's relief association of the city of Faribault; amending Laws 1947, Chapter 43, Section 23, as amended.

Referred to the Committee on Governmental Operations.

H. F. No. 1073: A bill for an act relating to retirement; restricting establishment of local pension plans; repealing Minnesota Statutes 1974, Section 69.79.

Referred to the Committee on Governmental Operations.

H. F. No. 1187: A bill for an act relating to the operation of state government; providing for implementation of a state register for official notices by state departments; amending Minnesota Statutes 1974, Section 15.0412, Subdivision 4; and Laws 1974, Chapter 344, Section 9.

Referred to the Committee on Rules and Administration.

H. F. No. 715: A bill for an act relating to public welfare; clarifying the definition of vendor of medical assistance to cover public health nurses; amending Minnesota Statutes 1974, Section 256B.02, Subdivision 7.

Referred to the Committee on Rules and Administration.

H. F. No. 988: A bill for an act authorizing the issuance of bonds by Independent School District No. 279 without adjustment of maturities.

Referred to the Committee on Rules and Administration.

H. F. No. 1230: A bill for an act relating to agriculture; sale of nursery stock by out-of-state nurserymen; certificates of inspection; reciprocity with other states; amending Minnesota Statutes 1974, Section 18.55, Subdivision 2.

Referred to the Committee on Rules and Administration.

H. F. No. 1252: A bill for an act relating to the sale of state owned lands to the city of Owatonna; providing for valuation at current fair market value; amending Laws 1965, Chapter 216, Sections 2, as amended; and 3, Subdivision 1, as amended.

Referred to the Committee on Rules and Administration.

H. F. No. 1422: 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 Rules and Administration.

H. F. No. 967: A bill for an act authorizing the city of Plymouth to refund temporary improvement bonds issued in the years 1969 to 1975; amending Laws 1971, Chapter 557, Section 1, as amended.

Referred to the Committee on Rules and Administration.

H. F. No. 1207: A bill for an act relating to the city of St. Paul; providing for two additional commissioners for the St. Paul housing and redevelopment authority; requiring representation of low and moderate income areas; amending Laws 1963, Chapter 514, Section 1.

Referred to the Committee on Metropolitan and Urban Affairs.

H. F. No. 1499: A bill for an act relating to the firemen's relief association in the city of Columbia Heights; membership of certain fire personnel in the public employees police and fire fund; benefits and contributions; amending Laws 1965, Chapter 605, Sections 21, 22, and 25; repealing Laws 1965, Chapter 605, Section 12.

Referred to the Committee on Governmental Operations.

H. F. No. 1500: A bill for an act relating to the city of Buhl; police retirement and survivor benefits.

Referred to the Committee on Governmental Operations.

H. F. No. 1501: A bill for an act relating to the city of Eveleth; firemen's pensions therein; amending Laws 1935, Chapter 208, as amended by adding a section.

Referred to the Committee on Governmental Operations.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. Nos. 938 and 1223 and reports pertaining to appointments. The motion prevailed.

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

S. F. No. 855: A bill for an act relating to metropolitan government; authorizing council regulations establishing standards and guidelines for determining matters of metropolitan significance to be adopted without specific legislative approval; amending Minnesota Statutes 1974, Section 473B.061, Subdivision 1.

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

Page 1, line 9, strike "Minnesota Statutes 1974, Section 473B.061" and insert "Laws 1975, Chapter 13, Section 18"

Page 1, line 10, strike "1" and insert "2"

Page 1, strike line 11

Page 1, line 12, strike "[METROPOLITAN SIGNIFICANCE.]" and insert "Subd. 2."

Page 1, line 14, after "act," insert "Minnesota Statutes,"

Page 1, line 22, restore the stricken language "The metropolitan council shall"

Page 1, line 24, after the stricken word "approval." insert "*by January 15 of each succeeding year submit any change in the regulations adopted by the council pursuant to this section to the legislature for review.*"

Further amend the title:

Page 1, line 6, strike "Minnesota Statutes" and insert "Laws 1975, Chapter 13, Section 18, Subdivision 2."

Page 1, strike line 7.

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. 469: A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement

act; amending Minnesota Statutes 1974, Chapter 354, by adding a section; Sections 354.05, Subdivisions 13, 22, 25, 26, and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding a subdivision; 354.092; 354.10; 354.146, Subdivision 1, and by adding a subdivision; 354.43, Subdivisions 1, and 3; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, and 16; and 354.62, Subdivision 5.

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

Page 2, line 12, strike "354.38 and"

Page 3, strike lines 3 to 11

Page 6, after line 6, insert a new section to read as follows:

"Sec. 8. Minnesota Statutes 1974, Section 354.07, is amended by adding a subdivision to read:

Subd. 8. [RIGHTS LIMITED.] No provision of chapter 354 shall create or give any contract rights to any person."

Pages 7 and 8, strike sections 10 and 11

Page 9, after line 27, insert new sections to read:

"Sec. 13. Minnesota Statutes 1974, Section 354.44, is amended by adding a subdivision to read:

Subd. 1a. [MANDATORY RETIREMENT.] Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a member shall terminate employment on August 31, 1975, or at the end of the academic year in which he reaches the age of 65, whichever is later. For purposes of this subdivision, an academic year shall be deemed to end August 31. A member who terminates employment at any time during the academic year at the end of which such person is required to terminate employment pursuant to this subdivision shall, for the purpose of determining eligibility for a proportionate retirement annuity, be considered to have been required to terminate employment at age 65 or earlier pursuant to this subdivision.

Sec. 14. Minnesota Statutes 1974, Section 354.44, Subdivision 4, is amended to read:

Subd. 4. [TIME AND MANNER OF PAYMENTS.] After January 1, 1974, a member may make application to the board for a retirement annuity any time after he has satisfied the age and service requirements of this chapter for retirement except that no application for retirement may be made more than 60 days before termination of teaching service. The annuity payment shall begin to accrue after the termination of teaching service or after the application for retirement has been filed with the board, or after the member receives his final salary payment, whichever is later, as follows:

(a) on the sixteenth day of the month of termination, or filing

or final salary receipt if such termination, or filing or final salary receipt occurs on or before the fifteenth day of such month or

(b) on the first day of the month following the month of termination or filing or final salary receipt if such termination, or filing or final salary receipt occurs on or after the sixteenth day of the month.

This section will be effective January 1, 1976.

Sec. 15. Minnesota Statutes 1974, Section 354.44, Subdivision 6, is amended to read:

Subd. 6. [COMPUTATION OF FORMULA PROGRAM RETIREMENT ANNUITY.] (1) The formula retirement annuity hereunder shall be computed in accordance with the applicable provisions of the formula stated in clause (2) hereof on the basis of each member's average salary for the period of his formula service credit. For the purposes of computing the formula benefits under the formula and variable program, if a combination of these formulas is used, the formula percentages used will be those percentages in each formula as continued for the respective years of service from one formula to the next.

For all years of formula service credit "average salary" for the purpose of determining the member's retirement annuity means the average salary upon which contributions were made and upon which payments were made to increase the salary limitation provided in section 354.511 for the highest five successive years of formula service credit *provided however that such "average salary" shall not include any more than the equivalent of sixty monthly salary payments.*

(2) The average salary as defined in clause (1), multiplied by the following percentages per year of formula service credit shall determine the amount of the annuity to which the member qualifying therefor is entitled:

	Coordinated Member	Basic Member
Each year of service during first ten	1.0 percent per year	2.0 percent per year
Each year of service thereafter	1.5 percent per year	2.5 percent per year

(3) Where any member retires prior to age 65 under a formula annuity, he shall be paid a retirement annuity in an amount equal to the normal annuity provided in subdivisions 6 and 7, reduced by one half of one percent for each month that the member is under age 65 to and including age 60 and reduced by one fourth of one percent for each month under age 60 at the time of retirement except that for any member who has 30 or more years of allowable service credit, such reduction shall be applied only for each month such member is under age 62.

This section will be effective June 1, 1975."

Page 17, after line 21, insert the following:

"The requirements and provisions for retirement prior to age 65 contained in section 354.44, subdivision 6, clause (2) shall also apply to an employee fulfilling such requirements with a combination of service as provided in section 354.60."

Pages 17, 18, and 19, strike section 22 and insert the following:

"Sec. 24. Minnesota Statutes 1974, Section 354.55, Subdivision 19, is amended to read:

Subd. 19. Any member who has not retired and who made payments to the fund pursuant to Minnesota Statutes 1965, Section 354.511 shall be entitled upon request to receive a refund of such amounts or retired former member who is covered by the formula or formula and variable programs in effect after June 30, 1973 and who made payments to the fund pursuant to Minnesota Statutes 1965, Section 354.511 shall upon request receive a refund of such payments."

Page 21, line 18, after "1975" insert "except as provided in sections 14 and 15"

Renumber sections in sequence

Further amend the title as follows:

Page 1, line 4, strike "Chapter 354, by"

Page 1, line 5, strike "adding a section;"

Page 1, line 6, strike "22,"

Page 1, line 7, strike "a"

Page 1, line 8, strike "subdivision" and insert "subdivisions"

Page 1, line 8, strike "354.146, Subdivision"

Page 1, line 9, strike "1, and by adding a subdivision;"

Page 1, line 10, after "3," insert "354.44, Subdivisions 4, and 6, and by adding a subdivision"

Page 1, line 13, after "11," strike "and"

Page 1, line 13, after "16" insert ", and 19"

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

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

S. F. No. 175: A bill for an act relating to corrections; increasing the scope of the jurisdiction and power of the ombudsman; preserving the rights of complainants; providing a penalty for persons hindering the ombudsman; removing an expiration date; amending Minnesota Statutes 1974, Sections 241.42, Subdivision 2; 241.44, Subdivisions 1 and 3; and Chapter 241, by adding a section; repealing Laws 1973, Chapter 553, Section 7.

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

Page 1, line 17, after "*and*" insert "*municipal*,"

Page 1, line 17, after "*correction*" insert "*or detention*"

Page 1, line 18, strike "*agency*" and insert "*agencies*"

Page 1, line 18, after "*correction*" insert "*or detention*"

Page 3, line 22, after the semicolon insert "*and*"

Page 3, line 24, after "*hearings*" insert "*and deliberations*"

Page 3, line 24, strike the semicolon and insert a period

Page 3, after line 24, insert:

"Sec. 3. Minnesota Statutes 1974, Section 241.44, is amended by adding a subdivision to read:"

Page 3, line 24, strike "*(k)*" and insert "*Subd. 1a.*"

Renumber subsequent sections

Page 3, line 26, after "*office*" insert "*or a proceeding brought pursuant to sections 15.162 to 15.168*"

Page 4, line 17, before "*shall*" strike "*inmate*" and insert "*person*"

Page 4, line 17, after "*the*" strike "*inmate*" and insert "*person*"

Page 4, line 18, strike "*immediately upon*" and insert "*promptly after*"

Page 4, line 19, after "*the*" insert "*general*"

Page 4, line 20, after "*his*" insert "*confinement or*"

Page 4, line 20, strike "*changed in any way not*" and insert "*unfavorably altered*"

Page 4, line 21, strike "*favorable to him*"

Page 4, line 21, strike "*because*" and insert "*as a result*"

Page 4, line 29, strike "*\$1,000*" and insert "*\$500*"

Page 4, line 30, after "*[REPEALER.]*" and before "*Laws*" insert "*Minnesota Statutes 1974, Section 241.42, Subdivision 4; and*"

Page 4, line 31, strike "*is*" and insert "*are*"

Amend the title as follows:

Page 1, line 8, after "*3*" and before the semicolon insert "*,* and by adding a subdivision"

Page 1, line 9, after "*repealing*" insert "*Minnesota Statutes 1974, Section 241.42, Subdivision 4; and*"

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

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

S. F. No. 1457: A bill for an act relating to the city of Mapleview; authorizing the city of Mapleview to borrow \$15,000.

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

Page 1, line 8, after "\$15,000" insert "directly from a bank, trust company, or savings association. The loan shall be evidenced by a note and mortgage maturing within five years and interest thereon shall not exceed seven percent per annum"

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

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

S. F. No. 1355: A bill for an act relating to Cook county; creating an upper northeast recreational authority and establishing its duties and powers; providing for funding; appropriating money.

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

Page 2, line 30, strike "governor with the advice and consent of the senate" and insert "board of directors of the Arrowhead regional development commission"

Page 3, line 14, strike "governor" and insert "board of directors of the Arrowhead regional development commission"

Page 3, line 14, strike "The"

Page 3, strike line 15

Page 3, line 16, strike "Cook county."

Pages 3 and 4, strike all of subdivision 4

Page 4, line 24, strike "corporation" and insert "commission"

Page 5, strike lines 1 through 12

Page 5, strike lines 29 through 32 and insert:

"Subd. 4. The authority may accept gifts, grants or loans of money or other property from the United States, the state or any person or entity. For these purposes the authority may enter into any agreement required in connection therewith whether or not included among the powers otherwise granted to the authority."

Page 6, strike lines 1 through 13

Page 7, line 3, after "manner" insert "and subject to the conditions and restrictions"

Page 8, line 21, strike "not"

Page 8, line 23, strike "other"

Page 9, line 4, strike "instrumentalities" and insert "instruments"

Page 9, line 9, strike "575.58 and in accordance with the procedures set" and insert "475.58"

Page 9, line 10, strike "forth in Minnesota Statutes, Section 373.20"

Page 9, line 13, after the period insert "The aggregate principal amount of the bonds shall not exceed ten percent of the assessed value of the county as defined in Minnesota Statutes, Section 475.51, Subdivision 5."

Page 11, strike all of Section 10

Renumber the sections in sequence

Page 11, line 30, strike "on the day following its final enactment" and insert "upon its approval by the board of county commissioners of Cook county by resolution adopted in accordance with the provisions of Minnesota Statutes, Section 375.51 and upon compliance with Minnesota Statutes, Section 645.021"

Amend the title as follows:

Line 4, strike "providing for funding;" and insert "authorizing the levy of taxes and the issuance of bonds"

Line 5, strike "appropriating money"

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. 1575: A bill for an act relating to Clay county; authorizing expenditure of federal revenue sharing funds for certain purpose; amending Laws 1974, Chapter 163, Section 1.

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

Strike everything after the enacting clause and insert:

"Section 1. [COUNTIES; EXPENDITURES FOR FIRE PROTECTION, COMMUNITY PROJECTS.] Any county located outside the metropolitan area as defined in Laws 1975, Chapter 13, Section 1, Subdivision 2, may appropriate monies from its general fund or expend funds received from the federal government under the State and Local Fiscal Assistance Act of 1972 (Title 1, Public Law 92-512) for the purpose of making grants to cities and towns within the county to be used for providing fire protection, including the constructing and equipping of local fire departments or for other community projects. The grants may be terminated upon expiration of the federal act.

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

Amend the title as follows:

Strike it in its entirety and insert:

"A bill for an act relating to certain counties; authorizing the expenditure of county and federal revenue sharing funds for certain purposes."

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. 1261: A bill for an act relating to St. Louis county; providing an election to determine whether to divide St. Louis county.

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

Page 1, line 10, strike "on whether"

Page 1, line 13, strike "city" and insert "town"

Page 1, line 19, after "If" insert "a majority of"

Page 1, line 19, strike "elect to" and insert "voting on the question approve the proposal, the division"

Page 1, line 20, strike "split the county, the split"

Page 1, line 21, after "1978" insert "or such different date or schedule as may be provided in the proposal"

Amend the title as follows:

Page 1, line 2, before "providing" insert "creating a study commission and"

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. 1120: A bill for an act relating to drainage; providing for a program of grants to local government units for the construction of floodwater retention and retarding structures; appropriating money; amending Minnesota Statutes 1974, Chapter 104, by adding sections.

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

Pages 1 and 2, strike all of Section 1

Page 3, line 2, strike "shall" and insert "may"

Page 3, line 3, strike "state" and insert "soil and water conservation commission"

Page 3, line 3, after "to" strike "the" and insert "a"

Page 3, line 3, strike *"units of government"* and insert *"governmental unit"*

Page 3, line 4, strike *"equal"* and insert *"not"*

Page 3, line 4, after *"to"* and before *"75"* insert *"exceed"*

Page 3, line 6, after the period insert *"Provided that if federal funds are being utilized for a portion of the project costs, the state contribution shall not exceed 75 percent of the remaining non-federal costs unless the structure is located in the state of South Dakota, in which case the two states shall share the non-federal costs equally."*

Page 3, line 7, after *"granted"* insert *"by the state"*

Page 3, lines 13 and 14, strike *"in the department of natural resources"*

Page 3, line 31, after *"of"* and before *"pertinent"* insert *"recommended"*

Page 4, line 12, strike *"and the staff engineer,"*

Page 4, line 13, strike the comma

Page 4, line 14, strike *"and"* insert *", the department of natural resources,"*

Page 4, line 14, after *"Service"* insert *"and the Area II Action Committee"*

Page 5, line 7, strike the language after *"include"*

Page 5, strike line 8, and insert *"provisions concerning local"*

Page 5, line 9, after *"funding"* insert *", if any"*

Page 5, line 21, strike *"There shall be"* and insert *"The commission shall complete"*

Page 7, line 1, after *"the"* insert *"state"*

Page 7, line 2, strike *"within the department of natural resources"*

Renumber the sections

Amend the title as follows:

Page 1, line 2, strike *"drainage"* and insert *"flood plain management"*

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

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

S. F. No. 982: A bill for an act relating to the personnel system in Hennepin county; increasing the number of members on the personnel board and prescribing certain duties of the board; amending Laws 1965, Chapter 855, Sections 3, Subdivision 1; 4, Subdivision 2; 12, Subdivision 2; and 16.

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

Page 1, strike all of lines 23 and 24

Page 2, strike all of lines 1 to 3

Page 3, line 22, before "Persons" reinstate the stricken word "Three"

Page 3, line 22, strike "*with the top ten examination*"

Page 3, line 23, strike "scores,"

Page 4, line 20, reinstate "before"

Page 4, line 20, strike the comma and insert "*a hearing examiner*"

Page 5, line 9, strike "Subdivision 2,"

Page 5, before line 10, insert:

"Sec. 13. [REMOVALS AND DEMOTIONS.] Subdivision 1. [SEPARATION.] No employee in the classified service who shall have been permanently appointed or inducted into the classified service under the provisions of this act shall be removed, demoted, or discharged except for cause. Removal, reduction, or suspension for religious, racial, or political reasons shall not be considered "cause" for such action under the provisions of this act. If the appointing authority desires to demote or discharge any such employee, he shall notify said employee, in writing, served personally upon him, or by registered mail to him at his last known address, setting forth the charges against him. A copy of the said charges shall at the same time be filed with the personnel director. The accused employee may, within five days from the date the charges are served upon him, file with the appointing authority a written answer to the charges. If the charges brought against the employee are not resolved within five days of the date of the employee's answer, the employee or his representative may, within 15 days from the date the charges are served upon the employee, file with the director a written demand for a hearing, whereupon without unnecessary delay the personnel board shall *authorize a hearing examiner* to conduct such hearing. The hearing shall be confined to the determination of the questions of whether such removal, demotion, or discharge was or was not made for political, racial, or religious reasons, or was or was not made for just cause. After such hearing the *hearing examiner shall make a written statement of his findings to the personnel board. The hearing officer shall recommend to the board an appropriate disposition of the case. If no exceptions are made, the hearing officer's recommended disposition shall, at the option of the board, become final. If exceptions are taken, the board, upon a review of the record, may accept the officer's recommendations with or without additional oral or written evidence from the parties, may remand the case to the officer for further hearing, adopt the hearing officer's report with any changes warranted by the record, or issue its own report of findings and orders.* The board may, if in its estimation the evidence is sufficient, affirm the removal, demotion, or discharge or if it shall find

that removal, demotion, or discharge was made for political, racial or religious reasons, shall order the immediate reinstatement of such person in the position from which he was removed, demoted, or discharged with full pay from the time of such removal, demotion, or discharge; or if it shall find that the removal, demotion, or discharge was not made for just cause, shall order the immediate reinstatement of such person in the position from which such person was removed, demoted, or discharged, which reinstatement shall, if the board so provides in its discretion, be retroactive, and entitle such person to pay or compensation from the time of such removal, demotion, or discharge; or the board may in its judgment reduce the punishment sought to be applied by the appointing authority."

Page 5, line 16, strike "personnel board"

Further amend the title as follows:

Page 1, line 6, after "13" strike the comma

Page 1, line 7, strike "Subdivision 2"

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. 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 adding a subdivision; 352.03, Subdivision 1, and by adding a subdivi-

sion; 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.

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

Page 2, line 34, strike *"governor"* and insert *"appointing authority"*

Page 2, line 37, strike *"governor"* and insert *"appointing authority"*

Page 3, line 3, after *"extend"* insert *", subject to the advice and consent of the senate if the member was appointed by the governor,"*

Page 3, line 8, after *"are"* insert *"full time"*

Page 3, line 9, after *"or"* insert *"full time"*

Page 3, line 11, after *"compensation"* insert *"or benefits"*

Page 3, line 13, after *"are"* insert *"full time"*

Page 3, line 13, after *"or"* insert *"full time"*

Page 3, line 15, strike *"such"* and insert *"the"*

Page 3, line 18, strike *"governor"* and insert *"appointing authority"*

Page 3, line 20, strike *"governor"* and insert *"appointing authority"*

Page 3, line 26, strike *"governor"* and insert *"appointing authority"*

Page 3, line 27, after *"senate"* insert *"if the member is appointed by the governor"*

Page 3, line 31, after *"TERMS"* insert *", COMPENSATION, REMOVAL, VACANCIES"*

Page 4, line 7, reinsert the stricken *"Appointments for succeeding terms shall"* and reinstate *"be for"*

Page 4, line 7, after the stricken word *"three"* insert *"four"*

Page 4, lines 8 and 9, reinsert the stricken language

Page 4, line 9, strike *"membership terms,"*

Page 4, line 9, after *"compensation"* strike *", removal"*

Page 4, line 10, strike *", and filling of vacancies on the commis-*

sion" and insert "*in respect to commission members other than legislator and ex-officio members*"

Page 4, line 19, strike "for a four year term"

Page 4, line 21, strike "for a four year term"

Page 4, line 23, strike "for a four year term"

Page 4, lines 25 and 26, strike "for a four year term"

Page 4, line 28, strike "for a four year term"

Page 4, line 30, strike "for a four year term"

Page 4, line 32, strike "for a four year term"

Page 5, line 2, strike "for a four year term"

Page 5, line 3, strike "Eight members,"

Page 5, line 3, after "one" insert "*member*"

Page 5, line 4, after "one" insert "*member*"

Page 5, strike lines 8 and 9

Page 5, line 10, strike "serve six year terms."

Page 6, line 3, strike everything after "2."

Page 6, strike lines 4 to 6

Page 6, line 7, strike "term, as determined by lot."

Page 6, line 17, after "1" insert "*except that the extension of terms and the filling of vacancies shall be subject to the advice and consent of the legislature in the same manner as provided in subdivision 1 of this section*"

Page 7, strike lines 16 to 18

Page 7, line 19, strike "(d)" and insert "(c)"

Page 7, line 25, strike "(e)" and insert "(d)"

Page 8, line 5, after "terms" insert "*, compensation, removal of members*"

Page 8, line 6, strike everything after "*vacancies*"

Page 8, strike line 7

Page 8, line 8, strike "*members appointed by the governor*"

Page 8, after line 9, insert:

"Sec. 8. Minnesota Statutes 1974, Section 15A.081, Subdivision 1, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES.] Subdivision 1. The following salaries or salary ranges are provided for the below listed officers and employees in the executive branch of government:

	Base Salary or Range
Administration, department of	
commissioner	\$36,000
deputy commissioner	28,800
Aeronautics, department of	
commissioner	20,400
Agriculture, department of	
commissioner	22,000
deputy commissioner	17,600
Attorney general, office of	
attorney general	36,500
chief deputy attorney general	24,500-31,500
deputy attorney general	19,100-27,500
solicitor general	21,300-28,000
assistant attorney general	12,000-26,000
special assistant attorney general	12,600-22,600
Auditor, office of	
auditor	26,000
deputy auditor	20,800
Commerce, department of	
commissioner of banks	22,000
commissioner of insurance	22,000
commissioner of securities	22,000
Community college system	
chancellor	27,500
Corrections, department of	
commissioner	28,000
deputy commissioner	22,400
Economic development, department of	
commissioner	22,000
deputy commissioner	17,600
Education, department of	
commissioner	29,800
Employment services, department of	
commissioner	26,400
Finance, department of	
commissioner	35,500
deputy commissioner	28,400
Governor, office of	
governor	41,000
Health, department of	
commissioner	30,300
Higher education coordinating commission	
executive director	26,100
assistant executive director	20,900

	Base Salary or Range
Highways, department of commissioner	33,600
Human rights, department of commissioner	20,000
Indian affairs commission executive director	17,500
Investment, board of executive secretary	35,000
Labor and industry, department of commissioner	26,400
deputy commissioner	21,100
workmen's compensation commissioner	22,000
judge, workmen's compensation court of appeals	25,000
director, mediation services	21,000
Lieutenant governor, office of lieutenant governor	30,000
Liquor control, department of commissioner	19,000
<i>Municipal Commission</i> <i>member</i>	<i>10,500</i>
Natural resources, department of commissioner	28,300
deputy commissioner	22,600
Personnel, department of commissioner	31,000
deputy commissioner	24,800
Planning agency director	27,000
Pollution control agency director	24,000
Public safety, department of commissioner	26,900
deputy commissioner	21,500
Public service, department of commissioner, public service commission	22,000
director	20,700
Public welfare, department of commissioner	33,600
deputy commissioner	26,900
Revenue, department of commissioner	28,900
Secretary of state, office of secretary of state	25,000
deputy secretary of state	17,500

	Base Salary or Range
State college system	
chancellor	32,500
Treasury, state	
treasurer	25,000
deputy treasurer	17,500
Veterans affairs, department of	
commissioner	16,000"
Page 8, line 18, strike everything after the period	
Page 8, line 19, strike "begin July 1, 1955, and expire February 1, 1957."	
Page 11, line 25, after " <i>senate</i> " insert a period	
Page 11, line 25, strike "from nominees who are" and insert " <i>These five members shall be</i> "	
Page 11, line 27, strike the comma and insert ". <i>In making these appointments the governor may consider persons</i> "	
Page 11, line 28, strike "submitted to the"	
Page 11, strike lines 29 to 32	
Page 12, strike lines 1 to 3	
Page 12, line 4, strike "of five years"	
Page 12, line 17, after " <i>commission</i> " insert " <i>with respect to the non-ex-officio members</i> "	
Page 13, line 6, strike "execution"	
Page 13, strike lines 7 and 8	
Page 13, line 19, strike "shall" and insert " <i>may</i> "	
Page 14, line 2, strike everything after the period	
Page 14, strike lines 3 to 7	
Page 14, line 31, strike everything after the period	
Page 14, strike line 32	
Page 15, strike line 1	
Page 15, line 2, strike "ending the first Monday in January, 1975."	
Page 15, line 10, after " <i>board</i> " insert " <i>for all voting members</i> "	
Page 15, line 31, strike "Such"	
Page 15, strike line 32	
Page 16, strike line 1	
Page 16, line 3, strike the period	

Page 17, line 22, strike everything after the second period

Page 17, strike lines 23 to 29

Page 18, after line 12, insert

"Sec. 28. Minnesota Statutes 1974, Section 116C.03, Subdivision 2, is amended to read:

Subd. 2. The council shall include as permanent members the director of the state planning agency, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the executive officer of the department of health, the commissioner of highways, the director of the Minnesota energy agency, a representative of the governor's office designated by the governor, the chairman of the citizens advisory committee, and three other members of the citizens advisory committee as designated by the governor. *The names of the four members of the citizens advisory committee designated to serve on the council shall be submitted to the senate for its advice and consent. Upon the expiration of the citizens advisory committee the governor shall appoint four members from the general public to the council, subject to the advice and consent of the senate.*"

Page 18, line 17, after "*members*" insert "*, or public members, as appropriate,*"

Pages 18 and 19, strike sections 28 and 29

Page 19, line 25, strike "governor" and insert "*chairman of the state council*"

Page 19, line 26, strike "*the advice and consent of the senate*" and insert "*approval of the state council*"

Page 20, line 1, reinsert the stricken "The terms of"

Page 20, line 2, reinsert the stricken language

Page 20, line 3, reinsert the stricken "and shall extend for a"

Page 20, line 3, after the stricken "two" insert "*four*"

Page 20, line 3, reinsert the stricken "year term and until his successor"

Page 20, line 4, reinsert the stricken language

Page 20, line 5, reinsert the stricken "qualifies. A vacancy in the office of a member of"

Page 20, line 6, reinsert the stricken "any regional council shall be filled by the"

Page 20, line 7, reinsert the stricken language

Page 20, strike lines 8 to 22

Page 20, line 26, after "*state*" strike "*and*"

Page 20, line 27, strike "*regional councils*" and insert "*council*"

Page 20, line 32, reinsert the stricken language

Page 21, line 1, reinsert the stricken "the regional councils shall serve"

Page 21, line 2, reinsert the stricken "without compensation, but each member of the"

Page 21, line 3, reinsert the stricken "regional councils may be reimbursed for actual and"

Page 21, lines 4 and 5, reinsert the stricken language

Page 22, line 2, strike "quarterly"

Page 22, line 3, strike "and may hold special meetings"

Page 22, line 3, strike "such"

Page 22, line 4, strike "such"

Page 22 to 23, strike section 35

Page 23, line 18, strike "confirmation by" and insert "*the advice and consent of*"

Page 23, strike lines 25 to 32

Page 24, strike lines 1 to 5

Page 24, line 13, after "I" insert "*except that the term of the student member shall be two years*"

Page 25, strike lines 13 to 15

Page 26, strike lines 14 to 19

Page 26, strike lines 23 to 27

Page 27, line 1, strike "*on the*" and insert "*for*"

Page 27, line 1, after "*authority*" insert "*members other than the executive director of the higher education coordinating commission*"

Page 27, line 28, after "*board*" insert "*except for the ex-officio members*"

Page 28, line 9, strike "The licensed health"

Page 28, strike lines 10 and 11

Page 28, line 12, strike "January of each second year."

Page 29, line 15, reinsert the stricken ", for a term of six years"

Page 29, line 26, strike "*membership terms,*"

Page 29, line 28, strike everything after the period

Page 29, strike line 29

Page 30, line 12, strike everything after the period

Page 30, strike lines 13 to 15

Page 30, line 16, strike "April, 1976."

Page 31, line 15, strike "At the time of"

Page 31, strike lines 16 and 17

Page 32, strike lines 5 to 23

Page 33, line 2, reinsert the stricken language

Page 33, line 3, reinsert the stricken language "commission shall be"

Page 33, line 3, after the stricken "five" insert "six"

Page 33, line 3, reinsert the stricken "years and until their successors"

Page 33, line 4, reinsert the stricken language

Page 33, line 15, strike "*membership terms, compensation,*"

Page 33, line 20, strike "Each member shall be appointed by the"

Page 33, strike lines 21 to 23

Page 33, line 24, strike "from January 1 next succeeding their appointment."

Page 34, line 5, strike "first appointed by the governor shall be appointed" and insert "*shall serve for terms of*"

Page 34, strike line 6

Page 34, line 7, strike "one member for four years; and two members for"

Page 34, line 15, strike "*membership terms,*"

Page 34, line 15, after "*members*" strike the comma

Page 34, line 16, after "*authority*" insert "*in respect to members other than the commissioner of corrections*"

Page 34, line 17, strike "*Members of the authority may also be*"

Page 34, strike line 18

Page 34, line 28, after "senate" strike ", for terms , *when first*"

Page 34, line 29, strike "*appointed, of six years*"

Page 34, line 30, strike "; provided, however, that initial"

Page 34, strike lines 31 and 32

Page 35, line 1, strike everything before the period

Page 36, line 1, strike "At least one-half of"

Page 36, strike lines 2 to 5

Page 36, line 6, strike "council for two year terms."

Page 36, line 19, strike "The council shall meet at"

Page 36, line 20, strike "least six times annually."

Page 36, line 32, strike "Upon the taking effect of"

Page 37, strike lines 1 to 4

Page 37, line 5, strike "as hereinafter provided."

Page 37, line 9, strike "first tax court shall meet," and insert "*terms of the members of the court shall be six years*"

Page 37, line 10, strike "organize, and adopt rules of procedure"

Page 37, line 13, strike "*membership terms,*"

Page 37, line 13, after "*members*" strike the comma

Page 37, line 15, strike "*Members of the court may also be removed*"

Page 37, strike line 16

Page 38, line 4, strike everything after the stricken period

Page 38, strike line 5

Page 38, line 19, strike "*terms*" and insert "*term*"

Page 38, line 20, strike "*of members*"

Page 38, line 20, after "*vacancies*" insert "*for the public member*"

Page 38, strike section 70

Pages 39 and 40, strike section 73

Page 40, line 6, after "*vacancies*" insert "*for the public members*"

Page 40, after line 7 insert

"Sec. 71. Minnesota Statutes 1974, Section 352.03, Subdivision 2, is amended to read:

Subd. 2. [VACANCY, HOW FILLED.] Any vacancy of a state employee in the board caused by death, resignation, or removal of any member so elected shall be filled by the board for the unexpired portion of the term in which the vacancy occurs.

Sec. 72. Minnesota Statutes 1974, Section 352.03, Subdivision 3, is amended to read:

Subd. 3. [DIRECTORS SERVE WITHOUT COMPENSATION.] The members of the board employed by the state shall serve without compensation, but shall be reimbursed out of the retirement fund for expenses actually and necessarily paid or incurred in the performance of their duties, and shall suffer no loss of salary or wages through service on the board. The public members of the board shall be paid \$35 per day for each day actually devoted to duties as a member of the board. Members of the board shall be paid for expenses in travel to and from meetings and for necessary expenses incurred during meetings of the board."

Page 40, line 26, strike "Members may be"

Page 40, strike line 27

Page 40, line 28, strike "malfeasance in office."

Page 40, strike lines 30 to 32

Page 41, strike lines 1 to 5

Page 41, line 6, strike "expiring the first Monday in January 1972."

Page 41, line 12, strike "*Members may also be removed*"

Page 41, strike line 13

Page 41, line 18, strike "The terms of office of all appointed members"

Page 41, strike lines 19 to 24

Page 41, line 25, strike "term of six years. Thereafter"

Page 41, line 26, reinsert the stricken "six" and strike "four"

Page 41, line 26, strike "and until his successor is"

Page 41, strike line 27

Page 41, line 28, strike everything before the period

Page 42, line 3, strike "*membership terms, compensation,*"

Page 42, line 4, after "*members*" strike the comma

Page 42, line 4, after "*vacancies*" insert "*for members other than county commissioner members*"

Page 42, line 5, strike "*Members of the commission may*"

Page 42, strike line 6

Page 42, line 17, strike "Each member" and insert "*The county commissioner members*"

Page 42, line 30, strike "The first public members appointed by the governor"

Page 42, strike lines 31 and 32

Page 43, line 14, after "*vacancies*" insert "*for the public members*"

Page 43, line 30, strike "The"

Page 43, strike lines 31 and 32

Page 44, line 1, strike "appointed shall serve for two years."

Page 44, line 4, strike "Members, other"

Page 44, strike lines 5 to 8

Page 44, line 9, strike "*For citizen members*"

Page 44, strike lines 15 to 19

Page 44, strike line 32

Page 45, line 1, strike "Special"

Page 45, strike lines 11 to 14

Page 45, line 21, strike "and"

Page 45, line 22, after "members" insert "*and the filling of vacancies for members appointed pursuant to section 626.841, clauses (a), (b), (c), (d) and (j)*"

Page 45, after line 23, insert

"Sec. 82. Notwithstanding any provision in this act to the contrary, a member of a board or agency whose membership term is specified in section 1 and who has been appointed prior to the effective date of this act shall serve until the end of the term to which he was appointed if his term is scheduled to end on the first Monday in January. If the term is not scheduled to end on the first Monday in January he shall serve until the first Monday in January next following the scheduled end of his term. Initial successors to the current members shall be appointed to terms of a length determined by the appointing authority to be consistent with the schedule of staggered terms as provided in section 1. If there is more than one appointing authority for a board or agency, the governor shall determine which of the members shall serve for the terms expiring on each appointment date. Thereafter, all members shall be appointed consistent with section 1.

Sec. 83. The name of the workmen's compensation commission is changed to the workmen's compensation court of appeals, and the workmen's compensation commissioners are to be known as judges of the workmen's compensation court of appeals. The name of the tax court is changed to the tax court of appeals, and the members are to be known as judges of the tax court of appeals. The revisor of statutes in the next and subsequent editions of Minnesota Statutes shall make the necessary changes in the statutes to reflect the name changes made in this section."

Page 45, line 26, after "3;" insert "*121.02, Subdivision 2; 136.16;*"

Page 45, line 26, after "136.61," strike "Subdivision" and insert "*Subdivisions 2 and*"

Page 45, line 27, after "4;" insert "*175.006, Subdivision 3;*"

Page 45, line 28, strike "*352.03, Subdivisions 2 and 3*" and insert "*241.045, Subdivision 5; 271.01, Subdivision 3; 299B.05, Subdivision 2*"

Page 45, line 29, after "Subdivisions 2" insert ", 3"

Page 45, after line 29, insert

"Sec. 85. This act shall be effective July 1, 1975, except that sections 59 and 60 shall be effective July 1, 1977."

Renumber the sections in sequence

Amend the title:

Page 1, line 7, after the semicolon insert "changing procedures of the corrections authority; eliminating obsolete language"

Page 1, line 11, after "subdivision;" insert "15A.081, Subdivision 1;"

Page 1, line 18, after "116C.03," insert "Subdivision 2, and"

Page 1, line 19, strike "116C.05, Subdivision 1, and by adding"

Page 1, line 20, strike "a subdivision;"

Page 1, line 20, strike " , 2"

Page 1, line 21, strike "Subdivisions" and insert "Subdivision"

Page 1, line 22, strike "and 2"

Page 1, line 29, strike "197.978, Subdivision 1,"

Page 1, line 30, strike "and by adding a subdivision;"

Page 1, line 38, strike "Subdivisions 2 and" and insert "Subdivision"

Page 1, line 39, strike "Subdivision 1" and insert "Subdivisions 1, 2 and 3"

Page 2, line 6, after "3;" insert "121.02, Subdivision 2; 136.16;"

Page 2, line 7, at the beginning of the line, strike "Subdivision" and insert "Subdivisions 2 and"

Page 2, line 7, before "216A.03," insert "175.006, Subdivision 3;"

Page 2, line 9, strike "352.03, Subdivisions 2 and 3" and insert "241.045, Subdivision 5; 271.01, Subdivision 3; 299B.05, Subdivision 2"

Page 2, line 10, after "2" insert " , 3"

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. 1062: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; amending Minnesota Statutes 1974, Sections 490.121, Subdivision 17; and 490.124, Subdivisions 2 and 9.

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

Pages 1 and 2, strike all of section 1 and insert a new section to read:

"Section 1. Minnesota Statutes 1974, Chapter 490, is amended by adding a section to read:

[490.19] (1) *Upon submission of an agreement to the director of the Minnesota state retirement system prior to July 1, 1975, signed by a retired district or supreme court judge whereby such judge who is receiving benefits computed under laws in effect on or prior to December 31, 1973 shall agree to accept as of July 1, 1975,*

and thereafter, a benefit based on the salary of his former office at the salary level in effect on January 1, 1975; the state shall agree to accept the liability for payment of his retirement benefit for life and upon his death the payment of the benefit of his surviving spouse, if any, with such adjustments in the benefit amount only as may be provided under the provisions of the Minnesota adjustable fixed benefit fund after January 1, 1976, and to pay to such judge any accrued benefits due him as a result of the non-payment of benefits since January 1, 1975 or as a result of any deficiency in benefits paid him from and after November 1971.

Upon receipt of such agreements, for each such judge who signed an agreement, the director shall make the appropriate transfer of funds to the judges' retirement fund and the amount necessary therefor and other payments required herein are hereby appropriated from the assets, if any, in the account for payment of retirement benefits to such retired district or supreme court judges and the balance of any monies necessary is hereby annually appropriated from the general fund. The benefit shall be paid from the judges' retirement fund but shall be adjusted in the same manner at the same time as other benefits payable from the Minnesota adjustable fixed benefit fund to state employees.

(2) Upon submission of agreements to the director of the Minnesota state retirement system by each district court judge who elected to continue contributions to the survivors' account as provided by section 490.124, subdivision 10, wherein each such judge shall agree to accept at time of retirement a benefit based on the salary allotted his office at the date of retirement and agreements signed by surviving spouses of deceased district and supreme court judges who served as a judge between May 1961 and July 1967 wherein each such surviving spouse shall agree to accept as of July 1, 1975, and thereafter, a benefit based on the salary of such deceased judge's former office at the salary level in effect on January 1, 1975; the contributions to the survivors' account made by such district court judges, notwithstanding the provisions of section 490.102, subdivision 8, shall not be required and upon retirement of such judge, his benefit and in the event of his death, his spouse's benefit, if any, shall be paid from the judges' retirement fund but such benefits shall be adjusted at the same time and in the same manner as the benefits payable from the Minnesota adjustable fixed benefit fund to state employees; the liability for payment of the benefits payable on July 1, 1975 from the special supreme and district court survivors' account shall be transferred to the judges retirement fund and such benefits shall be adjusted in the same manner at the same time as benefits payable from the Minnesota adjustable fixed benefit fund; and the director shall pay to each such widow any deficiency in the amount of the benefit due her since November, 1971.

Upon receipt of the agreements provided in clause (2) the director shall commence payment from the judges' retirement fund of the benefits payable as of June 30, 1975 from the special district and supreme court survivor's account and the monies necessary for payment thereof and for other payments provided herein are hereby annually appropriated from the general fund.

If such agreements are not submitted, the contribution rate to the survivors' account shall be as required by section 490.102, subdivision 8 and such benefits shall not be payable from the judges' retirement fund.

(3) District and supreme court judges not referenced in this section may, prior to their retirement, submit comparable agreements to the director and thus be afforded the same benefits. The contributions to the survivors' account by any supreme court judge who makes such agreement shall not be waived but shall be thereafter paid to the judges retirement fund.

(4) Notwithstanding any law to the contrary, except as provided by this act, the reserve to pay a retirement benefit of a judge who served as a district or supreme court judge prior to July 1, 1967 and who elected or elects to have his benefit computed under laws in effect on December 31, 1973 shall not remain or be transferred to nor shall the benefit be payable from the adjustable fixed benefit fund.

(5) If any of the provisions of this act are declared unconstitutional, the entire act is void."

Page 2, strike the new language on lines 7, 8, 9 and 10, and insert the following:

"A judge who shall retire on or, as permitted under sections 490.121 to 490.132, after mandatory retirement date, shall be entitled to a proportionate annuity based upon his service at date of retirement."

Further amend the title as follows:

Page 1, line 4, strike "Sections 490.121, Subdivision 17;" and insert "Chapter 490, by adding a section;"

Page 1, line 5, after "and" insert "Section"

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

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

S. F. No. 947: A bill for an act relating to health; establishing a clinical and research pilot project on cystic fibrosis; appropriating money.

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

Page 1, line 11, strike "measures of"

Page 1, line 12, after "evaluation," insert "and"

Page 1, line 13, strike "and basic mechanisms of causation and"

Page 1, line 14, strike "pathophysiologic changes,"

Page 1, line 14, after "of" insert "health"

Page 1, line 15, strike "It is recognized" and insert "The legislature finds"

Page 1, line 17, strike "in" and insert ". The legislature also finds"

Page 1, line 20, after the comma insert "that"

Page 1, line 21, after "and" insert "that"

Page 2, line 1, after "problems" and before the period insert "of children"

Page 2, line 4, strike "related to these three"

Page 2, line 5, strike "areas"

Page 2, strike line 25

Page 2, line 27, strike "on"

Page 2, line 28, strike "cystic fibrosis whose purpose shall be"

Page 2, line 28, after "to" insert "comprehensively"

Page 2, line 29, strike "comprehensively"

Page 3, line 6, after "diagnosis," insert "and"

Page 3, line 6, strike ", ultimately"

Page 3, line 6, after "specific" insert "methods of"

Page 3, line 9, strike "that" and insert "which"

Page 3, line 11, strike "for"

Page 3, line 20, strike ", applying current knowledge and experience"

Page 3, strike line 21

Page 3, line 22, strike "elsewhere"

Page 3, line 24, strike "general or"

Page 3, line 25, strike "specific"

Page 3, line 26, strike "to be used"

Page 3, line 26, after "for" insert "the detection of"

Page 3, line 29, strike "acquisition" and insert "onset"

Page 4, line 2, strike "; by demonstration and refinement"

Page 4, strike line 3

Page 4, line 4, strike "throughout the state; and" insert ". The program shall also"

Page 4, line 4, strike "concepts" and insert "methods"

Page 4, line 5, after "improve" insert "the"

Page 4, line 5, after "reduce" insert "the"

Page 4, line 5, strike "which may be generally" and insert "of treatment."

Page 4, strike lines 6 and 7

Page 4, line 9, strike "children" and insert "young adults"

Page 4, line 9, strike "who"

Page 4, line 10, strike "are becoming adults"

Page 4, line 10, strike "educate and"

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

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

S. F. No. 1313: A bill for an act relating to family planning services; providing for the establishment of a comprehensive state family planning services plan; appropriating funds.

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

Page 1, line 20, strike "rhythm"

Page 1, line 21, after "charts," insert "thermometers,"

Page 2, line 4, strike "Annually,"

Page 2, line 4, after "shall" insert "annually"

Page 2, line 9, after "funds" insert "appropriated or granted to the board"

Page 2, strike lines 14 through 17

Renumber subsequent subdivisions

Page 2, line 20, strike ", that" and insert "which"

Page 3, strike lines 2 through 4 and insert "in this act shall prohibit any agency, corporation, individual, or other entity, from making application for family planning funds directly to federal agencies or receiving funds directly from federal agencies. Nothing in this act shall supersede requirements for planning and administration imposed on the department of public welfare by rules and regulations promulgated by the U.S. Department of Health, Education and Welfare."

Page 3, line 7, strike "and make recommendations" and insert a period

Page 3, strike lines 8 and 9

Page 3, line 11, strike "relating to the delivery and quality of

family" and insert "necessary to implement the provisions of this act."

Page 3, strike line 12

Page 3, line 13, strike "department" and insert "commissioner"

Page 3, line 15, strike "county" and insert "local"

Page 3, line 15, strike "departments" and insert "agencies"

Page 3, line 24, strike "the" and insert "an"

Page 3, line 30, strike "to the" and insert "if"

Page 3, line 31, strike "extent that"

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 referred

S. F. No. 1169: A bill for an act relating to school districts; providing for specifications for school bids; amending Minnesota Statutes 1974, Section 471.35.

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

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

S. F. No. 1436: A bill for an act relating to education; state colleges; authorizing the state college board to enter into reciprocity agreements with foreign institutions; amending Minnesota Statutes 1974, Section 136.111, Subdivisions 1 and 2.

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. 1137: A bill for an act relating to education; state community colleges; appropriating money to build a state community college at Cambridge; amending Laws 1973, Chapter 777, Section 13, Subdivision 2.

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

Page 1, line 13, strike "*Cambridge state*" and insert "*Riverview*"

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 referred

S. F. No. 1258: A bill for an act relating to education; higher education coordinating commission; providing for a post-secondary education project in the Fairmont area; appropriating money.

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

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

S. F. No. 752: A bill for an act relating to education; authorizing the establishment of higher education extension centers to serve downtown St. Paul and its surrounding area; appropriating money.

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

Page 1, line 9, strike "St. Paul"

Page 1, line 10, after the period insert "At least one higher education center shall be located in a rural area, at least one in a suburban area, and at least one in an urban area."

Page 1, line 11, strike "St. Paul"

Page 1, line 12, strike "the"

Page 1, line 12, strike "of downtown St. Paul"

Page 1, line 13, strike "and its surrounding area"

Page 1, line 20, strike "St. Paul"

Page 2, line 8, strike "all"

Page 2, line 9, strike "in St. Paul and its surrounding"

Page 2, line 10, strike "area"

Page 2, line 15, strike "committee, to be"

Page 2, line 16, strike "known as the St. Paul"

Page 2, line 16, strike "centers" and insert "center"

Page 2, line 17, after "committee" strike the comma and insert "for each higher education center created pursuant to subdivision 1"

Page 2, line 18, after "by" strike "the" and insert "that"

Page 2, line 19, strike "centers" and insert "center"

Page 2, line 19, strike "one representative" and insert "five representatives"

Page 2, line 20, strike "each of the" and insert "nearby"

Page 2, line 21, strike "St. Paul and its surrounding area, one" and insert "Minnesota."

Page 2, strike lines 22 through 25

Page 2, line 26, strike "committee."

Page 2, line 27, strike "organizations and"

Page 2, line 29, after "additional" insert "public"

Page 2, line 29, strike "who shall be residents of St. Paul"

Page 2, line 31, strike "St. Paul" and insert "Minnesota"

Page 3, line 2, strike "at least once quarterly" and insert "as often as necessary"

Page 3, line 2, after the period insert "Prior to January 31, 1977, and each year thereafter, the higher education coordinating commission shall submit to the legislature a report on the higher education centers established by this section. This report shall document the successes and failures of these centers."

Page 3, line 4, strike "St. Paul"

Page 3, line 8, strike "St. Paul"

Page 3, line 30, strike "St. Paul"

Page 4, line 5, strike "ten" and insert "15"

Page 4, line 6, after "costs" insert "and the reports required by section 1, subdivision 5"

Further amend the title as follows:

Page 1, line 4, strike "to serve downtown St. Paul and its"

Page 1, line 5, strike "surrounding area"

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 referred

S. F. No. 1411: A bill for an act relating to education; agreements when school district has insufficient funds to pay orders; increasing the maximum permissible interest rate to eight percent per year; amending Minnesota Statutes 1974, Section 124.06.

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

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

S. F. No. 964: A bill for an act relating to education; higher education coordinating commission; providing for a statewide testing program; appropriating money.

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

Page 2, line 10, after "juniors" insert "who wish to participate"

Page 2, line 12, strike "all"

Page 2, line 18, after "legislature" insert "; provided that this report shall consist solely of summary data as defined in section 15.162, subdivision 8"

Page 2, line 23, after the period insert "A student must specifically request the commission to provide an additional service to be charged a fee under the provisions of this clause."

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 referred

S. F. No. 357: A bill for an act relating to the university of Minnesota board of regents; providing for student or recent graduate members; amending Minnesota Statutes 1974, Chapter 137, by adding a section.

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. 498: A bill for an act relating to education; termination of a teacher's contract after probationary period; providing a June 1 date for resignation of teachers; amending Minnesota Statutes 1974, Section 125.12, Subdivision 4.

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

Page 1, line 22, strike "*June*" and reinsert the stricken language

Page 1, line 23, reinsert the stricken language

Page 2, lines 1 to 6, reinsert the stricken language

Page 2, line 7, reinsert "effective as of June 30 if submitted prior to that date"

Page 2, line 8, reinsert "and"

Page 2, line 9, reinsert the stricken language

Page 2, line 10, reinsert "beginning shall cease on"

Page 2, line 10, after the stricken "15" insert "*June 30*"

Further amend the title as follows:

Page 1, line 2, strike "termination of a teacher's"

Page 1, line 3, strike "contract after probationary period;"

Page 1, line 4, strike "1" and insert "30"

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. 111: A bill for an act relating to education; creating a senior citizens higher education program for certain resident senior citizens.

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

Page 1, line 6, strike "SENIOR CITIZENS" and insert "OLDER PERSONS"

Page 1, line 10, strike "Senior citizen" and insert "Older person"

Page 1, line 11, strike "65" and insert "62"

Page 2, line 3, strike "A senior citizen" and insert "An older person"

Page 2, line 5, strike "attend courses offered for credit,"

Page 2, line 6, after "credit" strike the comma

Page 2, line 6, strike "enroll in"

Page 2, line 6, after "courses" strike the comma

Page 2, line 7, after "Minnesota" insert "when space is available"

Page 2, line 10, strike "a senior citizen" and insert "an older person"

Page 2, line 15, strike "senior citizens" and insert "older persons"

Page 2, line 16, strike "admissions officer of the"

Page 2, line 17, strike "shall determine whether a person qualifies for, and" and insert "may"

Page 2, line 18, strike "request, the senior" and insert "determine whether a person meets the age and residency qualifications of section 1"

Page 2, line 19, strike "citizen benefits"

Page 2, line 20, strike "placement office of the"

Page 2, line 21, strike "senior citizens" and insert "older persons"

Further amend the title as follows:

Page 1, line 2, strike "senior citizens"

Page 1, line 4, strike "senior citizens" and insert "older persons"

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 referred

S. F. No. 758: A bill for an act relating to education; school lunch; appropriating money.

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

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

S. F. No. 938: A bill for an act relating to education; quality education council; changing duties and functions and providing a per diem for members; amending Minnesota Statutes 1974, Sections 3.924; 3.925; 3.926; and 3.927.

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

Page 2, line 7, strike "Eight" and insert "Nine"

Page 2, line 13, after "and" strike "four" and insert "five"

Page 3, line 7, after "performed" insert "*by the council on quality education as well as*"

Page 3, lines 7 to 12, reinstate the stricken language

Page 3, line 13, strike "*council on quality education*"

Page 3, line 15, reinstate "encourage, promote" and after "promote" insert a comma

Page 3, line 15, reinstate "aid" and after "aid" insert "and"

Page 3, line 16, after "and" insert "*develop quality programs of early childhood and family education and*"

Page 3, line 16, reinstate "elementary and secondary" and after "secondary" insert "*education in Minnesota,*"

Page 3, lines 22 and 23, reinstate the stricken language

Page 3, line 24, reinstate "or loans may be made"

Page 3, line 25, reinstate "in support of"

Page 3, line 25, strike "*These*"

Page 3, lines 26 and 27, reinstate the stricken language

Page 4, after line 22, insert

"(13) Research relating to such other problems and objectives as the legislature shall direct.

A portion of the venture funds shall be used for the purpose of research or the promulgation of programs dealing with areas of education that have been the subject of the council's research."

Page 4, line 23, reinstate the stricken language

Page 4, line 25, reinstate the stricken language

Page 4, line 26, before "*research*" insert "*or*"

Page 4, line 28, reinstate the stricken language

Page 4, line 28, strike "*research*"

Page 5, line 1, after "*all*" insert "*research and all*"

Page 5, line 1, reinstate the stricken language

Page 5, line 2, reinstate the stricken language and strike "*research*"

Page 5, line 3, reinstate the stricken language

Page 5, lines 8 to 28, reinstate the stricken language

Page 5, line 31, reinstate the stricken language and after "*recommend*" insert "*whether a grant need be made in support of the proposed program, and*"

Page 5, line 32, reinstate "*grant to be made*" and after "*made*" insert "*if need is determined*"

Page 5, line 32, reinstate "*in the*"

Page 6, lines 1 to 14, reinstate the stricken language

Page 6, lines 25 to 27, reinstate the stricken language

Page 6, line 28, reinstate "*department of education, made*" and after "*made*" insert "*for the purposes of sections 3.924 to 3.927,*"

Page 6, line 29, reinstate "*as is necessary, shall be*"

Page 6, line 30, reinstate "*made available to the council for this purpose.*"

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

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

S. F. No. 1170: A bill for an act relating to Independent School District No. 624; authorizing the district to exceed its levy limitations for the purpose of operating a community recreation program.

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

Page 1, line 8, strike "*District No.*" and insert "*District Nos.*"

Page 1, line 9, after "624" strike "is" and insert "and 77 are"

Page 1, line 16, after "effective" insert "as it relates to each school district"

Page 1, line 17, strike "Independent School" and insert "that district"

Page 1, line 18, strike "District No. 624"

Further amend the title as follows:

Page 1, line 2, strike "District No." and insert "District Nos."

Page 1, line 2, after "624" insert "and 77"

Page 1, line 3, strike "district" and insert "districts"

Page 1, line 3, strike "its" and insert "their"

Page 1, line 4, strike "a"

Page 1, line 5, strike "program" and insert "programs"

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. 776: A bill for an act relating to libraries; providing for funding of public libraries according to a formula; prescribing services to be provided; appropriating money.

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

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

S. F. No. 360: A bill for an act relating to education; directing the higher education coordinating commission to sponsor a quarterly meeting for representatives of certain boards and agencies dealing with higher education; amending Minnesota Statutes 1974, Chapter 136A, by adding a section.

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. 1285: A bill for an act relating to education; higher education coordinating commission; work-study program for post-secondary students; defining eligibility and setting guidelines for payments; amending Minnesota Statutes 1974, Sections 136A.231; 136A.232; and 136A.233.

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

Page 3, line 18, strike "*bases*" and insert "*basis*"

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 referred

S. F. No. 934: A bill for an act authorizing the issuance of bonds by Independent School District No. 279 without adjustment of maturities.

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

Page 1, line 9, strike "and in the issuance of any bonds for the purpose"

Page 1, line 10, strike "of refunding outstanding bonds,"

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. 1334: A bill for an act relating to private detectives and protective agents; providing for licensing requirements; specifying the qualifications of employees; permitting transportation of firearms; amending Minnesota Statutes 1974, Sections 326.333; 326.336, Subdivision 1; and 326.337, Subdivision 4.

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

Page 2, line 25, before "*equivalent*" insert "*in an*"

Page 2, line 25, strike "*grade*" and insert "*occupation*"

Page 2, after line 27, insert:

"Sec. 2. Minnesota Statutes 1974, Section 326.334, Subdivision 2, is amended to read:

Subd. 2. It shall be the duty of the bureau of criminal apprehension to compare such fingerprints with state criminal identification records, to conduct a sufficient investigation of the persons signing such application so as to determine their competence, character and fitness for such a license, and to report his findings to the board.

If within 20 days of such posting no person has objected in writing to the board to the issuance of such license, if it shall appear that the statements in the application are true, and if it shall appear from the investigations of the bureau of criminal apprehension and the board that the applicant is qualified for such license, then the board shall issue a license to such applicant."

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 6, after the semicolon insert "326.334, Subdivision 2;"

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

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

S. F. No. 1550: A bill for an act relating to public welfare; commissioner of public welfare; authorizing payments to county welfare departments for former institutionalized persons placed in community residential and day programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

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

Page 5, line 12, strike *"To facilitate the placement of persons residing in"*

Page 5, strike lines 13 and 14

Page 5, line 15, strike *"county"* and insert *"local"*

Page 5, line 15, strike *"departments"* and insert *"agencies"*

Page 5, line 16, after *"care"* insert *"for persons residing in institutions under the control of the commissioner who are placed in licensed community-based residential and day care programs. The cost of care liability of the state agency shall be the costs"*

Page 5, line 18, after *"Payments"* insert *"authorized under this provision"*

Page 5, line 20, after *"institution"* insert *"under the control of the commission"*

Page 5, line 20, after *"least"* insert *"the"*

Page 5, line 20, strike *"consecutive"*

Page 5, line 20, strike *"prior to"* and insert *"immediately preceding"*

Page 5, line 21, strike *"a state"* and insert *"the"*

Page 5, line 24, strike *"county"* and insert *"local"*

Page 5, line 25, strike *"departments"* and insert *"agencies"*

Page 5, line 26, strike *"As a condition"*

Page 5, line 27, strike *"of qualifying"* and insert *"To qualify"*

Page 5, line 27, strike *"county"* and insert *"local"*

Page 5, line 28, strike *"department"* and insert *"agency"*

Page 5, line 32, strike "*county*" and insert "*local*"

Page 5, line 32, strike "*department*" and insert "*agency*"

Page 6, line 2, strike "*may*" and insert "*shall*"

Page 6, line 2, after "*promulgate*" insert "*any*"

Page 6, line 3, after "*regulations*" insert "*necessary*"

Page 6, line 3, strike "*the foregoing*" and insert "*this provision*"

Further, amend the title as follows:

Page 1, line 2, strike "commissioner of public"

Page 1, line 3, strike "welfare;"

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

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

H. F. No. 494: A bill for an act relating to commerce; requiring notice to consumers of right to cancel buyer's club contract; amending Minnesota Statutes 1974, Section 325.962, Subdivision 2, and by adding a subdivision.

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. 1628: A bill for an act relating to state parks; authorizing acquisition of a parcel of land in Afton State park by eminent domain with the consent of the owner.

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. 1627: A bill for an act relating to state parks; adding lands to Kilen Woods state park in Jackson county.

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. 1338: A bill for an act relating to the sale of state owned lands to the city of Owatonna; providing for valuation at current fair market value; amending Laws 1965, Chapter 216, Sections 2, as amended; and 3, Subdivision 1, as amended.

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. 1432: A bill for an act relating to education; higher education coordinating commission; providing procedure for registration and approval of private post-secondary institutions.

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

Page 2, line 8, after " "college" " insert ", "academy", "institute" "

Page 3, line 5, after " "college" " insert ", "academy", "institute" "

Page 3, line 14, after " "college" " insert ", "academy", "institute" "

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. 1516: A bill for an act relating to education; school districts; authorizing the leasing of schoolhouses; amending Minnesota Statutes 1974, Section 123.36, Subdivision 5.

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. 1474: A bill for an act relating to appropriations; appropriating money to the department of education for the operation of the environmental learning center at Isabella.

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

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

S. F. No. 1473: A bill for an act relating to education; appropriating money to the department of administration for the construction of the fine arts portion of the Vermilion range cultural center in Ely.

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

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

S. F. No. 795: A bill for an act relating to Special School District No. 1; extending bonding authority; amending Laws 1959, Chapter 462, Section 3, Subdivision 7, as amended.

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. 503: A bill for an act relating to education; providing for a reduction of state aid to school districts permitting violation of state or federal laws prohibiting discrimination; directing the filing of certificates of compliance with state and federal law; amending Minnesota Statutes 1974, Section 124.15, Subdivisions 2 and 3.

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

Page 2, line 9, strike "section" and insert "sections 1 and"

Page 2, line 10, strike "8" and insert "13"

Page 2, line 18, before "upon" strike "and" insert "*or, in the case of the violation stated in clause (1) of this subdivision,*"

Page 2, strike lines 21 to 32 and insert "is amended by adding a subdivision to read:

Subd. 2a. After consultation with the commissioner of human rights, the state board of education shall adopt rules and regulations which direct school districts to file with the commissioners of human rights and of education, assurances of compliance with state and federal laws prohibiting discrimination and which specify the information required to be submitted in support of the assurances. If, after review of the assurances, the supportive information and any other information which the commissioner of human rights may require, it appears to the commissioner of human rights that one or more violations of the Minnesota human rights act are occurring in the district, he shall notify the commissioner of education of the violations, and the commissioner of education shall then proceed pursuant to subdivision 3 of this section."

Page 3, strike lines 1 through 5

Further, amend the title as follows:

Page 1, line 6, strike "certificates" and insert "assurances"

Page 1, line 8, strike "Subdivisions" and insert "Subdivision"

Page 1, line 8, strike "and 3" and insert "and by adding a subdivision"

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. 1596: A bill for an act relating to education; appropriating moneys for educational television stations complying with certain conditions.

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

Page 1, line 10, delete "Minnesota nonprofit"

Page 1, line 11, delete "corporations" and insert "licensees of noncommercial educational television broadcasting stations"

Page 1, line 11, after "television" insert "in Minnesota"

Page 1, line 14, delete "nonprofit corporations" and insert "licensees"

Page 2, line 13, delete "nonprofit corporation" and insert "licensee"

Page 2, line 19, delete "nonprofit corporation" and insert "licensee"

Page 2, line 24, delete "nonprofit corporations" and insert "licensees"

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 referred

S. F. No. 1322: A bill for an act relating to education; higher education coordinating commission; providing for scholarships and grants-in-aid for optometry students; appropriating funds.

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

Page 1, line 23, strike "If the state cannot contract"

Page 2, strike lines 1 and 2

Page 2, line 3, before "commission" insert "The"

Page 2, line 8, after the period insert "The commission shall also advise the legislature as to the feasibility of the state contracting for the needed number of seats at appropriate existing colleges of optometry."

Page 2, line 10, strike "1976" and insert "1977"

Page 2, strike lines 11 through 21

Further amend the title as follows:

Page 1, line 2, after "to" insert "optometric"

Page 1, strike lines 4 and 5 and insert "a study of the avail-

ability of educational opportunities in optometry for Minnesota students."

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. 407: A bill for an act relating to education; providing for pilot preschool assessment programs; appropriating money.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Subdivision 1. The legislature finds that educational assessment no later than the end of the kindergarten year is necessary to plan educational programs to provide equal opportunity for all children. To accomplish this objective a school readiness assessment procedure shall be developed by the state board of education in cooperation with other appropriate authorities and agencies using presently available tests where appropriate. The assessment procedures shall be administered by the local school district according to standards established by the state board of education.

Subd. 2. Regional meetings shall be held in cooperation with the statewide assessment program to implement statewide school readiness assessment no later than May of 1976.

Subd. 3. Following the assessment, regional meetings in cooperation with the educational cooperative service units and school district personnel will be held prior to September of 1976 to determine the curriculum implications and to prescribe instructional programs for individual children.

Sec. 2. Pilot programs designed for at least one rural, one suburban and one urban district shall be developed to implement a second level of assessment. This assessment shall include specialized assessment procedures in the visual, auditory and motor coordination areas for children with significant educational deficiencies. These second level assessment procedures shall be made available after the pilot phase to local school districts for in-service training on a cost sharing basis.

Sec. 3. The state board of education shall encourage statewide dissemination of all effective materials, procedures and techniques developed in these programs.

Sec. 4. The sum of \$. is appropriated from the general fund to the state board of education for the purposes of administering this act.

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

Further amend the title as follows:

Page 1, line 2, after "for" insert "kindergarten and"

Page 1, line 3, before "preschool" insert "second level"

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 referred

S. F. No. 1431: A bill for an act relating to education; learning disabled and mildly retarded children; establishing a pilot program for in-service training of teachers; appropriating money.

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

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

S. F. No. 1584: A bill for an act relating to public safety; providing for the reporting of malicious false fire alarms and establishing procedures for partial deactivations of fire alarm systems in educational facilities; providing penalties.

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. 1601: A bill for an act relating to Independent School District No. 625, providing for severance pay and the authority to levy and raise taxes for the payment of severance pay obligations of the school district board; amending Laws 1965, Chapter 705, by adding a section.

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

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

S. F. No. 1587: A bill for an act relating to appropriations; appropriating money to fund a program of graduate training in family practice for physicians.

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

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

S. F. No. 1198: A bill for an act relating to anatomical gifts; requiring morticians and certain other designated persons to obtain a written release prior to performing an eye enucleation procedure; amending Minnesota Statutes 1974, Section 595.924, by adding a subdivision.

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

Page 1, line 10, after "*a*" and before "*licensed*" insert "*person*"

Page 1, line 10, after "*licensed*" insert "*to practice mortuary science under chapter 149,*"

Page 1, strike line 11

Page 1, line 12, strike "*a*" and insert "*any other*"

Page 1, line 12, strike "*designated by the university of Minnesota,*"

Page 1, strike line 13

Page 1, line 14, strike "*person*" and insert "*who*"

Page 1, line 16, strike "*offering said course, and*"

Page 1, strike line 17

Page 1, line 18, strike "*ophthalmology*"

Page 1, line 19, strike "*such*" and insert "*a*"

Page 1, line 20, strike "*if a*" and insert "*. A written*"

Page 1, line 21, strike "*is first*" and insert "*must be*"

Page 1, line 21, after "*obtained*" and before the period insert "*prior to the performance of the procedure*"

Page 1, line 23, after "*subdivision 2*" strike the comma and insert a period

Page 2, strike line 1

Page 2, line 2, strike "*or a properly designated*" and insert "*A mortician or other*"

Page 2, line 3, strike the comma

Amend the title as follows:

Page 1, line 6, strike "*595.924*" and insert "*525.924*"

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. 345: A bill for an act relating to insurance; providing for indemnification and subrogation in certain cases; amending

Minnesota Statutes 1974, Section 65B.53; repealing Minnesota Statutes 1974, Section 65B.62.

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

Page 1, line 12, after "indemnity" reinstate the stricken language

Page 1, lines 13 to 23, reinstate the stricken language and strike the new language

Page 1, line 18, after "payable" insert "*if a vehicle other than a private passenger vehicle was involved in the accident*"

Page 2, strike lines 1 to 13

Renumber the subdivisions in sequence

Page 4, after line 4, insert:

"Sec. 3. *This act is effective the day following final enactment and applies to accidents occurring on and after its effective date.*"

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 the following appointment as reported in the Journal for April 14, 1975:

**COMMISSIONER OF THE DIVISION OF SECURITIES,
DEPARTMENT OF COMMERCE**

Edward Driscoll

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

Mr. Hansen, Baldy moved that the foregoing committee report be laid on the table. The motion prevailed.

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

S. F. No. 1424: A bill for an act relating to retirement; financing teachers retirement in Independent School District No. 625; amending Laws 1965, Chapter 705, Section 1, Subdivision 4.

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

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

S. F. No. 1366: A bill for an act relating to commerce; consumer fraud; providing an exclusion for mass media; amending Minnesota Statutes 1974, Sections 325.774, Subdivision 1; and 325.79, Subdivision 3.

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

Page 1, line 8, strike "Subdivision 1,"

Page 1, line 13, after the semicolon insert "or"

Page 1, strike lines 14 to 20

Page 1, line 21, strike "(3)" and insert "(2)"

Page 1, after line 21, insert:

"Subd. 2. Sections 325.771 to 325.776 shall apply to publishers, broadcasters, printers, or other persons engaged in the dissemination of information or reproduction of printed or pictorial matters who publish, broadcast, or reproduce material only if the persons have either knowledge of the deceptive trade practice or a financial interest in the goods or services being deceptively offered for sale.

Subd. 2 3. Section 325.772, subdivision 1, clauses (2) and (3) do not apply to the use of a service mark, trademark, certification mark, collective mark, trade name, or other trade identification that was used and not abandoned before July 1, 1973, if the use was in good faith and is otherwise lawful except for sections 325.771 to 325.776."

Page 2, line 1, strike "Nothing herein" and insert "Sections 325.78 to 325.80"

Page 2, line 2, strike "contained"

Page 2, line 8, after "advertisement," insert "only"

Page 2, line 9, strike "neither" and insert "either"

Page 2, line 10, strike "nor" and insert "or"

Amend the title as follows:

Page 1, line 4, strike ", Subdivision 1"

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. 1211: A bill for an act relating to banks; permitting revolving loan accounts.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Chapter 48, is amended by adding a section to read:

[48.159] [OPEN END LOAN ACCOUNT ARRANGEMENTS.] *Subdivision 1. Any bank organized under the laws of this state, any national banking association doing business in this*

state, and any savings bank organized and operated pursuant to Minnesota Statutes 1974, Chapter 50, shall have the power to extend credit through an open end loan account arrangement with a debtor, pursuant to which the debtor may obtain loans from time to time by cash advances, purchase or satisfaction of the obligations of the debtor incurred pursuant to a credit card plan, or otherwise under a credit card or overdraft checking plan.

Subd. 2. No bank shall extend credit which would cause the total outstanding balance of the debtor on accounts created pursuant to the authority of this section to exceed \$7,500. No savings bank shall extend credit which would cause the outstanding balance of the debtor to exceed \$5,000, nor shall it extend such credit for any purposes other than personal, family or household purposes, nor shall it extend such credit to any person other than a natural person.

Subd. 3. A bank or savings bank may collect a periodic rate of finance charge in connection with extensions of credit pursuant to this section which does not exceed 1 percent per month computed on an amount no greater than the average daily balance of the account during each monthly billing cycle.

Subd. 4. No charges other than those provided for in subdivision 3 shall be made directly or indirectly for any credit extended under the authority of this section, except that there may be charged to the debtor:

(a) Annual charges, not to exceed \$15 per annum, payable in advance, for the privilege of using a bank credit card which entitles the debtor to purchase goods or services from merchants, under an arrangement pursuant to which the debts resulting from the purchases are paid or satisfied by the bank or savings bank and charged to the debtor's open end loan account with the bank or savings bank.

(b) Charges for premiums on credit life and credit accident and health insurance if:

(i) the insurance is not required by the bank or savings bank and this fact is clearly disclosed in writing to the debtor and

(ii) the debtor is notified in writing of the cost of such insurance and affirmatively elects, in writing, to purchase such insurance.

Subd. 5. If the balance in a revolving loan account under a credit card plan is attributable solely to purchases of goods or services charged to the account during one billing cycle, and the account is paid in full before the due date of the first statement issued after the end of that billing cycle, no finance charge shall be charged on that balance.

Further amend the title as follows:

Page 1, line 2, strike "revolving loan" and insert "open end credit arrangements; amending Minnesota Statutes 1974, Chapter 48, by adding a section"

Page 1, line 3, strike "accounts"

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. 1501: A bill for an act relating to game and fish; regulating entry on agricultural lands for taking big game; providing a penalty; amending Minnesota Statutes 1974, Section 100.273.

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. 1439: A bill for an act relating to agriculture; dividing the state into two regions for purposes of the potato industry promotion act; reducing the number of regions; amending Minnesota Statutes 1974, Section 30.464, Subdivision 1.

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. 1320: A bill for an act relating to the university of Minnesota; appropriating money for use in wild rice research.

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

Page 1, line 6, strike "during" and insert "for"

Page 1, line 10, strike "This appropriation shall not lapse until June"

Page 1, strike line 11

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

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

S. F. No. 1503: A bill for an act relating to natural resources; authorizing the department of natural resources to make a grant to the city of Duluth for the construction of a dam at Hartley Pond on Tischer Creek.

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

Page 1, after line 12, insert:

"Sec. 2. The department of natural resources may expend an amount not to exceed \$80,000 for construction of a dam on Elk

River within the city of Elk River. The expenditure shall not be made until the city of Elk River has fulfilled the applicable requirements for such a project as contained in Minnesota Statutes, Sections 105.37 to 105.541."

Page 1, line 13, strike "expenditure" and insert "expenditures"

Renumber the sections

Amend the title as follows:

Line 3, strike "a grant" and insert "grants"

Line 5, before the period insert "and to the city of Elk River for the construction of a dam on the Elk River"

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

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

S. F. No. 929: A bill for an act relating to state parks; adding land to Helmer Myre state park; appropriating funds.

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

Page 2, line 9, after the period insert "Acquisition may be by eminent domain."

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

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

S. F. No. 1428: A bill for an act relating to the capitol area architectural and planning commission; authorizing the city of St. Paul to expend moneys held by it in accordance with the city capital improvement budget; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3.

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

Page 1, line 18, reinsert the stricken "shall"

Page 1, line 18, strike "may"

Page 1, line 22, after the stricken "and" insert "for"

Page 1, line 23, reinsert the stricken language

Page 1, line 23, after the reinserted "area" insert "*upon the request of the commission*"

Page 1, line 24, reinsert the stricken language

Page 2, line 1, reinsert the stricken language

Page 2, strike the new language in lines 1 to 4

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

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

S. F. No. 467: A bill for an act relating to retirement benefits of certain legislative employees; authorizing payment of contributions for intermittent service during regular and special sessions.

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

Page 1, line 13, strike "times" and insert "multiplied by"

Page 1, line 14, after "credit" strike the comma and insert a period

Page 1, strike lines 15 and 16

Page 1, line 17, strike "is made."

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. 560: A bill for an act relating to retirement; service credit for certain members of the public employees retirement association.

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

Page 1, line 13, strike the period and insert the following:

"and the city of St. Paul may pay the public employees retirement association any amount required to be remitted to the association for service of such employee during the period from January 15, 1945 through September 15, 1947. This amount shall not exceed \$3,100, and may be transmitted from available funds."

Page 1, strike lines 14 and 15 and insert the following:

"Sec. 2. This act is effective upon approval by the city council of St. Paul, and upon compliance with Minnesota Statutes, Section 645.021."

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. 1116: A bill for an act relating to courts; setting the salaries for certain court reporters; amending Minnesota Statutes 1974, Section 486.05; and Laws 1969, Chapter 568, Section 1, as amended, by adding a subdivision.

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

Page 1, line 14, strike "\$19,500" and insert "\$19,100"

Page 2, line 15, before "After" insert "*At the beginning of the first payroll period*"

Page 2, line 16, after "the" insert "*maximum*"

Pages 2 and 3, strike section 2

Further, amend the title as follows:

Line 4, strike "; and Laws 1969,"

Strike line 5

Line 6, strike "subdivision"

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. 158: A bill for an act relating to the practice of medicine; physicians, surgeons and osteopaths; suspension of license; amending Minnesota Statutes 1974, Section 147.021, Subdivision 2.

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

S. F. No. 370: A bill for an act relating to solemnization of marriage; authorizing solemnization of marriage among Native Americans by Indian holy men; amending Minnesota Statutes 1974, Section 517.18.

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

S. F. No. 4: A bill for an act relating to courts; general terms in ninth judicial district, eastern area; amending Minnesota Statutes 1974, Section 484.17.

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

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

S. F. No. 2: A bill for an act relating to crimes and criminals; assault upon a child; specifying penalties therefor; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

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

Page 1, lines 9-12, strike the new language and insert "*Whoever does any of the following commits an assault upon a child and may be sentenced to imprisonment for not more than three years, or to payment of a fine of not more than \$3,000, or both:*

(1) Does an act with intent to cause in a child under the age of seven years fear of immediate bodily harm or death and in addition causes to the child injury, illness, or any impairment of physical condition; or

(2) Intentionally inflicts injury, illness or any impairment of physical condition upon a child under the age of seven years."

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. 365: A bill for an act relating to retirement; amendments to the public employees retirement law; providing that in the event a surviving spouse is remarried and such marriage is annulled, monthly survivor benefits shall be reinstated; amending Minnesota Statutes 1974, Sections 353.31, Subdivision 1; and 353.657, Subdivision 2.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Minnesota Statutes 1974, Chapter 356, is amended by adding a section to read:

[356.31] [RESTORATION OF SURVIVOR BENEFITS.]
Subdivision 1. [RESTORATION UPON TERMINATION OF REMARRIAGE.] Notwithstanding any provision to the contrary of the laws governing any of the retirement funds enumerated in subdivision 2, any person who was receiving a surviving spouse's benefit from any of such funds and whose benefit terminated solely because of remarriage shall, if the remarriage terminates for any reason, again be entitled upon reapplication to a surviving spouse's benefit; provided, however, that such person shall not be entitled to retroactive payments for the period of remarriage. The benefit shall resume at the level which such person would have been receiving if there had been no remarriage. This section shall apply prospectively to any person who first becomes entitled to receive a surviving spouse's benefit on or after the effective date of this act, and shall also apply retroactively to any person who first became entitled to receive a surviving spouse's benefit before the effective date of this act; provided, however, that no such person shall be entitled to retroactive payments for any period of time prior to the effective date of this act.

Subd. 2. [COVERED FUNDS.] The provisions of this section shall apply to the following retirement funds:

(1) Public employees retirement fund, established pursuant to chapter 353;

(2) Public employees police and fire fund, established pursuant to chapter 353;

(3) Highway patrolmen's retirement fund, established pursuant to chapter 352B;

(4) Legislators' retirement plan, established pursuant to chapter 3A;

(5) Elective state officers retirement plan, established pursuant to chapter 352C;

(6) Teachers retirement fund, established pursuant to Chapter 354;

(7) Minneapolis municipal employees retirement fund, established pursuant to chapter 422A.

Sec. 2. Minnesota Statutes 1974, Chapter 356, is amended by adding a section to read:

[356.32] [PROPORTIONATE ANNUITY IN CERTAIN CASES.] Subdivision 1. [PROPORTIONATE RETIREMENT ANNUITY.] *Notwithstanding any provision to the contrary of the laws governing any of the retirement funds enumerated in subdivision 2, any person who is employed in a position covered by any such fund, who has credit for at least three years but less than ten years of allowable service in such fund or a combination of such funds, and who is required to terminate service at age 65 or earlier pursuant to a mandatory retirement statute or a uniformly applied mandatory retirement policy established by the employer, shall be entitled upon application to a proportionate retirement annuity from each such fund in which he has allowable service credit, based upon his allowable service credit at the time of mandatory retirement; provided, however, that nothing in this section shall prevent the actuarial reduction of an annuity for which application is made prior to normal retirement age.*

Subd. 2. [COVERED FUNDS.] The provisions of this section shall apply to the following retirement funds:

(1) State employees retirement fund, established pursuant to chapter 352;

(2) Correctional employees retirement program, established pursuant to chapter 352;

(3) Highway patrolmen's retirement fund, established pursuant to chapter 352B;

(4) Public employees retirement fund, established pursuant to chapter 353;

(5) *Public employees police and fire fund, established pursuant to chapter 353;*

(6) *Teachers retirement fund, established pursuant to chapter 354.*

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

Further, amend the title as follows:

Page 1, line 2, strike "amendments to the public"

Page 1, line 3, strike "employees retirement law;"

Page 1, line 5, strike "is annulled" and insert "terminates"

Page 1, line 6, after "reinstated;" insert "providing for proportionate annuities in certain cases;"

Page 1, line 7, after "1974," strike the balance of the line and insert "Chapter 356, by adding sections."

Page 1, strike line 8

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

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

S. F. No. 1223: A bill for an act relating to public welfare; authorizing grants for programs of child care services; altering allocations of grants; authorizing child care service areas and agencies; amending Minnesota Statutes 1974, Sections 245.83, Subdivisions 2 and 5, and by adding subdivisions; 245.84; 245.85; 245.86; 245.87; and Chapter 245, by adding a section.

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 245.83, Subdivision 2, is amended to read:

Subd. 2. "~~Child care service~~ *Licensed child care facilities*" means a family day care ~~home~~ *homes*, group day care ~~center for six or more children~~ *centers*, nursery schools, day nurseries, child day care centers and, play groups and, group family day care homes, *Head Start programs, parent cooperatives* as defined by ~~such the~~ *the* rules and regulations as ~~promulgated by the commissioner shall promulgate from time to time~~, and *in-home child care as defined in the Minnesota plan for social services to families and children.*

Sec. 2. Minnesota Statutes 1974, Section 245.83, Subdivision 5, is amended to read:

Subd. 5. "~~Interim financing~~" means funds to carry out ~~such the~~ *the* activities as ~~are necessary for family day care homes, group family day care homes and cooperative child care centers to receive obtain~~ *a state licensing license*, and operating funds for a period of six

consecutive months following receipt of state licensing by a family day care home, group family day care home, or cooperative child care center the license. Interim financing may not exceed a period of 18 months except under such conditions as the commissioner may promulgate by rule and regulation from time to time.

Sec. 3. Minnesota Statutes 1974, Section 245.83, is amended by adding subdivisions to read:

Subd. 6. "Child care council" means an organization whether or not incorporated, which operates on a county, multicounty, or regional level and which is recognized by the commissioner as a child care council as defined in rules and regulations promulgated by the commissioner.

Subd. 7. "Child care services" means the services provided by licensed child care facilities.

Sec. 4. Minnesota Statutes 1974, Section 245.84, is amended to read:

245.84 [AUTHORIZATION TO MAKE GRANTS.] *Subdivision 1. The commissioner is authorized to make such provisional grants from the general fund in the state treasury to any municipality, county, corporation or combination thereof child care councils for the cost of planning, establishing, maintaining or financing, operating a , evaluating, and coordinating child care service as the commissioner deems necessary or proper to carry out the purposes of sections 245.83 to 245.87. The planning, establishing, maintaining or operating of a child care service may include but is not limited to the leasing, renting, constructing, renovating, or purchasing of necessary facilities, equipment or supplies for such service services, and for the cost of technical assistance to the child care councils .*

Subd. 2. The commissioner is further authorized to make provisional grants as provided by sections 245.83 to 245.87 not to exceed 75 percent of the total cost to any such municipality, county, or private corporation , licensed child care facility or combination thereof, to establish and operate a program to aid in the coordination of child care within a defined community; to aid in the development of social, emotional, educational and physical conditions under which children can best develop within a defined community and to provide for the needs of economically disadvantaged children. No grant shall exceed 50 percent of the total cost of the establishment and operation of a child care service or a program as set forth in this section except for an interim financing grant which shall not exceed 75 percent for the cost of any of the following purposes:

(a) Startup of new licensed child care facilities and expansion of existing facilities including, but not limited to, the cost of supplies, equipment, and facility renovation and construction;

(b) Enrichment of licensed child care facility programs, including, but not limited to, the cost of staff specialists, staff training, supplies, equipment, and facility renovation and construction;

(c) Supportive child development services including, but not limited to, inservice training, curriculum development, consulting

specialist, resource centers, and program and resource materials; and

(d) Operation of programs including, but not limited to, staff, supplies, equipment, facility renovation, and training.

A minimum of ten percent of the total amount of grants made pursuant to this subdivision shall be used for interim financing.

Subd. 3. For the purposes of this section, donated professional and volunteer services, program materials, equipment, supplies, and facilities may be approved as constituting the matching share of the costs.

Subd. 4. The commissioner is further authorized to make grants to counties, municipalities, corporations, or licensed child care facilities for the cost of purchasing free and sliding fee scale child care services for children who are eligible for such services under the Minnesota plan for social services to families and children. Grants shall be used for one, but not both, of the following purposes during any fiscal year:

(a) To match federal child care service funds, provided that the grant does not exceed 25 percent of the total cost and the county maintains at least the same level of local match expenditures as during the 1974-1975 fiscal year; or

(b) To match local funds, provided that the grant does not exceed 75 percent of the total cost and the county maintains at least the same percentages of federal child care service expenditures as during the 1974-1975 fiscal year.

Subd. 5. Licensed child care facilities and programs which receive grants authorized by subdivision 4, must meet federal inter-agency day care requirements.

Subd. 6. The commissioner shall appoint an advisory committee on child care council of not more than 25 people which 35 persons who shall advise the commissioner on grants in aid to licensed child care facilities; one-third of these appointed shall consist of parent users of licensed child day care facilities making grants and other child care issues, including standards for and the establishment of child care service areas and child care councils. The council shall also advise the commissioner in reviewing local child care service plans. One third of the members of the advisory council shall be parent-users of child care services.

Sec. 5. Minnesota Statutes 1974, Section 245.85, is amended to read:

245.85 [TERMINATION OF ALL OR PART OF A GRANT.] The commissioner shall supervise and coordinate all child care services and programs for which a grant has been made pursuant to sections 245.83 to 245.87 and section 8 of this act, and shall endeavor insofar as possible to establish a set of program standards and uniform regulations to coordinate child care services and programs at the state and local level. The commissioner shall, from time to time, review the budgets, expenditures and development of

each child care service and program to which a grant has been made pursuant to sections 245.83 to 245.87 and section 8 of this act. If the commissioner determines that any portion of the grants made to establish and operate a ~~child care licensed child care service facility~~ or a program ~~are~~ is no longer needed, that local support is not available to finance the local share of the cost of ~~such the~~ service or programs, or that ~~such the service facility~~ or programs do not comply with the rules, regulations, standards or requirements of the commissioner, the commissioner may, upon 30 days notice, withdraw any funds not allocated prior to the delivery of ~~such the~~ notice and cancel the grant to the extent of ~~such the~~ withdrawal.

Funds which have not been allocated by the end of the 18th month of the biennium shall be allocated without regard to area restrictions set forth in section 245.86.

Sec. 6. Minnesota Statutes 1974, Section 245.86, is amended to read:

245.86 [AUTHORIZATION TO COUNTIES AND MUNICIPALITIES TO MAKE GRANTS.] Any county or municipality may make grants from special tax revenues or from its general fund to any organization, governmental or corporate, for the same purposes for which the commissioner is authorized to make grants by sections 245.83 to 245.87 and section 8 of this act. The above funds and an amount of funds established as a usual rate for donations of time or services, or any combination thereof, are to provide for a 50 percent matching of county, local or private funds.

Sec. 7. Minnesota Statutes 1974, Section 245.87, is amended to read:

245.87 [ALLOCATIONS.] For the purposes of sections 245.83 to 245.87 and section 8 of this act grants shall be equally distributed between the metropolitan area, comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, and the outstate area other than the metropolitan area so that no more than 55 percent of the total fund goes to either area. At least ten percent of the total allocation shall be designated for interim financing after excluding the allocations for migrant child care services, administrative costs and statewide projects. For the purposes of Laws 1973, Chapter 534 sections 245.83 to 245.87 and section 8 of this act, the commissioner is further instructed that the allocation in each area be based on a need and population basis. Funds for each year of the biennium which have not been granted by the end of the sixth month of that year shall be allocated without regard to area or purpose restrictions.

Sec. 8. Minnesota Statutes 1974, Chapter 245, is amended by adding a section to read:

[245.88] [AUTHORIZATION TO ESTABLISH CHILD CARE SERVICE AREAS AND AGENCIES.] Subdivision 1. The commissioner shall establish at least one child care service area in each of the economic development regions. A child care service area may be comprised of one or more counties or all of the counties in an economic development region.

Subd. 2. Upon the petition of a municipal, county or regional governmental body, a private agency or organization, whether or not incorporated, or a combination thereof, the commissioner, having solicited the recommendation of the county welfare board or board within the child care service area, shall recognize a single child care council within a child care service area.

Subd. 3. The child care council shall be governed by a board of directors established in accordance with the rules and regulations promulgated by the commissioner. The board of directors of a child care council shall have as at least one third of its members, parent-users of child care services and shall include representatives of governmental bodies or agencies and private agencies and organizations which are concerned with child care services. The child care council shall cooperate with and coordinate its activities with any human services board within the child care service area.

Subd. 4. The child care council shall provide technical and other assistance to governmental bodies, communities, private agencies and organizations, and individuals in planning, evaluating, and coordinating child care services. The child care council shall identify the needs and demands for child care services at least biannually. Other assistance may include:

(a) Planning and assisting in the development of child care services;

(b) Obtaining service funding from private, local, state, and federal sources;

(c) Recruiting service providers;

(d) Assisting service providers to maintain and improve operations;

(e) Evaluating the effectiveness and efficiency of services;

(f) Facilitating the involvement of parents and community persons in planning and decision making; and

(g) Providing public information and education about child care.

Subd. 5. The child care council shall submit annually to the commissioner on or before September 15 of each year its annual plan which identifies the programs and services that are recommended for implementation for the child care service area it serves. The commissioner shall annually evaluate the services being provided by the child care council.

Subd. 6. In the absence of a recognized child care council in a child care service area, the commissioner may provide technical assistance for the establishment of an agency."

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

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

S. F. No. 271: A bill for an act relating to counties; corrections; community based programs; amending Minnesota Statutes 1974, Sections 401.02; 401.08, Subdivision 1; 401.14; and 401.15, Subdivision 1.

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

Page 2, line 7, strike "those"

Page 2, line 11, strike "those"

Page 2, line 16, strike "one quarter's" and insert "the"

Page 2, line 16, after "maximum" insert "quarterly"

Page 2, line 17, strike "eligible"

Page 2, line 17, after "subsidy" and before the period insert "for which the counties are eligible"

Page 2, line 17, after the period insert "The expenses described in this subdivision shall be paid in the same manner and amount as for state employees."

Page 2, line 19, strike "Subdivision 1,"

Page 3, line 22, strike "medical"

Page 3, line 22, strike "profession" and insert "professions"

Page 3, after line 27, insert:

"If two or more counties have combined to participate in the subsidy authorized by this chapter, the commissioner of corrections may increase the size of the community corrections advisory board to include one county board member from each participating county."

Subd. 2. Members of the corrections advisory board appointed by the chairman of the board of county commissioners shall serve for terms of two years from and after the date of their appointment, and shall, *subject to the approval of the county board or county boards of commissioners of the participating counties*, remain in office until their successors are duly appointed. The other members of the corrections advisory board shall hold office at the pleasure of the appointing authority. *The board may elect its own officers.*

Subd. 3. Where two or more counties combine to come within the provisions of sections 401.01 to 401.16 the joint corrections advisory board shall contain representation as provided in subdivision 1, but the members comprising the board may come from each of the participating counties as may be determined by agreement of the counties. ~~The board may elect its own officers.~~

Subd. 4. The corrections advisory board provided in sections 401.01 to 401.16 shall actively participate in the formulation of the comprehensive plan for the development, implementation and opera-

tion of the correctional program and services described in section 401.01, and shall make a formal recommendation to the county board or joint board at least annually concerning the comprehensive plan and its implementation during the ensuing year.

Subd. 5. If a corrections advisory board carries out its duties through the implementation of a committee structure, the composition of each committee or subgroup shall generally reflect the membership of the entire board. All proceedings of the corrections advisory board and any committee or other subgroup of the board shall be open to the public; and all votes taken of members of the board shall be recorded and shall become matters of public record.

Subd. 6. Any member of a corrections advisory board who has been absent from two board meetings shall receive written notice from the commissioner of corrections that his membership will be terminated if the member is absent from a third board meeting. Any member who is absent from a third meeting may be removed by the commissioner, who shall appoint a successor for the unexpired term.

Sec. 3. Minnesota Statutes 1974, Section 401.10, is amended to read:

401.10 [CORRECTIONS EQUALIZATION FORMULA.] To determine the amount to be paid participating counties during the biennium ending June 30, 1975, the commissioner of corrections will apply the following formula:

(1) All 87 counties will be ~~ranked~~ scored in accordance with a formula involving four factors:

- (a) per capita income;
- (b) per capita taxable value;
- (c) per capita expenditure per 1,000 population for correctional purposes, and;
- (d) percent of county population aged six through 30 years of age according to the most recent federal census, and, in the intervening years between the taking of the federal census, according to the state demographer.

"Per capita expenditure per 1,000 population" for each county is to be determined by multiplying the number of adults and "youthful offenders" under supervision in each county at the end of the current year by \$350. To the product thus obtained will be added:

- (i) the number of presentence investigations completed in that county for the current year multiplied by \$50;
- (ii) the annual cost to the county for county probation officers' salaries for the current year; and
- (iii) 33 $\frac{1}{3}$ percent of such annual cost for probation officers' salaries.

The total figure obtained by adding the foregoing items is then divided by the total county population according to the most recent federal census, or, during the intervening years between federal censuses, according to the state demographer.

(2) The percent of county population aged six through 30 years shall be determined according to the most recent federal census , or, during the intervening years between federal censuses, according to the state demographer .

(3) Each county is then ranked scored as follows:

(a) on the basis of per capita income the ranking is from the lowest to the highest Each county's per capita income is divided into the 87 county average;

(b) per capita taxable value is ranked from lowest to highest Each county's per capita taxable value is divided into the 87 county average;

(c) per capita expenditure is ranked from highest to lowest Each county's per capita expenditure for correctional purposes is divided by the 87 county average;

(d) percent of county population aged six through 30 years is ranked from highest to lowest Each county's percent of county population aged six through 30 is divided by the 87 county average.

(4) The ranking scores given each county on each of the foregoing four factors is are then totaled and the counties ranked in numerical order according to score divided by four .

(5) The total score for each county thus determined is then divided into a median total score. The median total score is the score obtained by that county ranked number 44 in the final ranking. The quotient thus obtained then becomes the computation factor for the county. This computation factor is then multiplied by a "dollar value", as fixed by the appropriation pursuant to sections 401.01 to 401.16, times the total county population. The resulting product is the amount of subsidy to which the county is eligible under sections 401.01 to 401.16. Notwithstanding any law to the contrary, the commissioner of corrections, after notifying the committees on finance of the senate and appropriations of the house of representatives, may, at the end of any fiscal year, transfer any unobligated funds in any appropriation to the department of corrections to the appropriation under sections 401.01 to 401.16, which appropriation shall not cancel but is reappropriated for the purposes of sections 401.01 to 401.16.

Sec. 4. Minnesota Statutes 1974, Section 401.11, is amended to read:

401.11 [ITEMS INCLUDED IN PLAN PURSUANT TO REGULATION.] The comprehensive plan submitted to the commissioner for his approval shall include those items prescribed by regulation of the commissioner, which may require the inclusion of the following: (a) the manner in which presentence and post-sentence investigations and reports for the district courts and social history reports for the juvenile courts will be made; (b) the manner in which probation and parole services to the courts and persons under jurisdiction of the youth conservation commission and the adult corrections commission commissioner of corrections and the

Minnesota corrections authority will be provided; (c) a program for the detention, supervision and treatment of persons under pre-trial detention or under commitment; (d) delivery of other correctional services defined in section 401.01; (e) proposals for new programs, which proposals must demonstrate a need for the program, its purpose, objective, administrative structure, staffing pattern, staff training, financing, evaluation process, degree of community involvement, client participation and duration of program.

In addition to the foregoing requirements made by this section, each participating county or group of counties shall be required to develop and implement a procedure for the review of grant applications made to the corrections advisory board and for the manner in which corrections advisory board action shall be taken thereon. A description of this procedure shall be made available to members of the public upon request."

Page 4, line 28, after the period insert "If the amount received pursuant to the estimate is greater than the amount actually expended during the quarter, the commissioner may withhold the difference from any subsequent quarterly payments made pursuant to Section 401.14."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, strike "corrections;"

Page 1, line 2, after "based" insert "correctional"

Page 1, line 3, after the semicolon insert "providing for the designation of planning counties; expanding the composition of corrections advisory boards; permitting prospective payment of subsidies; changing the subsidy formula;"

Page 1, line 4, strike ", Subdivision 1"

Page 1, line 4, after the semicolon and before "401.14" insert "401.10; 401.11;"

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

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

S. F. No. 979: A bill for an act relating to chiropractic; further defining the term "chiropractic"; amending Minnesota Statutes 1974, Section 148.01, 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 148.01, is amended by adding a subdivision to read:

Subd. 3. Chiropractic practice includes those noninvasive means of clinical, physical and laboratory measures and analytical x-ray of the bones of the skeleton which are necessary to make a determination of the presence or absence of a chiropractic condition. The practice of chiropractic may include procedures which are used to prepare the patient for chiropractic adjustment or to complement the chiropractic adjustment. The procedures may not be used as independent therapies or separately from chiropractic adjustment. No device which utilizes heat or sound shall be used in the treatment of a chiropractic condition unless it has been approved by the federal communications commission. No device shall be used above the neck of the patient. Any chiropractor who utilizes procedures in violation of this subdivision shall be guilty of professional misconduct and subject to disciplinary procedures pursuant to section 148.10.

Sec. 2. Minnesota Statutes 1974, Section 148.08, Subdivision 2, is amended to read:

Subd. 2. [HOW REGULATED.] Chiropractors shall be subject to the same rules and regulations, both municipal and state, that govern other licensed doctors or physicians in the control of contagious and infectious diseases, and shall be entitled to sign health and death certificates, and to all rights and privileges of other doctors or physicians in all matters pertaining to the public health, except prescribing internal drugs or the practice of *medicine, physical therapy, surgery and obstetrics.*"

Amend the title as follows:

Page 1, line 4, strike "Section" and insert "Sections"

Page 1, line 4, after "subdivision" insert "; and 148.08, Subdivision 2"

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. 1381: A bill for an act relating to appropriations; appropriating money to the Minnesota pollution control agency for carrying out the provisions of Minnesota Statutes, Chapter 116F.

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

Page 1, line 13, after "1977," insert "*nor shall the appropriations made by Laws 1973, Chapter 748, Section 9, lapse if committed by contract prior to July 1, 1975,*"

Page 1, line 14, strike "All expenses of"

Page 1, strike lines 15 through 19

Page 1, after line 19 insert the following:

"Sec. 2. Minnesota Statutes 1974, Section 116F.04, Subdivision 3 is amended to read:

Subd. 3. Grant-in-aid payments made *to an institution* by the agency pursuant to section 116F.03, shall not exceed 50 percent of the total costs of the projects or programs funded. *Grant-in-aid payments made to a region or municipality by the agency pursuant to section 116F.03 shall not exceed 75 percent of the total costs of the projects or programs funded.*"

Underline all the new language in the bill

Amend the title as follows:

Page 1, line 5, after "116F" insert "; amending Minnesota Statutes 1974, Section 116F.04, Subdivision 3"

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

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

S. F. No. 919: A bill for an act relating to governmental operations; establishing a procedure for coordinating and processing certain environmental permits; prescribing certain duties for the environmental quality council.

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

Strike everything after the enacting clause and insert:

"Section 1. [116C.22] [CITATION.] Sections 1 to 14 may be cited as the Minnesota environmental coordination procedures act.

Sec. 2. [116C.23] [PURPOSES.] It shall be the purpose of sections 1 to 14:

(a) to provide an optional procedure to assist those who, in the course of satisfying the requirements of state government prior to undertaking a project which contemplates the use of the state's air, land, or water resources, must obtain more than one state permit, by establishing a mechanism in state government which will coordinate administrative decision-making procedures, and related quasi-judicial and judicial review, pertaining to these permits;

(b) to provide to the members of the public a better and easier opportunity to present their views comprehensively on proposed uses of natural resources and related environmental matters prior to the making of decisions on these uses by state or local agencies;

(c) to provide to the members of the public a greater degree of certainty in terms of permit requirements of state and local government;

(d) to provide better coordination and understanding between state and local agencies in the administration of the various programs relating to air, water, and land resources; and

(e) to establish the opportunity for members of the public to

obtain information pertaining to requirements of federal and state law which must be satisfied prior to undertaking a project in this state.

Sec. 3. [116C.24] [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 14, the terms defined in this section have the meanings given them.

Subd. 2. "Council" means the Minnesota environmental quality council.

Subd. 3. "Coordination unit" means the environmental coordination unit established pursuant to section 4.

Subd. 4. "Local governmental unit" means a county, city or town, or special district with statutory authority to issue a permit.

Subd. 5. "Permit" means a license, permit, certificate, certification, approval, compliance schedule, or other similar document pertaining to a regulatory or management program related to the protection, conservation, or use of, or interference with, the natural resources of land, air or water, which is required to be obtained from a state agency prior to constructing or operating a project in this state.

Nothing in sections 1 to 14 shall relate to the granting of a proprietary interest in publicly owned property through a sale, lease, easement, use permit, license or other conveyance.

Subd. 6. "Person" means an individual, an association or partnership, or a cooperative, or a municipal, public, or private corporation, including but not limited to a state agency and county.

Subd. 7. "Project" means a new activity or an expansion of or addition to an existing activity, which is fixed in location and for which permits are required from an agency prior to construction or operation, including but not limited to industrial and commercial operations and developments.

Subd. 8. "Agency" means a state department, commission, board or other agency of the state however titled or a local governmental unit or instrumentality, when acting within existing legal authority to grant or deny a permit that otherwise would be granted or denied by a state agency.

Sec. 4. [116C.25] [CREATION OF ENVIRONMENTAL PERMITS COORDINATION UNIT.] The council shall establish an environmental permits coordination unit to implement and administer the provisions of sections 1 to 14 and the chairman of the council shall employ necessary staff to work for the coordination unit on a continuous basis.

Sec. 5. [116C.26] [MASTER APPLICATION PROCEDURE.] Subdivision 1. A person proposing a project which may require more than one permit may, prior to the initial construction of the project or prior to the initial operation of the project if construction of the project required no state permits, submit a master

application to the coordination unit requesting the issuance of all state permits necessary for construction and operation of the project. The master application shall be on a form furnished by the coordination unit and shall contain precise information as to the location of the project, and shall describe the nature of the project including any contemplated discharges of wastes therefrom and any uses of, or interferences with, natural resources. No master application shall be accepted for processing by the coordination unit pursuant to sections 1 to 14, unless it is accompanied by the certifications issued not more than 180 days prior to the date of the master application as required by section 10. If an environmental impact statement is required by Minnesota Statutes, Chapter 116D, or any regulations or orders promulgated thereunder, for a project which is the subject of the master application, then no master application shall be accepted for processing by the coordination unit pursuant to sections 1 to 14, unless it is accompanied by a certification from the council that either an environmental impact statement concerning the project has been completed or that the council has determined that an environmental impact statement is not required concerning the project.

Subd. 2. Upon receipt of a completed master application, the coordination unit shall immediately notify in writing each agency having a possible interest in the master application arising from requirements pertaining to a permit program under its jurisdiction. The notification from the coordination unit shall be accompanied by a copy of the master application together with the date by which the agency shall respond to the notice. Each notified agency shall respond in writing to the coordination unit within the specified date, not exceeding 20 days from receipt, as determined by the coordination unit, advising whether the agency does or does not have an interest in the master application. If an agency timely responds that it has an interest in the master application, the response shall include information concerning the specific permit programs under its jurisdiction which are pertinent to the project described in the master application. The agency response shall also contain a recommendation whether a public hearing concerning the master application as provided in section 7 would or would not be of value considering the overall public interest.

Subd. 3. Each notified agency which responds within the specified date that it does not have an interest in the master application or which does not respond as required by subdivision 2 within the specified date, shall not subsequently require a permit of the applicant for the project described in the master application; provided the bar to requiring a permit subsequently shall not be applicable if the master application provided the notified agency contained false, misleading, or deceptive information, or lack thereof, which would reasonably lead an agency to misjudge its interest in a master application or unless unusual circumstances prevented the agency from notifying the coordination unit and the agency can establish that failure to require a permit would

result in substantial harm to the public health or welfare, in which case the council may order that the permit be required.

Subd. 4. The coordination unit shall submit application forms concerning the permit programs identified in the affirmative responses under subdivision 2 to the applicant with a direction to complete and return them to the coordination unit within 90 days.

Subd. 5. Within ten days of receipt of the full set of completed application forms by the coordination unit, each application shall be transmitted to the appropriate agency for the performance of its responsibilities of decision making in accordance with the procedures of sections 1 to 12.

Subd. 6. If an agency has a procedure for setting priorities in issuing a permit according to the date of the application for the permit, the date used shall be the date upon which a master application is received by the coordination unit.

Sec. 6. [116C.27] [NOTICE.] Subdivision 1. The coordination unit immediately after transmittal of the completed applications to the appropriate agency shall cause a notice to be published at the applicant's expense once in the Minnesota Register and once each week on the same day of the week for three consecutive weeks in a newspaper of general circulation within each county in which the project is proposed to be constructed or operated. The notice shall describe the nature of the master application including, with reasonable specificity, the project proposed, its location, the various permits applied for, and the agency having jurisdiction over each permit. Except as provided in subdivision 2, the notice shall also state the time and place of the public hearing, to be held not less than 20 days after the date of last publication of the notice. It shall further state that a copy of the master application and a copy of all permit applications for the project are available for public inspection in the office of the county auditor of each county in which the project is proposed to be constructed or operated, as well as in other locations which the coordination unit may designate.

Subd. 2. If the responses to the master application received by the coordination unit from the state agencies unanimously state the position that a public hearing in relation to a master application would not be of value in consideration of the overall public interest, the provisions of subdivision 1 pertaining to the time and place of a public hearing shall not be included in the notice. In place thereof the notice shall state that members of the public may present relevant views and supporting materials in writing to the coordination unit concerning any of the permits applied for within 30 days after the last date of publication of the notice in a newspaper.

Sec. 7. [116C.28] [PUBLIC HEARING.] Subdivision 1. When an agency indicates that a public hearing is required or appropriate on matters relating to the project described in the master application, the affected agencies shall hold a joint hearing. Any

agency which timely responded an affirmative interest in the master application need not participate in, nor share the costs of, the joint hearing if the agency has certified to the coordination unit prior to the date scheduled for the joint hearing that the agency has sufficient information concerning the permit applications within its jurisdiction and either has issued, or intends to issue, the required permits. The hearing shall be held in the county in which all or a major part of the proposed project is to be constructed or operated. The hearing shall be held pursuant to the requirements of section 6, and applicable provisions of Minnesota Statutes, Chapter 15. At the hearing the applicant may submit relevant information and material in support of his applications, and members of the public may present relevant views and supporting materials in relation to the applications being considered.

Subd. 2. Each state agency having an application for a permit before it, as described in the hearing notice, shall be represented at the public hearing by its chief administrative officer or his designee unless excused pursuant to section 7, subdivision 1. Unless otherwise provided in Minnesota Statutes, Chapter 15, a hearing officer appointed jointly by the party agencies or, in the event the party agencies do not agree, appointed by the chairman of the council shall chair the hearing; however, the representative of any state agency within whose jurisdiction a specific application lies shall participate in the portion of the hearing pertaining to submission of information, views, and supporting materials which are relevant to its application. The hearing officer may, when appropriate, continue a hearing from time to time and place to place. The hearing shall be recorded in any manner suitable for transcription pursuant to Minnesota Statutes, Chapter 15, as determined by the coordination unit. Costs of the public hearing shall be equitably apportioned among the affected agencies pursuant to rules which the council shall adopt pursuant to section 11.

Subd. 3. Upon completion of the public hearing and the closing of the hearing record, each state agency which is a party to the hearing shall forward its final decision on permit applications within its jurisdiction to the coordination unit within 60 days; provided that this date may be extended by the chairman of the council for reasonable cause. Every final decision shall set forth the basis for the decision together with a final order denying the permit or granting the permit including the specifying of any conditions under which the permit is issued.

Subd. 4. If notice has been published pursuant to section 7, subdivision 2, and no public hearing is conducted, the coordination unit shall, after 30 days after the last notice publication in the newspaper, submit a copy of all views and supporting material received by it to each agency having jurisdiction concerning any permit application described in the notice. Concurrently therewith, the coordination unit shall notify each state agency, in writing, of the date not to exceed 60 days by which final decisions on applications shall be forwarded to the coordination unit; pro-

vided that this date may be extended by the chairman of the council for reasonable cause. Each final decision shall set forth the information required by subdivision 3.

Subd. 5. As soon as all final decisions are received by the coordination unit from the various participating state agencies, the coordination unit shall immediately incorporate them, without modification, into one document and shall transmit the document to the applicant either personally or by registered mail.

Sec. 8. [116C.29] [WITHDRAWAL OF AGENCY PARTICIPATION.] After an agency has responded that it has an interest in the master application, it may withdraw from further participation in the processing of that master application at any time by written notification to the coordination unit, if it subsequently appears to the agency that it has no permit programs under its jurisdiction which are applicable to the project.

Sec. 9. [116C.30] [APPLICATION.] Subdivision 1. A person aggrieved by a final decision of an agency in granting or denying a permit shall seek redress directly and individually from that agency in the manner provided by Minnesota Statutes, Chapter 15 or any other statute authorizing either judicial or administrative review of an agency decision.

Subd. 2. Each state agency having jurisdiction to approve or deny an application for a permit shall have continuing power as vested in it prior to the effective date of this section, to make such determinations. Nothing in sections 1 to 14 shall lessen or reduce such powers, and such sections shall modify only the procedures to be followed in the carrying out of such powers.

Subd. 3. A state agency may in the performance of its responsibilities of decision making under sections 1 to 12, request or receive additional information from an applicant.

Subd. 4. Fee schedules authorized by statute for an application or permit shall continue to be applicable even though the application or permit is processed under the provisions set forth in sections 1 to 12. The coordination unit shall not charge the applicant or participating agencies a fee for its services.

Subd. 5. Sections 1 to 12 shall have no applicability to an application for a permit renewal, amendment, extension, or other similar document required subsequent to the completion of decisions and proceedings under sections 6 to 8, or to a replacement thereof or to a quasi judicial or judicial proceeding held pursuant to an order of remand or similar order by a court in relation to a final decision of a state agency.

Sec. 10. [116C.31] [LOCAL CERTIFICATION.] Subdivision 1. No master application shall be processed pursuant to sections 1 to 12 unless it is accompanied by a certification issued, not more than 180 days prior to the date the master application is first received by the coordination unit, from the local governmental units in whose jurisdiction the proposed project is located, certifying that the project is in compliance with all zoning ordinances.

subdivision regulations, and environmental regulations administered by the local governmental unit and certifying that the preparation of any environmental impact statement which the local governmental unit is authorized to require pursuant to local ordinance, state statute, or council rule, has been completed or deemed not necessary. If the local governmental unit has required any environmental impact statement concerning the project, a copy of the completed environmental impact statement shall be attached to the local governmental unit's certification. If the local governmental unit has no zoning ordinances, subdivision regulations, or environmental regulations, the certification from the local governmental unit shall so state. A local governmental unit may accept applications for certifications as provided in this section and shall rule upon the same expeditiously to insure that the purposes of sections 1 to 12 are accomplished fully. Upon certification, the local government may not change such zoning ordinances, subdivision regulations, or environmental regulations, except concerning shorelands management, floodplains management, wild and scenic rivers, or critical areas, so as to affect the proposed project until the procedures of sections 1 to 12, including any administrative or judicial reviews, are completed.

Subd. 2. Nothing in sections 1 to 14 shall modify in any manner whatsoever, the applicability or inapplicability of any land use regulation statutes or local zoning ordinances to lands of any state agency.

Subd. 3. A ruling by a local governmental unit denying an application for certification shall not be appealable under sections 1 to 14. The denial of an application for certification by a local governmental unit shall not preclude the applicant from filing a permit application under any other available statute or procedure.

Sec. 11. [116C.32] [RULES; COOPERATION.] The council shall as soon as practicable adopt rules in the manner provided by Minnesota Statutes, Chapter 15, to implement the provisions of sections 1 to 14, including master application procedures, notice procedures, and public hearing procedures and costs.

Sec. 12. [116C.33] [CONFLICT WITH FEDERAL REQUIREMENTS.] Subdivision 1. If in a final order of a court of competent jurisdiction any part of sections 1 to 14 as enacted or administered is found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds authorized to the state, the conflicting part of sections 1 to 14 shall be void to the limited extent necessary to remove the conflict and the remainder of sections 1 to 14 shall remain effective.

Subd. 2. The council, to the limited extent necessary to comply with procedural requirements of federal statutes relating to permit systems operated by the state, may modify the notice, timing, hearing and related procedural matters provided in sections 1 to 14.

Sec. 13. [116C.34] [PERMIT INFORMATION CENTERS.] Subdivision 1. The council shall establish a permit information

center in its office at St. Paul, which shall establish and maintain an information and referral system to assist the public in the understanding and compliance with the requirements of state and local governmental regulations concerning the use of natural resources and protection of the environment. The system shall provide a telephone information service and dissemination of printed materials. The council shall provide assistance to regional development commissions desiring to create a permit information center.

Subd. 2. The permit information center shall:

(a) Identify all existing state licenses, permit certifications, approvals, compliance schedules, or other programs which pertain to the use of natural resources and to protection of the environment.

(b) Standardize permit titles and assign designation codes to all such permits which would thereafter be imprinted on all permit forms.

(c) Develop permit profiles including applicable rules and regulations, copies of all appropriate permit forms, statutory mandate and legislative history, names of individuals administering the program, permit processing procedures, documentation of the magnitude of the program and of geographic and seasonal distribution of the workload, and estimated application processing time.

(d) Identify the public information procedures currently associated with each permit program.

(e) Identify the data monitored or acquired through each permit and ascertain current users of that data.

(f) Recommend revisions to the current list of natural resource management and development permits currently listed in Minnesota Statutes 1974, Section 116D.04, Subdivision 5.

(g) Recommend legislative or administrative modifications of the existing permit programs which would increase their efficiency and utility.

Subd. 3. The auditor of each county shall post in a conspicuous place in his office the telephone numbers of the permit information centers established in St. Paul and in the office of the applicable regional development commission; copies of any master applications or permit applications forwarded to the auditor pursuant to section 6, subdivision 1; and copies of any information published by any permit information center pursuant to subdivision 1 of this section.

Sec. 14. [116C.35] [REPORT TO LEGISLATURE.] The council, after consultation with other agencies and local governments, shall submit to the legislature by January 1, 1977, a report setting forth the results of the experiences under sections 1 to 14 including any recommendations concerning methods to improve the procedures.

Sec. 15. [EFFECTIVE DATE.] Sections 1 to 4 and 10 to 16 shall be effective the date following final enactment. Sections 5 to 9 shall be effective on February 15, 1976.

Sec. 16. [APPROPRIATION.] The sum of \$245,000 is appropriated from the general fund to the director of state planning for the biennium ending June 30, 1977, for purposes of sections 1 to 14 of this act. Of this amount, \$120,000, or \$10,000 per region is appropriated for grants to regional development commissions, excluding the metropolitan council for the purpose of establishing a permit information center."

Amend the title as follows:

Strike lines 2 to 5 of the title and insert:

"relating to the environment; directing creation of an environmental permits coordination unit within the environmental quality council; authorizing an optional consolidated application and hearing procedure for certain permits; directing establishment of permit information centers; appropriating money."

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

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

S. F. No. 1530: A bill for an act relating to game and fish; senior citizens' small game licenses; amending Minnesota Statutes 1974, Section 98.47, 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 98.45, Subdivision 1, is amended to read:

98.45 [REQUIREMENT.] Subdivision 1. Except as specifically permitted in chapters 97 to 102, no person may take, buy, sell, transport, or possess any protected wild animals of this state or any aquatic plants without first procuring a license therefor as provided in section 98.46 or in section 98.48. Every license is issued for the calendar a year *beginning on the first day of March* and is void after the last day of the open season or the lawful time within that year during which the acts authorized may be performed. No license to take beaver or otter may be issued to any person after the third day of the open season provided therefor for that year. Except as provided in this section, no license to take deer with firearm may be issued after the first day of the regular rifle season, and all license agents shall return all stubs and unsold license blanks to the county auditor on the *first business day following the first second* day of such season. A resident who is discharged from the military or naval forces of the United States, or any active reserve or component thereof, during the regular season for taking deer by firearm or within ten

days before its commencement, may be issued, at any time during the firearm deer season and upon a showing of his official discharge paper, a license to take deer with firearm. Only one license of each kind, except *as authorized by order of the commissioner and except the non-resident short term angling license*, may be issued to a person in any ~~calendar~~ *licensing* year. No license may be transferred except as expressly authorized.

Sec. 2. Minnesota Statutes 1974, Section 98.50, Subdivision 1, is amended to read:

98.50 [ISSUANCE.] Subdivision 1. County auditors are hereby appointed agents of the commissioner for the sale of licenses to take big and small game and fish, and to trap fur-bearing animals, and to harvest wild rice, to residents of the state, and to take big and small game and fish, to non-residents of the state. Each county auditor may appoint sub-agents within his county or within adjacent counties to sell such licenses, and upon such appointment the auditor shall notify the commissioner forthwith of the name and address of the sub-agent. Such appointments may be revoked by the auditor at any time ~~and he may require such security of the agent as he deems advisable, and he shall~~ revoke any agency upon demand of the commissioner. *The auditor shall require each sub-agent to furnish a surety bond in favor of the county in an amount at least equal to the value of all license blanks consigned to that sub-agent.* The county auditor shall be responsible for all license blanks issued to, and license fees received by, his agents, except in a county to which Laws 1951, Chapter 381, applies, or in a county wherein the county auditor does not retain fees paid for such license purposes. In such county the responsibility imposed above upon the county auditor is imposed upon the county.

Sec. 3. Minnesota Statutes 1974, Section 98.50, Subdivision 2, is amended to read:

Subd. 2. The commissioner may require county auditors to furnish such additional corporate surety bonds as in his opinion may be required to secure the state, in addition to the auditor's official bond. The commissioner shall prescribe rules and regulations setting up such accounting and procedural requirements as he may deem necessary to assure the efficient handling of licenses and license fees, and all county auditors and other agents shall strictly comply therewith. *The commissioner may by regulation establish such standards and other requirements for the establishment and revocation of sub-agencies as he may deem necessary to assure the efficient distribution of licenses throughout the state, and all county auditors shall strictly comply therewith.*

Sec. 4. Minnesota Statutes 1974, Section 98.50, Subdivision 3, is amended to read:

Subd. 3. The commissioner may appoint agents to issue non-resident licenses authorized under chapters 97 to 102, outside the state. Each agent shall pay cash to the commissioner for all books of licenses obtained by him and shall be ~~entitled to a discount of~~

~~six percent from the price established by law collect a fee for issuing each license in the amount of \$.75 for the license to take deer and \$.50 for all other licenses.~~

Sec. 5. Minnesota Statutes 1974, Section 98.50, Subdivision 5, is amended to read:

~~Subd. 5. Any resident desiring to sell the licenses referred to in subdivision 1 may A sub-agent shall either purchase for cash or obtain on consignment license blanks from a county auditor at the auditor's option described in subdivision 1 in groups of not less than five non-resident, and ten resident license blanks. In addition to the basic license fee, he shall be entitled to a discount of seven percent from the price established by law on cash purchases and six percent on consignments collect a fee for issuing each license in the amount of \$.75 for the license to take deer and \$.50 for all other licenses. In selling such licenses, he shall be deemed an agent of the county auditor and the commissioner, and he shall observe all rules and regulations promulgated by the commissioner for the accounting for and handling of such licenses.~~

The county auditor shall promptly deposit all moneys received from the sale of licenses with the county treasurer, and shall promptly transmit such reports as may be required by the commissioner, together with his warrant on the county treasurer for 90 96 percent of the price to the licensee, ~~including any surcharges but excluding the issuing fee~~, for each license sold or consigned by him and subsequently sold to a licensee during the accounting period. The county auditor shall retain as his commission ~~three~~ four percent of all license fees, ~~excluding issuing fees, for licenses sold for cash and resale, four percent of all license fees for licenses consigned to sub-agents, and ten percent of all license fees.~~ In addition, for licenses sold for cash directly to the licensee, ~~the auditor shall collect the same issuing fee as a sub-agent.~~ Unsold license blanks in the hands of any agent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner therefor. Any license blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the agent possessing the same or to whom they are charged shall be accountable therefor.

The commissioner shall collect the same issuing fee as a sub-agent for licenses sold directly through a license distribution center operated by the department of natural resources. The issuing fees so collected by the commissioner shall be credited to the game and fish fund.

Sec. 6. *The provision contained in sections 3 and 4 of this act apply to licenses issued for licensing years beginning on March 1, 1976, and thereafter."*

Amend the title as follows:

Strike the title and insert the following:

"A bill for an act relating to wild animals; establishing the

expiration date of all game and fish licenses as the last day of February; authorizing the commissioner of natural resources to provide for the issuance of more than one game or fish license to a person during any licensing year; providing for distribution of game and fish licenses on consignment; establishing an issuing fee for such licenses; requiring sub-agents to be bonded; authorizing county auditors to retain a four percent commission on all license fees including surcharges; authorizing the commissioner of natural resources to issue regulations regulating to sub-agencies; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 1; and 98.50, Subdivisions 1, 2, 3 and 5."

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

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

S. F. No. 1286: A bill for an act relating to pollution; prohibiting littering; prescribing the powers and duties of the commissioner of highways in regard thereto; prescribing penalties; creating a litter control account and authorizing expenditures therefrom; appropriating money; repealing Minnesota Statutes 1974, Section 169.42.

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

Strike everything after the enacting clause and insert:

"Section 1. [174.01] [DEFINITIONS.] Subdivision 1. The following terms have for purposes of sections 1 through 10 the meanings given them unless the context clearly indicates otherwise.

Subd. 2. "Commissioner" means the commissioner of highways.

Subd. 3. "Department" means the department of highways.

Subd. 4. "Litter" means all waste material including but not limited to any glass, bottles, nails, tacks, wire, cans, garbage, swill, papers, carcass of any dead animal, offal, trash or rubbish.

Subd. 5. "Litter bag" means a bag or container with a capacity of at least one quart.

Subd. 6. "Person" means any corporation, partnership, association, or individual.

Subd. 7. "Vehicle" means any self-propelled device licensed to be operated on the public highways of this state or any snowmobile.

Subd. 8. "Watercraft" means any boat, ship, vessel, barge, or other floating craft in which individuals or personal property may be transported.

Subd. 9. "Public place" means any area that is used or held out for use by the public, whether owned or operated by public or private interests.

Sec. 2. [174.02] [RULES; APPLICATION.] In addition to his other powers and duties, the commissioner shall promulgate rules necessary to carry out the provisions of sections 1 to 10, provided the rules are not inconsistent with any rules promulgated by the director of the pollution control agency concerning the transporting, storing, dumping, or removing of solid waste. The rules shall identify one or more types of approved litter receptacles which are reasonably uniform in size and capacity, specify a state-wide litter symbol which shall be displayed on each litter receptacle, and specify standards concerning the distribution and location of litter receptacles in public places.

Sec. 3. [174.03] [ENFORCEMENT.] All peace officers as defined in Minnesota Statutes 1974, Section 353E.02, Subdivision 2, shall enforce the provisions of sections 1 to 10 and all rules adopted thereunder and may issue citations to, and arrest without warrant, persons violating any provision of sections 1 to 10 or any of the rules adopted thereunder. Any person may file a complaint in regard to a violation of sections 1 to 10 or the rules made thereunder with the appropriate law enforcement agency. All law enforcement officials may serve and execute all warrants, citations, and other process issued by courts in enforcing the provisions of sections 1 to 10 and rules adopted thereunder. Mailing by certified mail of a warrant, citation, or other process to his last known place of residence shall be deemed personal service on the person charged.

Sec. 4. [174.04] [LITTERING PROHIBITED.] Subdivision 1. No person shall throw, place, dump, discard or otherwise deposit, or cause to be thrown, placed, dumped, discarded or otherwise deposited any litter on any public street, highway, land, water or the ice thereon except with the permission of and in the manner prescribed by the governing body having jurisdiction over such public places.

Subd. 2. No person shall throw, place, dump, discard or otherwise deposit, or cause to be thrown, placed, dumped, discarded or otherwise deposited any litter on any privately owned land or water or the ice thereon except with the permission of and in the manner prescribed by the owner thereof.

Subd. 3. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from the vehicle.

Subd. 4. No person shall drop or hurl any destructive or injurious material or object at or upon any motor vehicle or the occupants thereof upon any highway.

Sec. 5. [174.05] [VICARIOUS LIABILITY.] If a violation of section 4, subdivisions 1 or 2, occurs in or from a vehicle or watercraft and the individual violator cannot be determined, the operator of a vehicle, as defined in Minnesota Statutes 1974, Section 169.01, Subdivision 25, or the operator of a watercraft, as defined in Minnesota Statutes 1974, Section 361.02, Subdivision 6, shall be considered to have committed the violation. If the operator cannot be determined, the person in legal possession of the vehicle or watercraft shall be considered to have committed the violation.

Sec. 6. [174.06] [LITTER RECEPTACLES; VIOLATIONS.] It shall be the responsibility of any person owning or operating any public place in which litter receptacles are required by rule to obtain and place receptacles at his own expense on the premises in accord with the rules adopted by the commissioner. The owner or person operating a public place may limit the litter placed in litter receptacles to that which is normally contained in approved litter bags.

Sec. 7. [174.07] [LITTER BAGS; DESIGN AND DISTRIBUTION; VIOLATIONS.] Subdivision 1. The department may make available litter bags and other promotional material bearing the statewide anti-litter symbol. By July 1, 1976, these litter bags may be distributed by the department of public safety, at no charge, to the owner of every licensed vehicle in this state at the time of license renewal. The department may provide these litter bags at no charge at rest areas and field offices. The department of natural resources may make these litter bags available to the owners of watercraft in this state at the time of license renewal.

Subd. 2. No person shall operate a vehicle or a watercraft unless it contains a litter bag.

Sec. 8. [174.08] [LITTER CONTROL PROGRAMS; COOPERATION; DISTRIBUTION OF FUNDS.] The commissioner shall coordinate programs involving public and private agencies for the purposes of research, development, and public education concerning the litter problem. He shall actively encourage the cooperation and support of labor, industry and other persons interested in anti-litter activities. The commissioner shall be the agent of the state for receipt of public or private funds and gifts made available for purposes of sections 1 to 10. He may make grants available for the purposes stated in this section to those persons he deems appropriate and qualified.

Sec. 9. [PENALTIES.] Subdivision 1. Any person who violates the provisions of section 4 is guilty of a petty misdemeanor.

Subd. 2. Any person who fails to provide litter receptacles as provided in section 6 is guilty of a petty misdemeanor.

Subd. 3. Any person who violates the provisions of section 7, subdivision 2, may be fined \$10.

Subd. 4. Upon the conviction of any person for a violation of section 4, subdivisions 1 or 2, the court may order the violator to work under the supervision of a conservation officer or the department for up to eight hours in any program of litter removal or beautification.

Subd. 5. Any political subdivision which collects a fine or bail forfeiture under the provisions of sections 1 to 10 shall forward one half the collected amounts to the state treasury.

Sec. 10. [174.08] [NOTICE TO PUBLIC.] The commissioner shall take appropriate actions necessary to inform the public of the contents of sections 1 to 10 and the penalties for violation thereof.

Sec. 11. [APPROPRIATION.] There is appropriated from the general fund to the department of highways \$500,000 for the biennium ending June 30, 1977.

Sec. 12. [REPEALER.] Minnesota Statutes 1974, Sections 169.42 and 609.68 are repealed.

Sec. 13. [EFFECTIVE DATE.] This act is effective July 1, 1975."

Further amend the title as follows:

Page 1, line 8, strike "Section" and insert "Sections"

Page 1, line 8, after "169.42" insert "and 609.68"

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

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

S. F. No. 1140: A bill for an act relating to highway traffic regulations; equipment on certain vehicles; requiring tires on certain vehicles to meet requirements of the commissioner of public safety; prohibiting the sale, other than to a dealer, of certain vehicles with unsafe tires; and prescribing penalties.

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

Page 1, line 16, strike "use" and insert "motor"

Page 1, line 20, strike "and regulations in accordance with" and insert "pursuant to chapter 15 providing"

Page 1, line 21, strike "the administrative procedure act"

Page 1, line 23, strike "regulations" and insert "rules"

Page 2, line 2, strike "and regulations"

Page 2, line 3, strike "to the"

Page 2, line 4, strike "extent that it is reasonable and practicable,"

Page 2, line 16, after "(4)" insert "Been"

Page 2, line 22, strike "Such"

Page 2, line 32, strike "requirements approved" and insert "rules promulgated"

Page 3, line 5, strike "such" and insert "the"

Page 3, line 6, strike "such" and insert "the"

Page 3, line 8, strike "such" and insert "the"

Page 3, line 16, strike "and regulations"

Page 3, line 18, strike "such" and insert "the"

Page 3, line 18, strike "and regulations"

Page 3, line 19, strike "such" and insert "the"

Page 3, line 20, strike "such" and insert "the"

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

Page 3, line 22, strike "and"

Page 3, line 23, strike "regulations"

Page 3, line 23, before the period insert "; unless the vehicle is towed or hauled away"

Page 3, line 25, strike "and"

Page 3, line 26, strike "regulations"

Page 3, line 28, strike "or regulation"

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. 115: A bill for an act relating to the Minnesota state arts council; prescribing powers and duties; providing judicial review; repealing Minnesota Statutes 1974, Sections 139.01; 139.02; 139.03; 139.04; and 139.05.

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, Chapter 139, is amended by adding a section to read:

[139.07] [DEFINITIONS.] *As used in this chapter, the following terms shall have the definitions given them:*

(a) "Arts" means activities resulting in the artistic creation or artistic performance of works of the imagination. Artistic activities include but are not limited to the following forms: music, dance, drama, folk art, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, costume and fashion design, motion pictures, television, radio, tape and sound recording, activities related to the presentation, performance, execution, and exhibition of the art forms, and the study of the arts and their application to the human environment;

(b) "Board" means the board of the arts;

(c) "Director" means the executive director of the board;

(d) "Sponsoring organization" means an association, corporation or other group of persons (1) providing an opportunity for citizens of the state to participate in the creation, performance or appreciation of the arts and (2) qualifying as a tax-exempt organization within the meaning of section 290.05, subdivision 1, clause (i).

Sec. 2. Minnesota Statutes 1974, Chapter 139, is amended by adding a section to read:

[139.08] [BOARD OF THE ARTS.] *Subdivision 1. [MEMBERSHIP.] The board of the arts shall consist of eleven members*

to be appointed by the governor with the advice and consent of the senate. One member shall be appointed from each of the congressional districts, and the remaining members shall be appointed at large. Persons appointed to the board shall have demonstrated experience or interest in the arts. No member shall within two years prior to his appointment have received or applied for, in his own name, a grant, loan or other form of assistance from the board or its predecessor, the state arts council. No more than four of the members shall during their terms of office be officers, directors or employees of recipient sponsoring organizations. The board members shall annually select from their membership a chairman and other officers as they deem necessary.

Subd. 2. [TERMS OF OFFICE.] Three of the initial members including one at-large member shall be appointed to terms ending the first Monday in January in each of the years 1977, 1979 and 1980. The remaining two members shall be appointed to terms ending the first Monday in January, 1978. Thereafter, the terms of all members of the board shall be four years. Members may serve until their successors are appointed and qualify. If the governor fails to appoint a successor by the July 1 of the year in which the term expires, the term of the member for whom a successor has not been appointed shall extend, subject to the advice and consent of the senate, until the first Monday in January four years after the scheduled end of the original term.

Subd. 3. [COMPENSATION.] Members shall be compensated at the rate of \$35 per day spent on board activities. In addition, members shall receive reimbursement for expenses in the same manner and amount as state employees. Employees of the state or its political subdivisions shall not be entitled to the per diem, but they shall suffer no loss in compensation or benefits as a result of service on the board. Members not entitled to the per diem shall receive expenses as provided in this subdivision unless the expenses are reimbursed from another source.

Subd. 4. [REMOVAL OF MEMBERS; FILLING VACANCIES.] A member may be removed by the governor at any time (1) for cause after notice and hearing, (2) for failing to submit any report required in subdivision 5, or (3) for missing three consecutive scheduled meetings of the board. The chairman shall inform the governor of a member missing the three meetings. The secretary of the board shall inform in writing a member after two consecutive missed meetings and before the next meeting that the member is subject to removal if he misses the next meeting. Vacancies on the board shall be filled by the governor, with the advice and consent of the senate, for the remainder of the unexpired term.

Subd. 5. [REPORTS.] By November 15 of each year, the board shall prepare and deliver to the legislature and the governor a report which shall include the following:

(a) a financial statement showing receipts and disbursements for the year ending the preceding June 30, including a listing of the donors and amounts of gifts to the board or its advisory committees valued in excess of \$1000;

(b) a brief description of the activities of the board for the preceding year;

(c) the number of meetings and approximate hours spent by board members in meetings and on other board activities;

(d) the names of board members and their addresses, occupations, and dates of appointment and re-appointment to the board;

(e) the names and job classifications of board employees;

(f) a brief summary of board rules proposed or adopted during the period with appropriate citations to the state register and published rules;

(g) the number of requests for assistance received by the board and the number of written and oral complaints received from residents of the state relating to the activities of the board or the performance of the duties of the board as provided in this chapter;

(h) a summary by category of the substance of the complaints and requests referred to in (g) above and the responses of the board thereto;

(i) a listing of all grants, loans or other forms of assistance given by the board. This listing shall indicate (1) the recipients of board assistance who are members of the board or its advisory committees, and (2) each recipient sponsoring organization having a member of the board or its advisory committees as a director, officer or employee. The indication required in clause (2) shall also specify the name of the member who is the officer, director or employee.

Sec. 3. Minnesota Statutes 1974, Chapter 139, is amended by adding a section to read:

[139.09] [EXECUTIVE DIRECTOR; STAFF.] *The director shall be selected by a majority of the board, and shall serve at the pleasure of the board. The director shall be knowledgeable in the arts, and shall have demonstrated proficiency in the administration of programs relating to the arts. The director may upon designation and instruction by the board serve as the state agent to apply for, receive and disburse federal funds made available to the state in furtherance of the arts. The director is the chief administrative officer of the board and is responsible for performing the executive duties of the board as provided in this chapter. He shall not be a member of the board. All other employees of the board shall be in the classified civil service of the state. No employee of the board or its advisory committees may be an applicant for or recipient of board assistance, nor may an employee be an officer, director or employee of a recipient sponsoring organization.*

Sec. 4. Minnesota Statutes 1974, Chapter 139, is amended by adding a section to read:

[139.10] [DUTIES.] *Subdivision 1. The board shall through*

the following activities stimulate and encourage the creation, performance and appreciation of the arts in the state:

(a) receive and consider any requests for grants, loans or other forms of assistance;

(b) advise and serve as a technical resource at the request of sponsoring organizations and political subdivisions in the state on programs relating to the arts;

(c) advise and recommend on existing or proposed activities of the departments of the state relating to the arts;

(d) accept gifts and grants to the board and distribute the same in accordance with the instructions of the donor insofar as the instructions are consistent with law;

(e) promulgate by rule procedures to be followed by the board in receiving and reviewing requests for grants, loans or other forms of assistance;

(f) promulgate by rule standards consistent with this chapter to be followed by the board in the distribution of grants, loans and other forms of assistance;

(g) distribute according to the above procedures and standards grants, loans and other forms of assistance for artistic activities to departments and agencies of the state, political subdivisions, sponsoring organizations and, in appropriate cases, to individuals engaged in the creation or performance of the arts; provided that a member of the board shall not participate in deliberations or voting on assistance to groups or persons in which that member has an interest as officer, director, employee or recipient;

(h) appoint advisory committees which the board determines are essential to the performance of its powers and duties under this section; provided that no member of an advisory committee shall within two years prior to his appointment have received or applied for in his own name a grant, loan or other form of assistance from the board or its predecessor.

Subd. 2. In performing the duties under subdivision 1, the board shall insofar as reasonably possible:

(a) avoid any actions which infringe on the freedom of artistic expression or which interfere with programs in the state which relate to the arts but which do not involve board assistance;

(b) distribute board assistance equitably according to population throughout the geographical regions of the state;

(c) give special consideration to requests for assistance for the creation or performance of types or variations of the arts which have yet to receive the level of general support and assistance given to the more established types or variations of the arts;

(d) distribute annually to individuals engaged in the creation or performance of the arts at least five percent of the moneys from the state's general fund appropriated to the board for each fiscal year.

Sec. 5. *The board of the arts is the successor of the state arts council. Classified employees of the council are transferred to the employ of the board without loss of compensation or other benefits. The commissioner of finance shall transfer all appropriated funds and any monies in the accounts of the council to the board of the arts. Any pending proceedings or activities undertaken or commenced prior to the effective date of this act by the council may be conducted and completed by the board in the same manner and under the same terms and conditions and with the same effect as though they were undertaken and completed by the council prior to the effective date of this act.*

Sec. 6. *Minnesota Statutes 1974, Sections 139.01; 139.02; 139.03; 139.04 and 139.05 are repealed.*

Sec. 7. *The effective date of this act is January 5, 1976."*

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

"A bill for an act relating to the arts; creating a board of the arts to succeed the state arts council; prescribing powers and duties; amending Minnesota Statutes 1974, Chapter 139 by adding sections; repealing Minnesota Statutes 1974, Sections 139.01; 139.02; 139.03; 139.04 and 139.05."

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. 459: A bill for an act relating to elections; fair campaign practices; amending Minnesota Statutes 1974, Section 211.23.

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

Page 1, line 9, after "employee" insert "in order to aid or promote a person's nomination or election"

Page 1, line 16, strike "in" and insert "a"

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. 1297: A bill for an act relating to highway traffic regulations; lengths of certain vehicles and combinations of vehicles; amending Minnesota Statutes 1974, Section 169.81, Subdivision 3.

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

Page 2, line 27, strike "herein" and insert "in this section"

Page 3, line 2, strike "subdivision" and insert "subdivisions 3a and"

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. 1393: A bill for an act relating to natural resources; creating the natural resource land fund and authorizing the issuance of state bonds to provide money for appropriation from the fund for acquisition of public lands and interests in land needed for natural resource programs; appropriating money from the fund for this purpose; appropriating money from the general fund for payment of bonds.

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

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

S. F. No. 1254: A bill for an act relating to crimes; requiring the commissioner of corrections to establish a center for study, assessment and treatment of antisocial sexual behavior or contract for such study, assessment and treatment services; providing for the commitment of certain sex offenders to the commissioner of corrections for treatment or correctional disposition; repealing Minnesota Statutes 1974, Section 246.43.

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

Strike everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 6, the terms defined in this section have the meanings given them.

Subd. 2. "Commissioner" means the commissioner of corrections.

Subd. 3. "Agency" means the public or private agency with which the commissioner of corrections has contracted to provide services for the study, assessment and treatment of antisocial sexual behavior, or the public or private agency with which the commissioner has contracted to evaluate, review or monitor department of corrections programs related to the study, assessment, and treatment of antisocial sexual behavior.

Subd. 4. "Assessment" means a complete, physical, behavioral psychiatric and social examination.

Subd. 5. "Antisocial sexual behavior" means aggressive sexual acts committed against unconsenting or minor persons.

Sec. 2. Subdivision 1. The commissioner of corrections shall provide programs for the study, assessment and treatment of antisocial sexual behavior. To fulfill this duty, the commissioner may contract with public or private agencies to provide services for the study, assessment, and treatment of antisocial sexual behavior, or he may

provide the services through the department of corrections. If the commissioner contracts with an agency to provide these services, the agency shall submit to the commissioner, prior to approval of the contract, a plan specifying the services to be provided by the agency, the proper allocation of agency and department of corrections duties with respect to persons participating in the treatment programs to be provided, the costs of providing these services, and the method of research to be used in studying the causes and treatment of antisocial sexual behavior. Nothing in this act shall be construed to permit the commissioner to provide or contract for services which includes psycho surgery as a treatment modality.

Subd. 2. The commissioner shall provide for the evaluation of programs established pursuant to this act. If the commissioner contracts with an agency for the provision of study, assessment and treatment services under this act, he shall evaluate, review and monitor all agency programs. If the commissioner does not contract with an agency to provide study, assessment and treatment services, he shall contract with a public or private agency to evaluate, review, and monitor department of corrections programs developed and implemented by the commissioner to fulfill his duties under this act.

Subd. 3. The commissioner or the agency, whichever conducts the evaluation required by subdivision 2 of this section, shall prepare a plan specifying the review, evaluation, and monitoring services to be provided and the costs of providing the services. The commissioner or the agency shall:

(a) Conduct evaluations to determine the effectiveness of study, assessment, and treatment programs; and

(b) Review and monitor study, assessment, and treatment programs to insure that they are conducted in the proper legal and ethical manner; and

(c) Report during each legislative session to the legislative standing committees having jurisdiction over the subject matter concerning the evaluations made as required by clauses (a) and (b) of this subdivision; and

(d) Issue any reports or other statements as the commissioner or the agency administrator deems necessary to discharge the duties required by this act.

Subd. 4. During the development and implementation of programs required by this act, the commissioner shall consult with the chairmen of the legislative standing committees having jurisdiction over the subject matter. The commissioner shall also report to the legislature during the 1976 legislative session and each session thereafter concerning the development and implementation of the programs required by this act.

Sec. 3. [PERSONS TO RECEIVE TREATMENT.] Subdivision 1. Any person who is convicted of crime or adjudicated delinquent and committed to the commissioner may, upon compliance with criteria established by the commissioner of corrections and approval by the Minnesota corrections authority, be selected by the

commissioner to participate in the study, assessment, and treatment programs provided by this act.

Subd. 2. If the commissioner of corrections chooses for participation in the programs a convicted person committed to the commissioner of public welfare pursuant to section 246.43, the commissioner of public welfare shall transfer that person to the control of the commissioner of corrections to receive appropriate treatment. Any individual so transferred shall remain in the control of the commissioner of corrections until the individual revokes consent to treatment pursuant to section 4, subdivision 3, or until the commissioner terminates the individual's participation in a treatment program pursuant to section 4, subdivision 3, or until the individual has completed his treatment program to the satisfaction of the commissioner of corrections, whereupon he shall be returned to the control of the commissioner of public welfare for appropriate disposition. Within one month after a person has been returned to the control of the commissioner of public welfare following completion of this treatment program, the commissioner of public welfare shall provide for review of the individual's eligibility for parole. During the term of any individual's participation in a program developed under this act, the cost of his maintenance, care, and treatment shall be paid by the commissioner of corrections. The commissioner of public welfare shall allow the staff conducting assessments of persons in preparation for the selection of participants for these programs access to those persons under his custody whom the assessing staff chooses to interview and assess.

Sec. 4. [CONSENT TO RECEIVE TREATMENT.] Subdivision 1. No person shall be required to participate in any study, assessment, or treatment program established under this act unless he, and in the case of a juvenile his parents also, gives written consent. Prior to requesting any consent for these purposes, the staff charged with providing study, assessment and treatment programs shall inform the person, and in the case of a juvenile his parents also, in detail of the nature and expected results of the treatment. The staff shall also inform the individual and his parents of their right to consult with counsel prior to giving consent for treatment. During discussions with this staff, the person shall be entitled to the presence and advice of any adult advisor he chooses. In the case of a juvenile, his parents shall also be entitled to be present during any of the discussions.

In developing a treatment program for individual persons, the treatment staff shall make efforts to develop an effective treatment plan that is acceptable to the person seeking treatment.

Subd. 2. Modifications of a treatment program, other than minor ones, may only be made with the consent of the individual under treatment, and, in the case of a juvenile, his parents must also give written consent to each modification. During any discussions between staff and the person under treatment concerning any proposed plan modifications, the person shall also be entitled to the presence and advice of an adult advisor of his choosing or his parents. The staff shall inform the individual under

treatment and his parents of their right to consult with counsel prior to giving consent to any modification of the treatment program. In the case of a juvenile, his parents shall also be entitled to be present during any discussions of this nature.

Subd. 3. Any person who has given written consent to allow participation in treatment programs for antisocial sexual behavior established pursuant to this act may at any time revoke consent to participation in any or all treatment programs for antisocial sexual behavior. If consent is revoked for participation in a treatment program, by the individual under treatment, he and the treatment staff shall attempt to agree upon a new or modified program. If the treatment staff and the individual fail to agree upon a new or modified program, the commissioner shall remove the individual from the treatment program and either return him to the jurisdiction from which received or return him to a state correctional institution.

Sec. 5. [PAROLE.] Within one month after completing his participation in a treatment program for antisocial sexual behavior to the satisfaction of the commissioner, a convicted person shall have the right to appear before the Minnesota corrections authority for consideration of his parole eligibility. Within one month after a person who has been adjudicated delinquent has completed a program to the satisfaction of the commissioner, and the juvenile has requested a review of his parole eligibility, the commissioner shall provide a review.

Sec. 6. Any person convicted or adjudicated as provided in section 3 may be granted probation upon condition that, if selected by the commissioner, he participate in the study, assessment and treatment programs provided by this act upon agreement of the responsible county to pay the costs thereof. Upon termination of his participation in the programs authorized by this act for any of the reasons provided in this act or for violation of any other term or condition of his probation, the probationer shall be returned to the proper court.

Sec. 7. The sum of \$_____ is appropriated to the commissioner of corrections for the biennium ending June 30, 1977 for the purposes of this act."

Further, amend the title as follows:

Page 1, line 2, strike "crimes" and insert "corrections"

Page 1, line 3, strike "establish a center for" and insert "provide or contract for the"

Page 1, line 5, strike "or contract for such study," and insert "permitting selected individuals to participate in"

Page 1, line 6, strike "services; providing for the" and insert "programs."

Page 1, strike lines 7 to 10

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

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

S. F. No. 1620: A bill for an act relating to intoxicating liquor; issuance of licenses by cities; amending Minnesota Statutes 1974, Sections 340.11, Subdivisions 7a and 18, and by adding a subdivision; 340.13, Subdivision 4; and 340.353, Subdivision 5; repealing Minnesota Statutes 1974, Section 340.11, Subdivisions 6 and 7.

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

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

S. F. No. 1131: A bill for an act relating to insurance; authorizing domestic stock insurance companies to declare and pay dividends quarterly; amending Minnesota Statutes 1974, Section 60A.23, Subdivision 4.

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

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

S. F. No. 1115: A bill for an act relating to railroads; requiring certain railroad locomotives to have certain equipment; requiring certain records to be kept thereof; and prescribing certain duties of the department of public service in relation thereto.

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

Page 2, after line 10, add the following subdivision:

"Subd. 4. In the event of the failure of the required equipment which occurs after a locomotive has commenced to move in service, the railroad operating that locomotive shall not be deemed in violation of this act if said defect is corrected at the next initial terminal, as defined in Minnesota Statutes 1974, Section 219.551, Subdivision 2, at which initial terminal regular maintenance forces are available to repair or replace such equipment."

Renumber subdivisions in sequence.

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. 1291: A bill for an act relating to elections; changing the registration cards; amending Minnesota Statutes 1974, Section 201.071, Subdivision 1.

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

Page 1, strike line 21

Page 1, line 22, strike "4" and insert "3"

Page 2, strike line 1

Page 2, line 2, strike "6" and insert "4"

Page 2, line 3, strike "7" and insert "5"

Page 2, line 7, strike "8" and insert "6"

Page 2, line 11, strike "9" and insert "7"

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. 661: A bill for an act relating to elections; requiring the secretary of state to train all election officials; appropriating money.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Subdivision 1. All election judges and other officials with election responsibilities must be trained in their duties by the secretary of state.

Subd. 2. The secretary of state shall promulgate and distribute to each county auditor rules providing for the in-service training of municipal clerks and chairmen of election boards, the training of election judges, the conduct of elections, the conduct of voter registration, and voting procedures.

Subd. 3. Further, the secretary of state shall conduct conferences for county auditors before each state primary election for the purpose of giving instructions on the administration of election laws.

Subd. 4. The county auditor or his designee shall conduct a program of in-service training for municipal clerks and chairmen of election boards pursuant to rules promulgated by the secretary of state. The county auditor or his designee shall train all election judges in their duties.

Subd. 5. No person shall serve as an election judge unless he has fulfilled the training requirements as provided by the rules of the secretary of state.

Sec. 2. There is appropriated to the secretary of state from the general fund \$69,330 for the period July 1, 1975 through June 30, 1977, for the purposes of this act.

Sec. 3. This act is effective July 1, 1975."

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

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

S. F. No. 1426: A bill for an act relating to highways; municipal state-aid street system; payment of contract price; amending Minnesota Statutes 1974, Section 162.10.

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

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

S. F. No. 615: A bill for an act relating to elections; allowing challengers to spend 20 percent more than incumbents for campaigns; amending Minnesota Statutes 1974, Section 10A.25, Subdivision 2.

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

Page 1, line 16, strike "*who is an incumbent*"

Page 1, line 17, reinstate the colon

Page 1, line 17, strike ". *The*"

Page 1, line 18, strike the entire line

Page 1, line 19, strike the entire line

Page 1, line 20, strike "*amounts.*"

Page 2, after line 9, insert a new paragraph as follows:

"When an incumbent seeks reelection to an office to which he has previously been elected, the spending limitation imposed by subdivision 2 shall be reduced by 20 percent for that incumbent. The provisions of this subdivision are not applicable if a candidate opposing the incumbent has held an elected public office during the four years prior to the election in a district which includes more than 40 percent of the population of the district in which the incumbent is a candidate."

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. 1551: A bill for an act relating to highways; designating and describing the route of the Viking Trail; amending Minnesota Statutes 1974, Section 161.14, by adding a subdivision.

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

Page 5, strike lines 8 through 19 and insert the following:

"The commissioner of highways shall:

(1) Adopt a suitable marking design of signs or informational plaques.

(2) *Effect the installation of such signs or plaques in public waysides or other public areas as approved and designated by the commissioner.*"

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

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

S. F. No. 431: A bill for an act relating to public health; establishing the office of director of health care delivery services for migrating Indians.

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

Page 1, line 8, strike "director of"

Page 1, line 9, after "The" insert "office shall be under the supervision and direction of a"

Page 1, line 9, after "director" insert "who"

Page 1, line 10, after "unclassified" insert "civil"

Page 2, line 4, strike "the director of"

Amend the title:

Page 1, line 3, strike "director of"

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

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

S. F. No. 373: A bill for an act relating to retirement; mandatory retirement for corrections department employees; amending Minnesota Statutes 1974, Section 43.051, Subdivision 3.

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

Page 1, line 25, after "age" and before the comma insert "*for a period of one year not to extend beyond July 1, 1976*"

Page 1, line 26, strike "65" and insert "62"

Page 1, line 26, after "subject to" strike the balance of the line and insert the following: "*an annual medical examination and the written approval of the commissioner of corrections, whose decision shall be final.*"

Page 2, strike lines 1 through 3

Page 2, line 4, strike "*the physical requirements of the positions.*"

Page 2, line 6, strike "*at a place designated*" and insert the following: "*and the results and findings of the medical examination shall be transmitted to the commissioner of corrections prior to the date*

the employee would otherwise have to retire pursuant to this subdivision."

Page 2, strike lines 7 through 11

Page 2, after line 11, insert a section to read as follows:

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

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

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

S. F. No. 601: A bill for an act relating to the Minnesota zoological garden; enabling the state zoological board to acquire lands; authorizing the director to add to and promote the operation; establishing the Minnesota zoological garden operating receipts investment account; authorizing the investment of its assets; assigning income to the Minnesota zoological garden general account; defining "matching funds"; amending Minnesota Statutes 1974, Chapter 11, by adding a section; Sections 85A.02, by adding a subdivision; 85A.03, Subdivisions 4, 4a, and by adding a subdivision; 85A.04, Subdivisions 1 and 2, and by adding subdivisions; and 85A.05, Subdivisions 4 and 6.

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

Page 1, line 25, strike "*director of the*"

Page 1, line 26, after "*garden*" insert "*board*"

Page 2, after line 7, insert:

"Sec. 2. Minnesota Statutes 1974, Section 85A.02, Subdivision 2, is amended to read:

Subd. 2. The board shall acquire, construct, equip, operate and maintain the Minnesota zoological garden at a site to be selected by the board but which must be located within the area comprised of the counties of Anoka, Carver, in Dakota, Hennepin, Ramsey, Scott and Washington county legally described in section 12. Prior to selection of the site the board shall prepare a comprehensive plan for site location and development which shall be submitted to the metropolitan council for consideration under provisions in section 473B.06, subdivision 6. Any of the above named counties may acquire by gift, purchase, or condemnation a site for the Minnesota zoological garden if the site has been designated by the board as the site for the Minnesota zoological garden, after review by the appropriate legislative committee, and shall convey, without consideration any such site to the state of Minnesota for zoological garden purposes. The zoological garden shall consist of adequate facilities and structures for the collection, habitation, preservation, care, exhibition, examination or study of wild and domestic animals, including, but not limited to mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks. The board may provide

such lands, buildings and equipment as it deems necessary for parking, transportation, entertainment, education or instruction of the public in connection within such zoological garden."

Page 2, line 9, strike "a subdivision" and insert "subdivisions"

Page 2, lines 13 and 14, strike "*defined in the comprehensive plan for site location and development,*" and insert "*described in section 12*"

Page 2, after line 17, insert:

"Subd. 14. The board shall have power by resolution to acquire any buildings or facilities to be constructed or used on the site of the Minnesota zoological garden as described in section 12 which are determined by it to be necessary or desirable to facilitate transportation of the public on the site of the zoological garden. The acquisition of the buildings or facilities shall be through the issuance of revenue bonds or by the execution of a lease-purchase agreement in the manner permitted in section 471.191. The board may exercise any of the powers and enter into any of the covenants and agreements which a city may exercise or enter into with respect to the lease and purchase of buildings and facilities under the provisions of section 471.191. The board shall have no power to levy taxes, and its obligation to pay principal, interest, or lease rentals under any resolution of the board shall not be a debt of the state or any of its other agencies or subdivisions. Payments shall be made solely from and as a first charge upon the income of the buildings and facilities.

Subd. 15. The board may sell or exchange animals determined by it to be superfluous to zoo operations, subject to all state and federal regulations.

Subd. 16. The board may provide for promotional and advertising programs which may be developed and implemented either by zoological garden personnel or by contract with outside personnel and which shall be paid for out of funds other than bond revenues."

Page 3, strike lines 8 to 10

Page 3, strike lines 26 to 31

Page 4, line 11, after "garden" insert "*, including lease rentals and revenue bond payments referred to in section 3,*"

Page 4, line 29, strike "director" and insert "board"

Page 5, line 3, strike "director" and insert "board"

Page 5, line 4, strike "he" and insert "the board"

Page 5, line 9, strike "16" and insert "1b"

Page 5, line 19, strike everything after the comma

Page 5, line 20, strike everything before the period and insert "*to the extent that the transfer is necessary to meet the requirements of section 85A.05, subdivision 4*"

Page 5, line 22, strike "director" and insert "board"

Page 7, line 14, strike "4" and insert "2 and section 8"

Page 9, after line 21, insert:

"Sec. 12. The site of the Minnesota zoological garden is legally described as follows:

The Northwest Quarter of Section 14, Township 115, Range 20, together with Government Lot 2, Section 11, Township 115, Range 20, together with the north one-half of the Southwest Quarter of Section 14, Township 115, Range 20, together with that part of Government Lot 1, Section 10, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, together with that part of the Northeast Quarter of Section 15, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, together with that part of the north one-half of the Southeast Quarter of Section 15, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, all in Dakota County, Minnesota and containing 478.5 acres, more or less."

Renumber the sections accordingly

Amend the title as follows:

Line 4, after the semicolon, insert "providing bonding and leasing authority for a zoo ride; defining the zoological garden site;"

Line 4, strike "director" and insert "board"

Line 11, after "85A.02," insert "Subdivision 2, and"

Lines 11 and 12, strike "a subdivision" and insert "subdivisions"

Line 12, after "4" strike the comma and insert "and"

Line 12, after "4a" strike ", and by"

Line 13, strike "adding a subdivision;"

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

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

S. F. No. 578: A bill for an act relating to public health; authorizing the state board of health to establish mobile health clinics; prescribe fees and requirements for licenses, inspections, and permits; receive funds; enter into agreements for performance of duties by local agents; inspect, license, and regulate hotels and restaurants; providing penalties; transferring the duties and powers of the board of health to the commissioner of health; abolishing the board of health and creating a health advisory council; amending Minnesota Statutes 1974, Sections 62D.21; 144.05; 144.076; 144.-12; 144.121; 144.122; 144.53; 144.653, Subdivisions 6 and 8; 144.-802; 145.866; 149.02; 149.03, Subdivisions 1 and 2; 149.08; 156A.-07, Subdivisions 5, 6 and 7; 157.01; 157.02; 157.03; 157.04; 157.05, Subdivisions 1, 2 and 3; 157.08; 157.09; 157.12; 157.13; 157.14;

326.42; 326.62; 327.15; 327.16, Subdivision 3; Chapters 144 and 145, by adding sections; repealing Minnesota Statutes 1974, Sections 144.01; 144.02; 144.03; 144.04; 157.05, Subdivisions 4, 5, 6 and 7; 157.06; 157.07; and 157.11; and Laws 1974, Chapter 205.

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

Page 7, strike section 6

Pages 35 to 40, strike sections 36 to 43

Page 40, lines 7 and 8, strike "*144.01; 144.02; 144.03; 144.04;*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, strike lines 9 to 11

Page 1, line 12, strike "council;"

Page 1, line 13, strike "144.05;"

Page 1, line 14, strike "Subdivisions" and insert "Subdivision"

Page 1, line 14, strike "and 8"

Page 1, line 22, strike "*144.01; 144.02; 144.03; 144.04;*"

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. 323: A bill for an act relating to motor vehicles; providing for inspection; providing penalties; appropriating money; amending Minnesota Statutes 1974, Section 169.771; and Chapter 168, by adding sections.

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

Page 1, strike lines 7 through 12

Page 1, line 20, strike "*for purposes*" and insert "*only for the purpose*"

Page 1, line 21, after "*station*" insert "*, established under the provisions of section 169.771, or to obtain equipment and/or repairs needed to qualify for an official certificate of inspection and approval*"

Page 2, strike lines 3 through 6

Page 2, line 7, strike "3" and insert "2"

Page 3, line 11, strike "*state highway patrol*" and insert "*department of public safety or authorized designees*"

Page 3, line 20, strike "*which*" and insert "*where the resident owner or the vehicle*"

Page 3, line 27, strike "*trooper*" and insert "*person*"

Page 4, line 2, strike "*regulations*" and insert "*rules*"

Page 4, line 4, strike "*regulations*" and insert "*rules*"

Page 4, line 18, after "*any*" insert "*motor*"

Page 4, line 18, strike "*as defined in*" and insert "*required to be registered pursuant to*"

Page 4, line 18, strike "*168.011*" and insert "*168.017*"

Page 4, line 19, strike "*subdivision 4,*"

Page 5, line 2, strike "*and regulations*" and insert "*pursuant to chapter 15*"

Page 5, line 6, after "*appropriated*" insert "*from the trunk highway fund*"

Page 5, line 8, after the period strike "*Of the sum so appropriated, \$1,500,000*"

Page 5, strike lines 9 through 12

Renumber the sections accordingly.

Further, amend the title as follows:

Page 1, line 5, strike "*sections*" and insert "*a section*"

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

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

S. F. No. 1532: A bill for an act relating to the metropolitan council; providing for a levy under certain circumstances; amending Laws 1975, Chapter 13, Section 42, Subdivision 1.

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

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

S. F. No. 1353: A bill for an act relating to elections; providing certain precinct caucus requirements; amending Minnesota Statutes 1974, Sections 202.22, Subdivision 1 and 3; 202.23, Subdivision 2; and 202.26, Subdivision 2.

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

Strike everything after the enacting clause and insert the following:

"Section 1. Laws 1975, Chapter 5, Section 5, Subdivision 1, is amended to read:

Sec. 5. [202A.14] [PRECINCT CAUCUS.] Subdivision 1. [TIME AND MANNER OF HOLDING.] *At 8:00 p.m. on the fourth Tuesday in February in every general election year there shall be held for every election precinct a party caucus in the manner provided in sections 5 to 9 10.*

Sec. 2. Laws 1975, Chapter 5, Section 5, Subdivision 3, is amended to read:

Subd. 3 [NOTICE.] The county or legislative district chairman shall give ~~two weeks' at least six days'~~ published notice ~~and at least six days'~~ posted notice at the regular polling place of the holding of the precinct caucus, stating the place, date, and time for holding the caucus. *He shall deliver the same information to the county auditor at least 20 days before the precinct caucus. The county auditor shall make this information available to persons who request it.*

Sec. 3. Laws 1975, Chapter 5, Section 6, Subdivision 1, is amended to read:

Sec. 6. [202A.15] [TIME AND PLACE OF CAUCUS.] Subdivision 1. Precinct caucuses within a county shall be held on the day provided by law at a time set by the county auditor at least 45 days before the caucus date, after consultation with the chairman of each political party's executive committee. The hour for convening all caucuses throughout a county shall be uniform. No caucus shall be convened before 2:00 p.m. nor later than 9:00 p.m., and the caucuses shall remain open for at least one hour.

Sec. 4. Laws 1975, Chapter 5, Section 9, Subdivision 2, is amended to read:

Subd. 2. Nominations for the election of *permanent* officers and delegates shall remain open for at least the first half hour of the caucus.

Sec. 5. *This act is effective the day following final enactment."*

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

"A bill for an act relating to elections; providing certain precinct caucus requirements; amending Laws 1975, Chapter 5, Sections 5, Subdivisions 1 and 3; 6, Subdivision 1; and 9, Subdivision 2."

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. 234: A bill for an act relating to eminent domain; providing for payments and benefits in negotiated acquisitions under no threat of eminent domain; waiver of benefits; amending Minnesota Statutes 1974, Chapter 117, by adding a section.

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

Page 3, line 2, after "Subd. 3." strike the remainder of the line and insert "*The provisions of subdivisions 1 and 2 of this section shall not apply to the acquisition of*"

Page 3, after line 6, insert

"Subd. 4. The provisions of this act shall not limit any existing rights to waive relocation benefits."

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. 1000: A bill for an act relating to banks; authorizing consumer banking facilities.

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

Page 1, line 13, strike "stationary" and insert "manned or unmanned"

Page 1, line 14, strike "which is limited to"

Page 1, strike lines 15 to 19, and insert "as authorized by Minnesota Statutes, Sections 47.51 to 47.57, which meets all of the following specifications:

(a) A consumer banking facility shall perform only services which may legally be provided by banks for their customers. However, a consumer banking facility located on the business premises of a person engaged in the sale of goods may be used to perform internal nonbanking functions for such persons.

(b) Banking services, when performed by a consumer banking facility, must be pursuant to the terms of an existing contractual arrangement between the bank providing its services and its customers.

(c) The person maintaining a consumer banking facility shall make it available for use by a bank located in Minnesota on a fair, equitable and non-discriminatory basis consistent with the provisions of this act."

Page 2, line 1, strike "Upon prior notification to" and insert "Subdivision 1. Thirty days after written notice has been filed with"

Page 2, line 2, after "banks," strike "pursuant to rules and regulations"

Page 2, line 3, strike "adopted by his office,"

Page 2, line 3, strike ", for use by bank"

Page 2, line 4, strike "customers,"

Page 2, line 4, after "maintain" strike ", or provide the use of" and insert "at a specific location,"

Page 2, line 5, after "facilities" insert "for use by its customers, or may provide for the use of such facility to its customers by entering into agreement with any person or persons maintaining"

Page 2, line 5, strike ". A consumer banking"

Page 2, strike lines 6 to 9

Page 2, line 10, strike "has established and maintained or provides the use of"

Page 2, line 11, strike "located in one or more"

Page 2, line 12, strike "municipalities."

Page 2, line 12, after the period, insert "The commissioner of banks shall adopt rules and regulations specifying the contents of such notice. Written notification shall not be deemed filed until all information required by the commissioner of banks has been received by his office, which shall make such information available to any other bank requesting the use of any or all consumer banking facilities which are the subject of such notice."

Subd. 2. Subject to the notification procedures adopted by the commissioner of banks, a consumer banking facility may be established and maintained anywhere within a municipality in which no banks or detached facilities are located, or anywhere within a municipality in which at least one bank is located, provided a bank in that municipality, pursuant to the provisions of this section, has established and maintains or provides the use of one or more consumer banking facilities located in one or more municipalities."

Page 2, line 14, strike "The" and insert "Subdivision 1."

Page 2, line 14, strike "available" and insert "which may be performed"

Page 2, line 15, strike "is unlimited if all" and insert "shall be limited to only lawful"

Page 2, line 16, strike "transactions a consumer banking facility performs" and insert "services, provided the services performed"

Page 2, line 17, strike "subject" and insert "pursuant"

Page 2, line 17, after "to" strike "prior" and insert "the terms of a pre-existing"

Page 2, line 18, strike "customer." and insert "customers. In particular and not in limitation of the foregoing, deposits and withdrawals may be made through the use of a consumer banking facility, but accounts may not be opened at such facilities."

Subd. 2. The method by which a consumer banking facility performs banking transactions may include, but are not limited to, the utilization of electronic based systems."

Page 2, line 18, strike everything after the period

Page 2, strike line 19

Page 2, line 20, strike everything through the period

Page 2, line 20, before "A" insert

"Subd. 3."

Page 2, line 23, strike "if" and insert "provided"

Page 2, line 25, before "Assistance" insert "Such"

Page 2, line 25, after "Assistance" strike "of this type is" and insert "shall"

Page 2, line 25, after "not" insert "be"

Page 2, line 29, after "prohibit" strike "the"

Page 3, line 5, strike "performing" and insert "the performance of"

Page 3, line 24, strike "A bank, group or combination of banks or" and insert "Sections 1 to 5 shall be construed as permitting"

Page 3, line 25, strike "third party establishing, maintaining or offering"

Page 3, line 26, strike "shall promote its use and"

Page 3, strike lines 27 to 32, and insert "only to facilitate, between a bank and a customer thereof, banking transactions deemed a part of the authorized business of such bank as conducted at its principal office. Content, use and distribution of any information, advertising material, or the use of any other promotional effort, to the contrary, is prohibited. Consistent with the foregoing, any advertisement"

Page 4, strike lines 1 to 5

Page 4, line 6, strike "prohibit the use of a brand name"

Page 4, line 7, strike "which does not promote" and insert "promoting the use"

Page 4, line 8, strike "identify" and insert "the location of a consumer banking facility which identifies"

Page 4, line 8, strike "particular"

Page 4, line 9, strike "party." and insert "parties owning or providing for the use of its services, is prohibited. Provided, however, the following shall be expressly permitted:"

Page 4, strike lines 10 to 18 and insert

"(a) A simple directory listing placed at the site of a consumer banking facility identifying the particular banks using its services;

(b) The use and the name, either on or off the consumer banking facility, which does not promote or identify any particular bank, group or combination of banks or any third party;

(c) A direct mailing of any information from a bank to its

customers identifying the location and use of any consumer banking facility which said banks will provide, under the provisions of sections 1 to 5, for its customers.

Sec. 5. [VIOLATIONS; PENALTIES.] A violation of sections 1 to 5 shall be subject to penalties applicable to violations of laws affecting banks. In addition, a violation of sections 1 to 5 may be enjoined by a civil action for injunction by any aggrieved bank.

Sec. 6. The authorization for banks to establish, maintain or use the services of a consumer banking facility granted in sections 1 through 5 is rescinded upon a ruling by a Minnesota federal district court that any of the restrictions contained in sections 1 through 5 which regulate consumer banking facilities including the prohibition on opening new accounts at a consumer banking facility, the prohibition on advertising a consumer banking facility in a manner which identified it as belonging to a particular bank and the requirement that a consumer banking facility be available to all banks on a nondiscriminatory basis, do not apply to national banking associations.

Sec. 7. [CONSUMER PRIVACY.] To protect the privacy of customers using consumer banking facilities, a consumer banking facility, financial institution, or commercial business, except as provided by law, rule of the commissioner, or consent of a customer, shall not provide any information about a customer transaction or a customer account to any unauthorized party.

Sec. 8. [ANTI-TRUST.] No financial institution, bank or bank holding company or service corporation engaged in consumer banking facility activities shall contract, combine or conspire to restrain trade in the market for consumer banking facilities or engage in anti-competitive practices to the detriment of the public interest.

Sec. 9. [EXAMINATION.] A service corporation that provides any services to a consumer bank facility may be examined whenever the commissioner deems it necessary. The service corporation shall pay examination fees as determined by the commissioner.

Sec. 10. [RULES AND REGULATIONS.] The commissioner may promulgate such rules and regulations as are reasonably necessary to carry out and make effective the provisions and purposes of the chapter pursuant to Minnesota Statutes 1974, Chapter 15."

Renumber sections in sequence.

Amend the title as follows:

Page 1, line 3, before the period, insert "; providing penalties"

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

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

S. F. No. 1125: A bill for an act relating to Anoka county; providing for the establishment of scenic areas; amending Laws 1961, Chapter 209, Sections 1 and 2.

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

Page 1, line 14, after the period, insert "*Scenic areas established pursuant to this section may be established only on property adjacent to the Rum River or its tributaries in Anoka county and shall not include property more than three hundred feet landward from the normal high water line of the affected waterway.*"

Page 1, line 21, before the period insert "*, provided that no area situated within the limits of any city shall be acquired without the approval by resolution of the governing body thereof*"

Page 1, line 21, after the period insert "*The county board shall comply with the provisions of Minnesota Statutes, Section 462.356, Subdivision 2, prior to acquisition or disposal of any interest in land pursuant to this act. The county board shall not grant any right to the general public to enter upon any lands on which scenic easements have been acquired pursuant to this act.*"

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

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

S. F. No. 1553: A bill for an act relating to Ramsey county; authorizing the board of county commissioners to issue general obligation bonds for the costs of construction, including land acquisition, architectural, and other professional fees in the construction of an adult detention center, and a juvenile center; amending Laws 1974, Chapter 435, by adding a section.

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

Page 1, line 13, strike "(a)" and insert "*Subdivision 1.*"

Page 1, line 19, strike "(b)" and insert "*Subd. 2.*"

Page 1, line 25, strike "(c)" and insert "*Subd. 3.*"

Page 2, after line 5, insert a new subdivision as follows:

"*Subd. 4. [INTEREST ON BOND PROCEEDS.] Any other law to the contrary notwithstanding, interest earned from the investment of proceeds of these obligations as the term is defined in Minnesota Statutes 1974, Section 475.51, Subdivision 3, may, at the discretion of the governing body of Ramsey county, be used either to pay any costs payable from the proceeds from which the interest is derived or, if the proceeds are not held in a sinking fund account established for the obligations, to pay any costs payable from the sinking fund account; provided the use is consistent with the covenants made with the holders of the obligations to secure payment.*"

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

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

S. F. No. 300: A bill for an act relating to the town of White Bear; authorizing the town to adopt the calendar year as its fiscal year.

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

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

S. F. No. 1444: A bill for an act relating to metropolitan government; prohibiting membership in more than one commission.

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

Page 1, line 11, strike "*this chapter*" and insert "*Laws 1975, Chapter 13*"

Further amend the title:

Page 1, line 3, before the period, insert: "; amending Laws 1975, Chapter 13, Section 7, Subdivision 4"

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

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

S. F. No. 1293: A bill for an act relating to Carver county; providing for the filing of surveys with the county surveyor.

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

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

S. F. No. 877: A bill for an act authorizing the city of Plymouth to refund temporary improvement bonds issued in the years 1969 to 1975; amending Laws 1971, Chapter 557, Section 1, as amended.

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

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

S. F. No. 546: A bill for an act relating to Hennepin county; establishing the salaries of certain officials.

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

Page 1, line 9, strike "as full compensation"

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

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

S. F. No. 1423: A bill for an act relating to the city of St. Paul; authorizing restoration of sick leave in certain circumstances.

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

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

S. F. No. 1541: A bill for an act relating to counties and the government thereof and, in particular, to Ramsey county; deleting welfare budget deadline as it applies to Ramsey county.

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

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

S. F. No. 1372: A bill for an act relating to the city of Bloomington; 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.

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

Page 1, line 16, strike "statute" and insert "Minnesota Statutes 1974, Chapter 363,"

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

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

S. F. No. 1157: A bill for an act relating to the city of Bloomington; authorizing housing finance program; providing for the issuance of limited general obligation bonds.

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

Page 3, line 11, after "program" insert "and to provide for the administrative costs of the program"

Page 3, line 24, strike "governing body" and insert "city council"

Page 3, line 28, after "Sec. 4." insert "Subdivision 1."

Page 4, after line 5, insert a new subdivision to read:

"Subd. 2. The city council may covenant and agree not to amend the regulations adopted by ordinance and in effect at the time any bonds or obligations authorized by this act are issued, to the detriment of the holder of such bonds or obligations."

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. 1619: A bill for an act relating to intoxicating liquors; repealing certain obsolete provisions; increasing the penalty for selling or giving away poisonous liquor; amending Minnesota Statutes 1974, Sections 340.71 and 340.92; repealing Minnesota Statutes 1974, Sections 340.38; 340.70; 340.73; 340.74; 340.76; 340.77; 340.78; 340.79; 340.80; 340.81; 340.83; 340.87; 340.88; 340.89; 340.90; 340.91; 340.92; and 340.93.

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

Page 2, line 13, strike "340.74;"

Further amend the title as follows:

Page 1, line 7, strike "340.74;"

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

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

S. F. No. 986: A bill for an act relating to Hennepin county; city of Minneapolis; granting authority to acquire, construct, operate and maintain a correctional facility, work farm, or detention facilities.

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

Page 1, line 7, after "1." insert "Subdivision 1."

Page 1, line 8, strike "acquire by" and insert "lease for \$1 per year and operate"

Page 1, strike lines 9 to 21

Page 1, line 22, strike "to the acquisition or lease of"

Page 1, line 23, strike "by the county of Hennepin, such" and insert a period

Page 2, line 1, strike "negotiation shall include" and insert

"The lease shall run until July 1, 1977 and"

Page 2, line 1, strike "as to" and insert "between the county and the city of Minneapolis shall be entered into which states"

Page 3, line 14, strike "2" and insert "1"

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 3, strike "acquire, construct" and insert "lease"

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

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

S. F. No. 1405: A bill for an act relating to the city of Edina; establishing terms for certain municipal offices.

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

Page 1, line 5, strike "Beginning with the municipal" and insert "At the city"

Page 1, line 6, strike "in" and insert "for"

Page 1, line 6, strike "trustees" and insert "councilmen"

Page 1, line 7, strike "for that office"

Page 1, line 10, after "years." insert "Thereafter, all councilmen shall serve for terms as provided by law. Beginning with the 1976 city election"

Page 1, after line 10, insert:

"Sec. 2. This act is effective upon its approval by the city of Edina and upon compliance with Minnesota Statutes, Section 645.021."

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

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

S. F. No. 1422: A bill for an act relating to local government; authorizing political subdivisions to impose charges for emergency or paramedic ambulance services; amending Minnesota Statutes 1974, Section 471.476, Subdivision 2.

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

Strike everything after the enacting clause and insert:

"Section 1. Laws 1974, Chapter 435, is amended by adding a section to read:

[1.02072] [PAYMENT FOR PARAMEDIC SERVICE.] *Subdivision 1. The governing body of the city of Saint Paul, in conjunction with the operation of its emergency or paramedic ambulance program, may impose reasonable charges for the emergency or paramedic ambulance services in order to finance its costs.*

Subd. 2. The following persons shall not be subject to such charges:

(i) Any person who is eligible for or receiving public assistance under the aid to families with dependent children program, but is not eligible for any federally, state or locally funded public assistance program which would pay for such charges nor has medical, health or accident insurance policies which would pay for such charges; or

(ii) Any person who, except for the amount of income or resources, would qualify for aid to families with dependent children, is in need of medical assistance but is not eligible for any federally, state or locally funded public assistance program which would pay for such charges nor has medical, health or accident insurance policies which would pay for such charges; or

(iii) Any person over 18 years of age, in need of medical care that neither he nor his relatives responsible under Minnesota Statutes, Sections 256B.01 to 256B.26 are financially able to provide, is not eligible for any federally, state or locally funded public assistance program which would pay for such charges and has no medical, health or accident insurance policies which would pay for such charges.

Sec. 2. This act shall become effective only after its approval by a majority of the governing body of the city of Saint Paul and upon compliance with Minnesota Statutes, Section 645.021."

Further amend the title by striking it and inserting:

"A bill for an act relating to the city of St. Paul; authorizing the city of St. Paul to impose reasonable charges for emergency or paramedic ambulance services; amending Laws 1974, Chapter 435 by adding a section."

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

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

H. F. No. 133: A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

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

Page 2, line 15, after "property" insert "*or unless he can establish that he did not receive notice of his market value at least five days before the local board of review meeting*"

Page 5, line 23, after "273.01" insert "*or unless he can establish that he did not receive notice of his market value at least five days before the local board of review meeting*"

Page 6, line 5, after "Subd. 2." insert "*The town board of any town,*"

Page 6, line 6, strike "*of the first class*"

Page 7, line 16, strike "*provided that the board may*"

Page 7, strike lines 17 and 18

Page 7, line 19, strike "*equalization*"

Page 8, line 32, strike "*over*"

Page 9, line 1, strike "*100,000 population, according to the census of 1970*"

Page 10, after line 3, insert:

"Sec. 9. Property used exclusively for housing and related facilities for the elderly and handicapped families and financed by the federal government under Title 202 of the National Housing Act shall be exempt from real estate taxation."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after "property;" insert "*exempting certain property from taxation;*"

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

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

S. F. No. 927: A bill for an act relating to taxation; exempting certain bingo receipts from sales taxation; amending Minnesota Statutes 1974, Section 297A.25, Subdivision 1.

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

Page 8, line 14, after "(x)" insert "*That portion of*"

Page 8, line 14, after "*gross receipts*" strike "*less the net receipts*" and insert "*representing the winnings or prizes paid*"

Page 8, line 15, after "*organizations*" insert "*if the bingo games are run exclusively by members or volunteer help, none of whom charge wages or fees in any manner*"

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. 749: A bill for an act relating to intoxicating liquor; investigation of certain license applicants; amending Minnesota Statutes 1974, Section 340.13, by adding a subdivision.

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

Page 2, line 6, strike "A" and insert "*An investigation*"

Page 2, line 6, strike "*of \$1,000*" and insert "*not to exceed \$500*"

Page 2, line 7, insert a period after "*county*"

Page 2, line 7, strike "*to cover the*"

Page 2, strike lines 8 to 11

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. 1231: A bill for an act relating to intoxicating liquor; authorizing extension of Sunday sales hours; amending Minnesota Statutes 1974, Section 340.14, Subdivision 5.

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

Page 1, line 17, strike the period after "*food*" and insert a comma

Page 1, strike lines 18 and 19 and insert "*provided that the governing body of any municipality may set the hour for concluding service of intoxicating liquor to one o'clock a.m. on Monday.*"

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. 1316: A bill for an act relating to banks; cash reserves of banks and trust companies; recordkeeping of savings associations; amending Minnesota Statutes 1974, Sections 48.22; and 51A.19, Subdivision 4.

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

Page 3, line 7, after "commissioner" insert "*unless these reserve requirements are less than those contained in subdivision 1*"

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. 1308: A bill for an act relating to natural resources; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; appropriating money; amending Minnesota Statutes 1974, Chapter 105, by adding a section.

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 97.481, is amended to read:

97.481 [ACQUISITION OF WILDLIFE LANDS.] The commissioner of natural resources is hereby authorized and empowered to acquire, in the name of the state, by gift, lease, purchase and transfer of state lands, any such wildlife lands, such as marsh or wetlands, and the margins thereof, including ponds, small lakes and stream bottom lands, which he finds desirable to acquire in the interests of water conservation relating to wildlife development programs, and, he may also acquire for this purpose from any state agency, itself included, lands now in state ownership or tax-forfeited which are suitable for wildlife purposes, and when such lands are so acquired, he is authorized to develop the same in the interest of wildlife, recreational or public hunting areas as he shall deem desirable. *In the determination of which lands will be acquired as wildlife lands, the commissioner shall assign highest priority to parcels containing type 3 or 4 wetlands, as defined in U.S. Fish and Wildlife Service Circular No. 39 (1971 edition), which were previously determined to be public waters.* No such lands shall be acquired until first approved for such purchase, or lease, by a majority of the members of the board of county commissioners in the counties where the land to be purchased, or leased, is located. In the counties in which a soil and water conservation district is organized the supervisors will act as counsellors to the board of county commissioners regarding the best utilization and capability of the land proposed for purchase, including the questions of drainage and flood control. The commissioner in the purchase of such wetlands must recognize that when a majority of land owners, or owners of a majority of the land in the watershed, petition for a drainage outlet, that the state should not interfere, or unnecessarily delay such drainage proceedings when such proceedings are conducted according to the Minnesota Drainage Code. In no case should state lands, so purchased, or leased, be used to produce crops which are in a surplus as defined by the federal government unless such crops are needed to sustain wildlife. No lands described herein shall be acquired unless there is acquired simultaneously therewith a right-of-way or easement from said lands to a public road so as to make entry upon said lands available to the public.

Sec. 2. Minnesota Statutes 1974, Section 105.37, Subdivision 6, is amended to read:

Subd. 6. "Beneficial public ~~purpose~~ use", in relation to waters

of the state, includes but is not limited to any or all of the following purposes:

(a) Water supply for municipal, industrial, or agricultural, or other purposes;

(b) Recharge of underground water strata;

(c) Retention of water to prevent or reduce downstream flooding, thereby minimizing erosion and resultant property damage;

(d) Entrapment and retention of nutrients and other materials which impair the quality of natural resources;

(e) Recreational activities such as swimming, boating, fishing, and hunting;

(f) Public navigation other than for recreational purposes;

(g) Wildlife habitat such as fish spawning and rearing areas, waterfowl nesting and feeding areas, and areas for the spawning, rearing, feeding, and protection nesting of other wildlife other than unprotected animals defined pursuant to section 100.26 or rough fish ;

(h) Areas designated as scientific and natural areas pursuant to section 84.033.

Sec. 3. Minnesota Statutes 1974, Section 105.37, is amended by adding a subdivision to read:

Subd. 9. "Lake basin" means an enclosed natural depression with definable banks capable of containing water which may be partly filled with waters of the state and which is discernible on aerial photographs.

Sec. 4. Minnesota Statutes 1974, Section 105.37, is amended by adding a subdivision to read:

Subd. 10. "Natural watercourse" means any natural channel without man made changes which has definable beds and banks capable of conducting confined runoff from adjacent lands.

Sec. 5. Minnesota Statutes 1974, Section 105.37, is amended by adding a subdivision to read:

Subd. 11. "Altered natural watercourse" means a former natural watercourse which has been affected by man made changes in straightening, deepening, and widening of the original channel.

Sec. 6. Minnesota Statutes 1974, Section 105.37, is amended by adding a subdivision to read:

Subd. 12. "Artificial watercourse" means a watercourse which has been artificially constructed by man where there was no previous natural watercourse.

Sec. 7. Minnesota Statutes 1974, Section 105.38, is amended to read:

105.38 [DECLARATION OF POLICY.] In order to conserve and utilize the water resources of the state in the best interests of the people of the state, and for the purpose of promoting the public health, safety and welfare, it is hereby declared to be the policy of the state:

(1) Subject to existing rights all waters of the state which serve a *substantial* beneficial public ~~purpose~~ use are public waters subject to the control of the state. *In the determination of whether a beneficial public use is substantial, specific evidence of the actual beneficial public use must be evaluated with reference to the existing land use of the area, the soil types surrounding and underlying the water, the ownership of the land surrounding the water, the relative agricultural and wildlife productivity of the area, and relevant provisions of a county or municipal shorelands ordinance enacted pursuant to section 105.485.* The public character of water shall not be determined exclusively by the proprietorship of the underlying, overlying, or surrounding land or on whether it is a body or stream of water which was navigable in fact or susceptible of being used as a highway for commerce at the time this state was admitted to the union. This section is not intended to affect determination of the ownership of the beds of lakes or streams.

(2) The state, to the extent provided by law from time to time, shall control the appropriation and use of surface and underground waters of the state.

(3) The state shall control and supervise, so far as practicable, any activity which changes or which will change the course, current, or cross-section of public waters, including but not limited to the construction, reconstruction, repair, removal, abandonment, the making of any other change, or the transfer of ownership of dams, reservoirs, control structures, and waterway obstructions in any of the public waters of the state.

Sec. 8. Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:

[105.385] [LAKE BASIN CLASSIFICATION PROCEDURE.]
Subdivision 1. [COMMISSIONER'S PRELIMINARY DESIGNATION.] On the basis of all information available to him, the commissioner shall inventory the lake basins of each county and make a preliminary designation as to which lake basins constitute public waters. The preliminary designation shall include specific findings concerning the beneficial public uses stated in section 2 and the policy stated in section 7 for each lake basin classified as public water in the preliminary designation. The commissioner shall forward his preliminary designation for each county to the county board of that county.

Subd. 2. [COUNTY INVESTIGATION; HEARING; NOTICE.] Upon receipt of the commissioner's preliminary designation of lake basins, the county board may assign any soil and water conservation district or any watershed district with jurisdiction concerning the lake basins specified in the preliminary

designation to conduct an investigation and public hearing concerning the designated lake basins and to report the results thereof to the county board within 80 days after the county board received the commissioner's preliminary designation. Either the county board or its designee authorized above shall conduct at least one public hearing within the affected county concerning the lake basins specified in the commissioner's preliminary designation. Prior to the public hearing, the county board or its designee shall cause notice to be published once a week for three consecutive weeks in a legal newspaper within the county. The notice shall include the date, time, and location of the public hearing, together with a map or list of all lake basins classified as public waters in the commissioner's preliminary designation. Any person under oath may offer testimony during the course of the hearing relevant to any beneficial public uses served by any of the waters under examination or relevant to any of the policy factors stated in section 7. The county board or its designee shall encourage testimony from representatives of the commissioner, watershed districts, soil and water conservation districts, the U.S. Soil Conservation Service, and county planning and engineering departments. The commissioner shall forward \$2,000 for each county board to be used by the county board, a soil and water conservation district, or a watershed district to pay all reasonable expenses in conducting a public hearing pursuant to this section. Any funds not expended for the costs of the public hearing shall be used by the county board for its responsibilities pursuant to section 9. Upon completion of the public hearing and the assigned investigation if any, and within 90 days after the county board received the commissioner's preliminary designation, the county board shall notify the commissioner whether it agrees with each lake basin classified as public water in the preliminary designation. If the county board disagrees with any lake basin classification as public waters, it shall include specific findings concerning the beneficial public uses stated in section 2 and the policy stated in section 7.

Subd. 3. [FINAL CLASSIFICATION OF AGREED BASINS; APPEALS.] Upon receipt of the county board's response to his preliminary designation, the commissioner shall immediately designate by order pursuant to Minnesota Statutes 1974, Section 97.54, Subdivision 2, the public status of the waters within lake basins which are not the subject of any disagreement between the county board and the commissioner. Any person aggrieved by the commissioner's order may appeal to the district court pursuant to Minnesota Statutes 1974, Section 105.47.

Subd. 4. [FINAL CLASSIFICATION OF BASINS WHERE COUNTY AND COMMISSIONER DISAGREE.] If there is a disagreement between the commissioner and the county board concerning the classification of any lake basin within the county as public waters, the commissioner shall attempt to resolve the disagreement within 30 days after receipt of notice thereof. If the commissioner and the county board resolve a disagreement concerning the classification of any waters of any lake basin as public waters, the commissioner shall issue an order pursuant to subdivision 3. If there remains any disagreement between the commissioner and the county board at the expiration of

the 30 day period each disagreement concerning the classification of the waters of any lake basin within the county shall be resolved by the majority vote of three persons. One of the persons shall be a member of, and appointed by, the state soil and water conservation commission. The second person shall be one of the five supervisors of the soil and water conservation district or one of the managers of a watershed district from within the affected county who shall be appointed by the county board. The third person shall be a member of, and appointed by the regional development commission within whose area the disputed lake basin is located; provided that the member of the regional development commission shall not be a resident of the county within which the disputed lake basin is located and is not a member of the state soil and water conservation commission. The decision of the three persons shall include the classification as public waters of all the lake basins in dispute. The decision of the three persons shall be binding on the commissioner and the affected county board and shall include specific written findings concerning the beneficial public uses stated in section 2 and the policy factors stated in section 7 concerning the classification as public waters of each disputed lake basin. If the decision of the three persons agrees with the commissioner's preliminary designation, the commissioner shall immediately issue an order classifying the public water in each of the disputed lake basins. Any person aggrieved by the commissioner's order may appeal to district court pursuant to Minnesota Statutes 1974, Section 105.47.

If the decision of the three persons agrees with the findings of the county board, then the county board shall pass a resolution classifying the public water in each of the disputed lake basins. Any person aggrieved by the resolution may appeal to the district court pursuant to Minnesota Statutes 1974, Section 15.0424.

Sec. 9. Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:

[105.386] [WATERCOURSE INVENTORY AND CLASSIFICATION PROCEDURE.] *Subdivision 1. [GRANTS TO COUNTIES.]* Notwithstanding any other law to the contrary, neither the commissioner, nor any employee of the department, nor any member of a county board, nor a member of a soil and water conservation district, nor a manager of a watershed district, shall issue or enact any order, directive, rule, resolution, ordinance, or other document classifying any watercourse as public waters prior to March 1, 1976, except upon application of any person contemplating activities regulated by Minnesota Statutes 1974, Sections 105.42 and 105.43, or pursuant to any criminal prosecutions pursuant to violations of chapter 105. This section shall not preclude any preliminary investigation or inventory of watercourses. The commissioner shall grant aid to counties to complete an inventory of all natural, altered, and artificial watercourses within each county. The inventory shall designate which watercourses constitute public waters based on the beneficial public uses stated in section 2 and the policies stated in section 7. The inventory shall also include a recommendation of a management classification stated in the department rules for each watercourse. The commissioner shall consider the size of a county and the number of watercourses within the county when making a grant.

Subd. 2. [COUNTY PRELIMINARY INVENTORY.] *In the preparation of the county preliminary inventory the county board or its designee shall conduct an investigation and public hearing pursuant to section 8, subdivision 2. The county board shall encourage the assistance of watershed districts, the applicable soil and water conservation district, the U.S. Soil Conservation Service, and the county planning commission and engineering department. The county board shall make specific written findings concerning the beneficial public uses stated in section 2 and the policies stated in section 7 relative to each watercourse classified as public waters. Within a reasonable time following the grant of aid for a watercourse inventory, as specified by the commissioner, the county board shall report to the commissioner on its watercourse inventory, including its recommendations concerning which watercourses should be designated as public waters and recommended management classifications.*

Subd. 3. [FINAL DESIGNATION AND MANAGEMENT CLASSIFICATION.] *Within 90 days after receipt of the county board's preliminary inventory, the commissioner shall by order designate the public status and the management classification of all watercourses which are not the subject of any disagreement between the county board and the commissioner. The commissioner shall immediately notify the county board of any disagreement with its preliminary inventory, including its public waters designation and management classification. The commissioner shall attempt to resolve any disagreement with the county board within 60 days after serving notice of his disagreement. If within the 60 days the commissioner and the county board resolve any disagreement concerning the designation of any watercourses as public watercourses or any disagreement concerning the management classification of any watercourse, the commissioner shall issue an order pursuant to this section. Any person aggrieved by the commissioner's order may appeal to the district court pursuant to Minnesota Statutes 1974, Section 105.47.*

Subd. 4. [FINAL DESIGNATION AND MANAGEMENT CLASSIFICATION WHEN COMMISSIONER AND COUNTY DISAGREE.] *If there remains any disagreement concerning the designation of any watercourse as public water or concerning the management classification of any watercourse, the commissioner shall prepare specific written findings concerning the beneficial public uses stated in section 2 and the policies stated in section 7 relative to each disputed watercourse. All such disagreements shall be resolved by three persons selected pursuant to section 8, subdivision 4. The contents, binding effect, and appeal procedure concerning their decision shall be identical to section 8, subdivision 4.*

Sec. 10. *Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:*

[105.387] [INTERIM RULES.] *Notwithstanding any other law to the contrary the procedures, rules and guidelines set forth in the order of the commissioner of natural resources dated prior to May 15, 1975, and filed with the secretary of state before May 15, 1975, and given a document number by the secretary of state,*

shall be valid and enforceable emergency rules and regulations of the commissioner of natural resources for the purposes of Minnesota Statutes, Sections 15.0411 to 15.0422, with respect to public waters during the period between the effective date of this act and the designation of those waters as public water pursuant to this section, without further act or deed of the commissioner.

Sec. 11. Minnesota Statutes 1974, Section 105.42, Subdivision 1, is amended to read:

105.42 [PERMITS; WORK IN PUBLIC WATERS.] Subdivision 1. It shall be unlawful for the state, any person, partnership, association, private or public corporation, county, municipality or other political subdivision of the state, to construct, reconstruct, remove, abandon, transfer ownership, or make any change in any reservoir, dam or waterway obstruction on any public water; or in any manner, to change or diminish the course, current or cross-section of any public waters, wholly or partly within the state, by any means, including but not limited to, filling, excavating, or placing of any materials in or on the beds of public waters, without a written permit from the commissioner previously obtained. Application for such permit shall be in writing to the commissioner on forms prescribed by him.

This section does not apply to any public drainage system lawfully established under the provisions of chapter 106 which does not substantially affect any ~~natural watercourse or any lake basin which serves a beneficial public purpose~~ public waters of the state .

The commissioner, subject to the approval of the county board, shall have power to grant permits under such terms and conditions as he shall prescribe, to establish, construct, maintain and control wharfs, docks, piers, levees, breakwaters, basins, canals and hangars in or adjacent to public waters of the state except within the corporate limits of cities.

Sec. 12. Minnesota Statutes 1974, Section 106.021, Subdivision 2, is amended to read:

Subd. 2. [DRAINAGE OF LAKES.] No ~~lake waters of the state shall be completely drained nor shall a natural watercourse be channelized except upon after the determination of the commissioner of natural resources of the state of Minnesota that such lake or natural watercourse is~~ waters are not public waters of the state as defined by section 105.38, or pursuant to the permit of the commissioner as provided in subdivision 3 unless the public water being completely drained is replaced by a body of water which will have equal or greater public value .

Sec. 13. Minnesota Statutes 1974, Section 106.021, Subdivision 6, is amended to read:

Subd. 6. [CRITERIA FOR PROPOSED DRAINAGE SYSTEMS.] Before January 1, 1975, the commissioner of natural resources shall promulgate, in the manner provided in chapter 15, a list of criteria that County boards or court courts must consider the following criteria when establishing and improving drainage systems . No criteria relating to drainage systems, whether promul-

gated pursuant to this subdivision or pursuant to Laws 1973, Chapter 315, shall be effective prior to July 1, 1975. The criteria shall relate to the social, economic, and environmental impact of the proposed drainage system, and shall be limited to the following: for which a preliminary order pursuant to Minnesota Statutes 1974, Section 106.101, has not been issued prior to the effective date of this act:

(a) An economic analysis of The private and public benefits and costs derived from the proposed project;

(b) An analysis of The present and anticipated agricultural land acreage availability and use within the county project area;

(c) An analysis of The flooding characteristics of project lands involved;

(d) An analysis of The alternative measures for the conservation, allocation, and development of the drainage waters;

(e) An analysis of The water quality effects as a result of the proposed project;

(f) An analysis of The fish and wildlife resources affected by the proposed project;

(g) An analysis of The shallow ground water availability, distribution, and use in the project area;

(h) An analysis of The overall environmental impact of all the criteria in items (a) to (g) ;

(i) The present land use within the project area .

Sec. 14. Minnesota Statutes 1974, Section 106.031, Subdivision 1, is amended to read:

106.031 [PETITION.] Subdivision 1. [FORM.] Before any public drainage system or other improvement authorized by sections 106.011 to 106.661 is established, a petition therefor shall be filed with the county auditor, if for a drainage system entirely within one county, or with the clerk of the district court pursuant to section 106.015, subdivision 1, if for a drainage system within two or more counties. Such petition shall be signed by not less than a majority of the resident owners of the land described in the petition or by the owners of at least 60 percent of the area of such land, exclusive of the holder of easements for electric or telephone transmission and distribution lines. The lands described in the petition shall be those over which the proposed ditch passes or upon which the improvement is located, and the petition shall set forth the description of such lands and shall set forth the necessity for the ditch or improvement, and that the same will be of public benefit and utility and will promote the public health, with the description of the starting point, the general course, and terminus or location of the same. The petition shall state that the petitioners will pay all costs and expenses which may be incurred in case the proceedings are dismissed or for any reason no contract for the construction thereof is let. Such petition may be signed by the authorized representative of any municipal corporation or by

the commissioner of highways, or the authorized agent of any public institution or any corporation which may be affected by or assessed for the proposed construction; but in such case, the signature of such representatives, commissioner, agent, or corporation shall each count only as one signature on the petition. Each ditch proceeding shall be designated by number assigned by the auditor or clerk.

Sec. 15. Minnesota Statutes 1974, Section 106.081, Subdivision 1, is amended to read:

106.081 [PRELIMINARY SURVEY AND REPORT.] Subdivision 1. [SURVEY AND REPORT.] The engineer shall promptly proceed and examine all matters set forth in the petition and order and make such preliminary survey of the territory likely to be affected by the proposed improvement as will enable him to determine whether the same is necessary and feasible ~~in compliance with reference to~~ the requirements of section 106.021, *subdivision 6. The engineer shall also examine and gather information concerning the factors stated in sections 105.37, subdivision 6, and 106.38, clause (1) for consideration in the determination of whether the proposed drainage system substantially affects any public water.* If some other plan than that described in the petition is found practical, the engineer shall so report, giving such detail and information as is necessary to inform the court or board on all matters pertaining to the feasibility of the proposed plan, either as outlined in the petition or according to a different plan recommended by the engineer. He shall show all changes, whether by extension, adding laterals, or otherwise, that may be necessary to make the plan of the proposed improvement practicable and feasible. If the construction of a ditch or drain is involved in the proposed improvement, the engineer shall examine and report the nature and capacity of the outlet and any necessary extension thereof.

Sec. 16. Minnesota Statutes 1974, Section 106.081, Subdivision 3, is amended to read:

Subd. 3. [INCLUSION IN PRELIMINARY REPORT.] If he finds the improvement petitioned for is feasible, and complies with the requirements of section 106.021, *subdivision 6*, he shall include in his report a preliminary plan of the proposed system showing thereon the proposed drain and laterals or other improvements, and the outlet thereof, together with the watershed of such drainage system and the lands and properties likely to be affected, including so far as known the names of the owners thereof. He shall show upon such plan the elevation of the outlet and the controlling elevations of the lands likely to be affected and also the probable size and character of the ditches and laterals necessary to make the plan practicable and feasible. All elevations so far as practical shall be referred to standard sea level datum. He shall show in his report the character of the outlet and the sufficiency thereof and also the probable cost of the drains and improvements shown on his plan, and all other information and data necessary to disclose the practicability, necessity and feasibility of the proposed improvement, including ~~an analysis consideration of~~

the project as required by section 106.021 , *subdivision 6*, and such other information as the board or court may order.

Sec. 17. Minnesota Statutes 1974, Section 106.081, Subdivision 4, is amended to read:

Subd. 4. [LIMITATION OF SURVEY.] The engineer shall confine his preliminary survey to the drainage area described in the petition, except to secure outlet, unless authorized by order of the board or court, with the consent of the bondsmen, at a hearing after ten days notice by mail to the petitioners and bondsmen; and any investigation made by the engineer as to outlet, without such order, shall be confined to running the necessary levels to ascertain the distance necessary to secure the proper fall. The preliminary survey shall include ~~an analysis~~ *consideration* of the impact of the project as required by section 106.021 , *subdivision 6* .

Sec. 18. Minnesota Statutes 1974, Section 106.091, Subdivision 1, is amended to read:

106.091 [FILING ENGINEER'S REPORT; COMMISSIONER'S REPORT.] Subdivision 1. [FILING.] Upon completion of his survey and report, the engineer shall file his report in duplicate with the auditor or clerk. The auditor or clerk shall transmit one copy thereof to the director of the division of waters, soils and minerals. If the ~~report be filed with the clerk~~ *proposed drainage system involves more than one county* , a duplicate thereof shall also be filed with the auditor of each county affected.

Sec. 19. Minnesota Statutes 1974, Section 106.091, Subdivision 2, is amended to read:

Subd. 2. [COMMISSIONER'S REPORT.] The commissioner of natural resources shall make an advisory report to the board or court giving his opinion as to the sufficiency and adequacy of the engineer's report. The commissioner shall set forth in his report any matters pertaining to the project which should be further investigated and evaluated in accordance with ~~section~~ *sections 105.37, subdivision 6; 105.38, clause (1), and 106.021 , subdivision 6* . If the commissioner determines that the report is not adequate and sufficient, he shall so report *the specific inadequacies or insufficiencies* . The commissioner's initial report shall be filed with the auditor or clerk on or before the date fixed for the preliminary hearing or at any continuance thereof. The commissioner may request additional time for review and evaluation of the engineer's report in cases where such additional time can be shown to be necessary for proper evaluation. However, no request for additional time for filing the commissioner's report may be made after five days from the date of notice by the auditor or clerk that a date is to be fixed for the preliminary hearing. No extension of time shall exceed two weeks from the date of the request.

Sec. 20. Minnesota Statutes 1974, Section 106.101, Subdivision 4, is amended to read:

Subd. 4. [DISMISSAL.] At said hearing or any adjournment

thereof, if it shall appear that the proposed improvement is not feasible, or that the adverse environmental impact is greater than the public benefit or utility based upon the ~~requirements and~~ criteria required to be considered by section 106.021, *subdivision 6*, and no plan is reported by the engineer whereby it can be made feasible, and acceptable, or that it is not of public benefit or utility, or that the outlet is not adequate, the petition shall be dismissed.

Sec. 21. Minnesota Statutes 1974, Section 106.101, Subdivision 5, is amended to read:

Subd. 5. [FINDINGS AND ORDER.] If the board or court shall be satisfied that the proposed improvement as outlined in the petition or as modified and recommended by the engineer is feasible, that there is necessity therefor, that it will be of public benefit and promote the public health, based upon the ~~requirements and~~ criteria required to be considered by section 106.021, *subdivision 6*, and that the outlet is adequate, the board or court shall so find and by such order shall designate the changes that shall be made in the proposed improvement from that outlined in the petition including such changes as are necessary to minimize ~~or compensate for~~ adverse impact on the environment. These changes may be described in general terms and shall be sufficiently described by filing with the order a map outlining the proposed improvement thereon. Thereafter the petition shall be treated as modified accordingly. When the ditch shall outlet into an existing county or judicial ditch, the board or court may find that the outlet is adequate subject to confirmation and permission being obtained in accordance with section 106.531. In such case the board or court shall assign a number to the ditch and the board or court shall proceed to act in behalf of the ditch to obtain outlet rights in accordance with section 106.531.

Sec. 22. Minnesota Statutes 1974, Section 106.111, Subdivision 1, is amended to read:

106.111 [ORDER FOR DETAILED SURVEY.] Subdivision 1. Upon the filing of the *preliminary hearing* order as specified in section 106.101, subdivision 5, the board or court shall order the engineer or any other engineer, if a change of engineers be determined, to proceed to make a detailed survey and furnish all necessary plans and specifications for the proposed improvement and report the same to the board or court with all reasonable dispatch. All of the provisions of section 106.071 shall be applicable to the employment of the engineer.

Sec. 23. Minnesota Statutes 1974, Section 106.121, Subdivision 1, is amended to read:

106.121 [ENGINEER'S SURVEY.] Subdivision 1. [SURVEY AND EXAMINATION.] Upon the filing of the order *for detailed survey* named in section 106.111, the engineer shall proceed to survey the lines of the drainage improvement petitioned for and approved by order made upon preliminary hearing, and to survey and examine all lands and properties affected thereby.

Sec. 24. Minnesota Statutes 1974, Section 106.121, Subdivision 4, is amended to read:

Subd. 4. [DATA AND REPORT.] The engineer shall prepare and submit the following data and report:

(a) A complete map of the drainage system or improvement drawn to scale, showing thereon (1) the termini and course of each drain and whether open or tile, and the location of all other proposed improvements; (2) the location and situation of the outlet; (3) the watershed of the drainage system and the sub-watershed of main branches, if any, together with the location of existing highway bridges and culverts; (4) all lands and properties affected, together with the names of the owners thereof so far as known; (5) public streets, highways and railways affected; (6) the outlines of any lake basin, wetland and public body of water affected; (7) such other physical characteristics of the watershed as may appear necessary for the understanding thereof.

(b) A profile of all lines of ditch proposed showing graphically, the elevation of the ground and gradient at each 100-foot station, the station number at each section line and at each property line, whether open or tiled, the size of tile and the bottom width and side slope of open ditch sections, and such other information as may appear necessary for the understanding thereof.

(c) Plans for all private bridges and culverts proposed to be constructed by and as a part of the ditch system, together with plans for all other works and items of construction necessary for the completion of the drainage system or improvement. A list showing the required minimum hydraulic capacity of all bridges and culverts at all railway and highway open ditch crossings and at other prospective open ditch crossings where bridges and culverts are not specified to be constructed as a part of the ditch, together with plans and estimates of the cost of highway bridges and culverts required for the information of the viewers in determining benefits and damages.

(d) A tabular statement showing the number of cubic yards of tile on each tile line with the average depth thereof, and all bridges, culverts, works and other construction items required by the plans for the completion of the system, together with the estimated unit cost of each of said items and a summary of the total cost thereof. Such summary shall include an estimate of the cost of fully completing the system, including supervision and other costs thereof.

(e) The acreage which will be required and taken as right-of-way upon each government lot and 40-acre tract or fraction thereof under separate ownership required for right-of-way for any open ditch.

(f) Specifications for drain tile shall require that all drain tile used shall comply with the requirements of the American Society for Testing Materials standard specifications for drain tile, except where the depths to which the drains are to be laid or the

conditions of the soil, in the opinion of the engineer, require tile of a special and higher quality.

(g) When more economical construction will result, the engineer may recommend that the work be divided into sections and let separately, and that open and tile work or tile and labor thereon be let separately, and the time and manner so far as practicable in which the whole work or any section thereof shall be done.

(h) Such other detail and information as shall appear requisite to fully inform the board or court of the practicability and necessity of the proposed improvements shall be made available including a comprehensive examination of all ~~requirements~~ *the criteria* of section 106.021, *subdivision 6*, together with his recommendations thereon.

Sec. 25. Minnesota Statutes 1974, Section 106.131, is amended to read:

106.131 [COMMISSIONER'S FINAL ADVISORY REPORT.] Upon the filing of the engineer's report, a complete copy thereof shall be transmitted to the commissioner by the auditor or clerk.

The commissioner shall examine the same and within 30 days make his *advisory* report thereon to the board or court. If he finds the report incomplete and not in accordance with the provisions of this chapter, he shall so report *specifying the incomplete or nonconforming provisions of the engineer's report*. If he approves the same as being an acceptable plan for the drainage of the lands affected, he shall so state. If he does not approve the plan, he shall file his recommendations for changes deemed advisable, ~~or~~ . If in his opinion, the proposed system or improvement is not of public benefit or utility based upon the ~~requirements or~~ *criteria* required to be considered by section 106.021, *subdivision 6*, he shall ~~so~~ report *specifically what facts or evidence support his advisory opinion* . If a soil survey appears advisable, he shall so advise, and in such event the engineer shall make the soil survey and report thereon before the final hearing. The commissioner's report shall be directed to the board or court and shall be filed with the auditor or clerk.

No notice shall issue for the final hearing until the commissioner's report shall be filed.

Sec. 26. Minnesota Statutes 1974, Section 106.201, Subdivision 1, is amended to read:

106.201 [ORDER ESTABLISHING.] Subdivision 1. [DISMISSAL.] If it shall appear that the benefits are not more than the total cost, including damages awarded, or that the proposed system will not be of public benefit and utility, or ~~that the same is not practicable ; or that the system does not comply with requirements based upon the criteria~~ of section 106.021, *subdivision 6*, the board or court shall so find and the petition shall be dismissed.

Sec. 27. Minnesota Statutes 1974, Section 106.201, Subdivision 2, is amended to read:

Subd. 2. [ESTABLISHMENT.] If the board or court shall find that the engineer's and viewers' reports have been made and all other proceedings in the matter had in accordance with law, that the estimated benefits are greater than the total estimated cost, including damages, that the damages and benefits have been duly determined, that the proposed drainage system will be of public utility and benefit, and will promote the public health, that the proposed system is practicable, and that such reports as made or amended are complete, just and correct, and comply with requirements of section 106.021, then the board or court shall by order containing such findings, establish the drainage improvement as reported or amended, and adopt and confirm the viewers' report as made or amended.

Sec. 28. [APPROPRIATION.] *The sum of \$1,160,000 is appropriated from the general fund to the commissioner of natural resources for the purposes of this act. Of this amount, \$400,000 is appropriated for grants to counties for watercourse inventories and \$174,000 or \$2,000 per county is appropriated for grants to counties for the purposes of public hearings pursuant to section 8. Notwithstanding the provisions of section 16A.28 or any other law relating to the lapse of an appropriation, the appropriation made by this section shall not lapse but shall continue until fully expended.*

Sec. 29. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*

Further strike the title and insert:

"A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections."

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. 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.

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 281.17, is amended to read:

281.17 [PERIOD FOR REDEMPTION.] *Subdivision 1. The stated period of redemption of all lands bid in for the state at tax judgment sales heretofore held for taxes for the years 1926, 1927, 1928, and 1929, where such lands have not heretofore been sold or assigned to actual purchasers, is hereby extended to and including July 1, 1936; provided, that if any parcel of such land is actually occupied on such date by any person who has any crop then growing thereon, or theretofore grown thereon during such year, such occupant may remain in possession of such parcel for the purpose of removing such crop, until and including December 1, 1936.*

Except as provided in this section, the stated period of redemption of all lands sold to actual purchasers or bid in for the state at tax judgment sales heretofore held shall be as provided by existing laws.

The stated period of redemption of (a) homesteaded land as defined in section 273.13, subdivision 7, (b) agricultural land as defined in section 273.13, subdivision 6, (c) seasonal recreational land as defined in section 273.13, subdivision 4 and (d) except as provided in subdivision 2, all other lands sold to actual purchasers or bid in for the state at any tax judgment sale hereafter held shall be is five years from the date of sale.

Subd. 2. The stated period of redemption for land described in this subdivision that is sold to an actual purchaser or bid in for the state at a tax judgment sale held after December 31, 1975, shall be three years from the date of sale if the land is:

(a) Land on which there exists only a structure that is vacant during the 60 days prior to and including the date on which taxes on the land become delinquent;

(b) Land on which there exists a residential structure and on which the owner does not reside during the 60 days prior to and including the date on which taxes on the land become delinquent;

(c) Land on which there exists no structure if the contiguous acreage is ten acres or more."

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

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

H. F. Nos. 1187 and 1230 for proper reference, recommends the above House Files be re-referred to their respective Committees as follows:

H. F. No. 1187 to the Committee on Governmental Operations.

H. F. No. 1230 to the Committee on Natural Resources and Agriculture.

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. 855, 469, 1457, 1355, 1575, 1261, 982, 1047, 1169, 1436, 357, 498, 1170, 360, 934, 1334, 1628, 1627, 1338, 1432, 1516, 795, 503, 1322, 1584, 1601, 1198, 345, 1424, 1366, 1211, 1501, 1439, 1428, 467, 560, 1116, 158, 370, 4, 2, 365, 271, 979, 1140, 115, 459, 1297, 1620, 1131, 1115, 1291, 1426, 615, 578, 1532, 1353, 234, 1000, 1125, 1553, 300, 1444, 1293, 877, 546, 1423, 1541, 1372, 1157, 1619, 986, 1405, 1422, 927, 749, 1231 and 1316 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 494 and 133 were read the second time.

MOTIONS AND RESOLUTIONS

Messrs. Olson, J. L.; Davies and Josefson introduced—

Senate Resolution No. 22: A senate resolution congratulating and thanking John M. Zwach for his forty years of public service.

Referred to the Committee on Rules and Administration.

Messrs. Ogdahl and O'Neill introduced—

Senate Concurrent Resolution No. 8: A senate concurrent resolution establishing a commission on improvement of the legislature.

Referred to the Committee on Rules and Administration.

Mr. Doty moved that the name of Mr. Merriam be added as co-author to S. F. No. 675. The motion prevailed.

Mr. Perpich, A. J. moved that the name of Mr. Hanson, R. be added as co-author to S. F. No. 1681. The motion prevailed.

Mr. Fitzsimons moved that the name of Mr. Hanson, R. be added as co-author to S. F. No. 39. The motion prevailed.

Mr. Jensen moved that his name be stricken as co-author to S. F. No. 441. The motion prevailed.

Mr. Gearty moved that H. F. No. 704 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Finance. The motion prevailed.

Mr. Davies moved that H. F. No. 490 be withdrawn from the Committee on Judiciary and be re-referred to the Committee on Rules and Administration for comparison to S. F. No. 779, now on General Orders. The motion prevailed.

THIRD READING OF SENATE BILLS

S. F. No. 488: A bill for an act relating to insurance premium financing; clarifying the definition of an open end premium finance agreement; allowing additional premiums to be added to an open end insurance premium finance agreement, and prescribing the conditions therefor; prohibiting flat service fees for adding additional premiums; allowing a finance charge for additional premiums added to an open end insurance premium finance agreement; amending Minnesota Statutes 1974, Section 59A.08, Subdivision 3.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Olson, A. G. and Willet voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 635: A bill for an act relating to pharmacy; prescription drugs; prohibiting unfair price discrimination; amending Minnesota Statutes 1974, Section 151.061, Subdivision 1.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Keefe, S.	North	Spear
Bang	Gearty	Kirchner	Ogdahl	Stassen
Bernhagen	Hansen, Mel	Kowalczyk	O'Neill	Stokowski
Blatz	Hughes	Lewis	Pillsbury	Stumpf
Brown	Jensen	McCutcheon	Renneke	
Conzemius	Josefson	Milton	Schaaf	
Dunn	Keefe, J.	Nelson	Solon	

Those who voted in the negative were:

Anderson	Davies	Laufenburger	Olson, J. L.	Schrom
Arnold	Frederick	Merriam	Patton	Sillers
Berg	Hansen, Baldy	Moe	Perpich, A. J.	Tennessen
Chenoweth	Hansen, R.	Olhoft	Perpich, G.	Wegener
Chmielewski	Kleinbaum	Olson, A. G.	Purfeerst	Willet
Coleman	Larson	Olson, H. D.	Schmitz	

So the bill failed to pass.

RECONSIDERATION

Mr. Davies moved that the vote whereby S. F. No. 635 failed to pass the Senate on April 23, 1975, be now reconsidered. The motion prevailed.

Mr. Davies moved that S. F. No. 635 be re-referred to the Committee on Finance.

The question being taken on the adoption of the motion,

And the roll being called, there were yeas 46 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kowalczyk	Patton	Solon
Arnold	Fitzsimons	Larson	Perpich, A. J.	Stokowski
Bang	Gearty	Laufenburger	Perpich, G.	Stumpf
Berg	Hansen, Baldy	Merriam	Pillsbury	Tennessen
Borden	Hanson, R.	Moe	Purfeerst	Wegener
Chenoweth	Humphrey	Ogdahl	Renneke	Willet
Chmielewski	Josefson	Olhoft	Schaaf	
Coleman	Keefe, J.	Olson, A. G.	Schmitz	
Davies	Keefe, S.	Olson, H. D.	Schrom	
Doty	Kleinbaum	O'Neill	Sillers	

Those who voted in the negative were:

Ashbach	Conzemius	Jensen	Milton	Spear
Bernhagen	Frederick	Kirchner	Nelson	Stassen
Blatz	Hansen, Mel	Lewis	North	Ueland
Brown	Hughes	McCutcheon	Olson, J. L.	

The motion prevailed.

S. F. No. 605: A bill for an act relating to licensing boards and agencies; redefining health related licensing board and non-health related licensing board; providing certain uniform provisions and requirements; amending Minnesota Statutes 1974, Sections 115.74; 125.183, Subdivisions 1 and 3; 125.184, Subdivision 1; 125.185, Subdivision 6; 144.952, Subdivision 2; 147.01;

147.05; 148.03; 148.04; 148.181, Subdivisions 1 and 2; 148.191, Subdivision 1; 148.29, Subdivisions 2 and 3; 148.52; 148.54; 148.-55; 148.60; 148.67; 148.70; 148.90, Subdivisions 2 and 3; 148.95, Subdivision 1; 150A.02, Subdivision 1; 150A.03, Subdivisions 1, 2 and 3; 151.03; 151.06, Subdivision 1; 151.07; 153.02; 153.03; 153.04; 153.13; 153.14; 153.15; 154.22; 154.23; 155.05; 155.06; Subdivisions 1 and 2; 155.08; 156.01, Subdivisions 1 and 3; 214.-01, Subdivisions 2 and 3; 214.04; 270.41; 270.42; 270.45; 326.04; 326.07; 326.08, Subdivision 2; 326.09; 326.17; 326.18; 326.22, Subdivision 3; 326.241, Subdivisions 1 and 3; 326.33, Subdivision 1; 326.334, Subdivision 7; 326.37; 326.541; 326.542; 326.66; 341.-01; 341.02; 386.63, Subdivisions 1 and 4; Chapters 148, by adding a section; 214, by adding sections; and 15, by adding a section; repealing Minnesota Statutes 1974, Sections 125.183, Subdivision 2; 148.07, Subdivision 3; 148.181, Subdivision 3; 148.201; 148.-296, Subdivision 2; 148.68; 148.69; 148.90, Subdivisions 4 and 5; 150A.02, Subdivision 2; 151.08; 153.12; 341.03; 341.14; and 386.-63, Subdivision 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Keefe, S.	Olthoff	Sillers
Arnold	Doty	Kirchner	Olson, A. G.	Solon
Ashbach	Dunn	Kleinbaum	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	

So the bill passed and its title was agreed to.

S. F. No. 1142: A bill for an act relating to state parks; prohibiting littering; providing a penalty; amending Minnesota Statutes 1974, Section 85.20, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1101: A bill for an act relating to acquisition of land for natural resources purposes; specifying procedure to be followed.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 59 and nays 5, as follows:

Those who voted in the affirmative were:

Arnold	Borden	Davies	Hansen, Baldy	Josefson
Ashbach	Brataas	Doty	Hansen, Mel	Keefe, J.
Bang	Brown	Dunn	Hanson, R.	Kirchner
Berg	Chmielewski	Fitzsimons	Hughes	Kleinbaum
Bernhagen	Coleman	Frederick	Humphrey	Kowalczyk
Blatz	Conzemius	Gearty	Jensen	Larson

Laufenburger	Ogdahl	Patton	Schrom	Stumpf
Lewis	Olhoft	Perpich, A. J.	Sillers	Tennessee
Milton	Olson, A. G.	Perpich, G.	Solon	Ueland
Moe	Olson, H. D.	Pillsbury	Spear	Wegener
Nelson	Olson, J. L.	Renneke	Stassen	Willet
North	O'Neill	Schmitz	Stokowski	

Those who voted in the negative were:

Anderson	Chenoweth	McCutcheon	Merriam	Purfeerst
----------	-----------	------------	---------	-----------

So the bill passed and its title was agreed to.

S. F. No. 757: A bill for an act relating to taxation; restricting the right to repurchase tax-forfeited lands; amending Minnesota Statutes 1974, Section 282.241.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1088: A bill for an act relating to natural resources; authorizing the establishment of additional state trails; amending Minnesota Statutes 1974, Section 85.015, Subdivision 13.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Hansen, Baldy	Kleinbaum	North
Arnold	Chmielewski	Hansen, Mel	Kowalczyk	Ogdahl
Ashbach	Coleman	Hanson, R.	Larson	Olhoft
Bang	Conzemius	Hughes	Laufenburger	Olson, A. G.
Berg	Davies	Humphrey	Lewis	Olson, H. D.
Bernhagen	Doty	Jensen	McCutcheon	Olson, J. L.
Blatz	Dunn	Josefson	Merriam	O'Neill
Borden	Fitzsimons	Keefe, J.	Milton	Patton
Brataas	Frederick	Keefe, S.	Moe	Perpich, A. J.
Brown	Gearty	Kirchner	Nelson	Perpich, G.

Pillsbury
Purfeerst
Renneke
Schaaf

Schmitz
Schrom
Sillers

Solon
Spear
Stassen

Stokowski
Stumpf
Tennessen

Ueland
Wegener
Willet

So the bill passed and its title was agreed to.

S. F. No. 1383: A bill for an act relating to metropolitan government; regulating solid waste; amending Laws 1975, Chapter 13, Sections 1, by adding subdivisions; 11, Subdivision 1; 139; 140, Subdivision 1; 141; 142; 143; and 144; and by adding sections; repealing Laws 1975, Chapter 13, Section 140, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson
Arnold
Borden
Chenoweth
Chmielewski
Coleman
Doty
Dunn

Gearty
Hansen, Baldy
Hughes
Humphrey
Keefe, S.
Kirchner
Kleinbaum
Laufenburger

Lewis
McCutcheon
Merriam
Milton
Moe
North
Ogdahl
Olhoff

Olson, A. G.
Olson, H. D.
Perpich, A. J.
Perpich, G.
Purfeerst
Schaaf
Solon
Spear

Stassen
Stokowski
Stumpf
Tennessen
Wegener
Willet

Those who voted in the negative were:

Ashbach
Bang
Berg
Bernhagen
Blatz
Brataas

Brown
Conzemius
Davies
Fitzsimons
Frederick
Hansen, Mel

Hanson, R.
Josefson
Keefe, J.
Knutson
Kowalczyk
Larson

Nelson
Olson, J. L.
O'Neill
Patton
Pillsbury
Renneke

Schmitz
Sillers

So the bill passed and its title was agreed to.

S. F. No. 5: A bill for an act relating to state employees; requiring prior written approval of out of state travel requests; amending Minnesota Statutes 1974, Section 43.327, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson
Arnold
Ashbach
Bang
Berg
Bernhagen
Blatz
Borden
Brataas
Brown

Chmielewski
Coleman
Conzemius
Davies
Doty
Dunn
Fitzsimons
Frederick
Gearty
Hansen, Baldy

Hansen, Mel
Hanson, R.
Hughes
Humphrey
Jensen
Josefson
Keefe, J.
Keefe, S.
Kirchner
Kleinbaum

Knutson
Kowalczyk
Larson
Laufenburger
McCutcheon
Merriam
Milton
Moe
Nelson
North

Ogdahl
Olhoff
Olson, A. G.
Olson, H. D.
Olson, J. L.
O'Neill
Patton
Perpich, A. J.
Perpich, G.
Pillsbury

Purfeerst	Schmitz	Solon	Stokowski	Ueland
Renneke	Schrom	Spear	Stumpf	Wegener
Schaaf	Sillers	Stassen	Tennessee	Willet

So the bill passed and its title was agreed to.

S. F. No. 874: A bill for an act relating to the state board of investment; authorizing investment of state retirement system funds in obligations guaranteed by the federal small business administration; amending Minnesota Statutes 1974, Section 11.16, subdivision 9.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 476: A bill for an act relating to pensions; invalidating provisions limiting pensions or profit sharing rights if the employee joins a competing employer; amending Minnesota Statutes 1974, Chapter 181B, by adding a section.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 56 and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ashbach	Brataas	Knutson	Olson, J. L.	Patton
Bang	Hansen, Baldy	McCutcheon	O'Neill	Renneke

So the bill passed and its title was agreed to.

S. F. No. 1184: A bill for an act relating to Hennepin county; authorizing the county board to make appropriations from the county road and bridge fund to certain municipalities within the county for roads and streets.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. McCutcheon and Olson, A. G. voted in the negative.

So the bill passed and its title was agreed to.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 57 and nays 9, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bang	Moe	Olson, A. G.	Tennessen	Willet
Chenoweth	Olhoft	Spear	Wegener	

So the bill passed and its title was agreed to.

S. F. No. 1342: A bill for an act relating to corrections; expanding provisions for the establishment of private industry on grounds of correctional institutions; providing for the employment of inmates at certain wages; amending Minnesota Statutes 1974, Section 243.88, Subdivisions 1 and 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 64 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Chmielewski and Olhoft voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 93: A bill for an act relating to juvenile court; providing for payment of the costs of foster care for delinquent children; amending Minnesota Statutes 1974, Section 260.251, Subdivision 1a.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1183: A bill for an act relating to motor vehicles; powers of the registrar of motor vehicles; providing that a county or city officer appointed as a deputy registrar need not give bond to the state; amending Minnesota Statutes 1974, Section 168.33, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1302: A bill for an act relating to veterans; providing a Vietnam veterans bonus to the next of kin of those veterans missing in action; amending Minnesota Statutes 1974, Sections 197.971, Subdivision 2 and by adding subdivisions; 197.972; 197.973; and 197.976, Subdivision 2.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1156: A bill for an act relating to political subdivisions; authorizing direct loans to cities, counties and towns; amending Minnesota Statutes 1974, Chapter 465, by adding a section.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 912: A bill for an act relating to counties; authorizing the blanket performance bonds covering all county officers and employees in lieu of individually required bonds; amending Minnesota Statutes 1974, Section 382.153.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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 49.01, Subdivision 2; 54.26; and 54.27; repealing Minnesota Statutes 1974, Chapter 59, and Sections 54.28; 54.29; and 54.293.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1119: A bill for an act relating to the city of Alexandria, the towns of Alexandria, Carlos, Hudson and LaGrand in the county of Douglas, and the Alexandria lake area sanitary district; authorizing formation of certain service regions; providing certain procedures for allocating costs; amending Laws 1971, Chapter 869, Sections 2, by adding a subdivision; 9, Subdivision 1, and by adding a subdivision; 10, Subdivision 3, and by adding subdivisions; and 18, Subdivisions 4, and 6, as amended, and by adding a subdivision; repealing Laws 1971, Chapter 869, Section 9, Subdivisions 2, 3, 4 and 5.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 16, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Ogdahl	Schmitz
Arnold	Dunn	Kirchner	Olhoff	Sillers
Ashbach	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Bang	Gearty	Laufenburger	O'Neill	Spear
Blatz	Hansen, Baldy	Lewis	Patton	Stassen
Borden	Hanson, R.	McCutcheon	Perpich, A. J.	Stokowski
Brataas	Hughes	Merriam	Perpich, G.	Stumpf
Coleman	Humphrey	Moe	Purfeerst	Tennessen
Conzemius	Jensen	Nelson	Renneke	Ueland
Davies	Keefe, J.	North	Schaaf	Wegener

Those who voted in the negative were:

Berg	Chmielewski	Josefson	Larson	Pillsbury
Bernhagen	Frederick	Knutson	Olson, A. G.	Schrom
Brown	Hansen, Mel	Kowalczyk	Olson, J. L.	Willet
Chenoweth				

So the bill passed and its title was agreed to.

S. F. No. 39: A bill for an act relating to taxation; providing exemptions from the motor vehicle excise tax; amending Minnesota Statutes 1974, Section 297B.03.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

CALENDAR OF ORDINARY MATTERS

S. F. No. 935: A bill for an act relating to courts; providing that conciliation courts of county courts may conduct personal receiverships; amending Minnesota Statutes 1974, Section 487.30.

With the unanimous consent of the Senate, Mr. Solon moved to amend S. F. No. 935 as follows:

Strike everything after the enacting clause and insert:

"Section 1. A conciliation court which has been established in St. Louis County may upon the petition of a debtor within its jurisdiction appoint the clerk to act as personal receiver to receive the personal income of the debtor and distribute it to the debtor and his creditors in the proportions determined by the court. The debtor must be employed for wages or commissions, have debts he is unable to pay, have no income except that from his employment, and own only property exempt from execution. There must be a reasonable probability that all indebtedness can be discharged in 24 months. The supreme court shall provide by rule for the conduct of the receiverships."

Further amend the title:

Line 2, after "to" insert "conciliation"

Line 2, after "courts" insert "in St. Louis County"

Line 2, after "that" insert "the"

Line 3, after "of" insert "St. Louis"

Line 3, after "county" strike "courts"

Line 4, strike "; amending Minnesota Statutes 1974," and insert a period

Strike all of line 5

The motion prevailed. So the amendment was adopted.

S. F. No. 935: A bill for an act relating to conciliation courts in St. Louis county; providing that the conciliation courts of St. Louis county may conduct personal receiverships.

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

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

And the roll being called, there were yeas 65 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Knutson voted in the negative.

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

S. F. No. 571: A bill for an act relating to Wright county; requiring, with certain exceptions, the approval of the county board before any lands within the county are acquired for park purposes.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chenoweth	Dunn	Hansen, Mel
Arnold	Blatz	Chmielewski	Fitzsimons	Hanson, R.
Ashbach	Borden	Conzemius	Frederick	Hughes
Bang	Brataas	Davies	Gearty	Humphrey
Berg	Brown	Doty	Hansen, Baldy	Jensen

Josefson	Laufenburger	Olthoft	Pillsbury	Spear
Keefe, J.	Lewis	Olson, A. G.	Purfeerst	Stassen
Keefe, S.	McCutcheon	Olson, H. D.	Renneke	Stokowski
Kirchner	Merriam	Olson, J. L.	Schaaf	Stumpf
Kleinbaum	Moe	O'Neill	Schmitz	Tennessen
Knutson	Nelson	Patton	Schrom	Ueland
Kowalczyk	North	Perpich, A. J.	Sillers	Wegener
Larson	Ogdahl	Perpich, G.	Solon	Willet

So the bill passed and its title was agreed to.

S. F. No. 1577: A bill for an act relating to the city of Motley; authorizing the city to issue certificates of indebtedness to purchase certain fire equipment.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 111: A bill for an act relating to the Indian affairs commission; increasing the number of members authorized to approve expenses; amending Minnesota Statutes 1974, Section 3.922, Subdivision 3.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

GENERAL ORDERS

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

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

S. F. Nos. 527, 709, 733, 767, 551 and 1204 which the committee recommends to pass.

S. F. No. 10, which the committee recommends to pass with the following amendments offered by Mr. Davies:

Mr. Davies moved to amend S. F. No. 10 as follows:

Page 58, line 20, before "and" insert

"both upon commencement and termination of the proceedings,"

Mr. Davies then moved to amend S. F. No. 10, as follows:

Page 46, line 9, after "law" insert a period

Page 46, line 9, before "recorded" insert

"(b) a 'fixture filing' is the filing in the office where a mortgage on the real estate would be filed or"

Page 46, line 15, delete "(b)" and insert "(c)"

S. F. No. 886 which the committee reports progress.

The question being taken on the committee recommendation to pass S. F. No. 886,

And the roll being called, there were yeas 15 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Hansen, Baldy	Larson	Olson, H. D.	Schrom
Brown	Hanson, R.	Laufenburger	Patton	Solon
Fitzsimons	Kleinbaum	Ogdahl	Pillsbury	Ueland

Those who voted in the negative were:

Bernhagen	Davies	Humphrey	Olhoft	Sillers
Blatz	Doty	Keefe, S.	Olson, A. G.	Spear
Borden	Dunn	Knutson	O'Neill	Stassen
Brataas	Frederick	Lewis	Perpich, G.	Stumpf
Chenoweth	Gearty	Merriam	Renneke	Tennessen
Chmielewski	Hansen, Mel	Milton	Schaaf	Wegener
Coleman	Hughes	Nelson	Schmitz	

The motion did not prevail. So the committee progressed S. F. No. 886.

S. F. No. 923, which the committee recommends to pass with the following amendment offered by Mr. Merriam:

Page 1, line 14, after "be", insert *"invested only in certificates of deposit which do not exceed amounts"*

S. F. No. 1166, which the committee recommends to pass with the following amendment offered by Mr. Conzemius:

Page 2, after line 30, insert:

"Sec. 2. Minnesota Statutes 1974, Section 245.66, is amended to read:

245.66 [COMMUNITY HEALTH BOARDS.] Every city, county or town or combination thereof establishing a community mental health services program shall, before it may come within the provisions of sections 245.61 to 245.69, establish a community mental health board. ~~When a combination of four or less of such political subdivisions establish such a program the board shall consist of nine members.~~ When a combination of five or six of ~~such or less~~ political subdivisions establish such a program, the board shall consist of at least nine members, but not more than twelve members, at the option of the selection committee. When seven or more of such political subdivisions establish such a program the board shall consist of at least nine members, but not more than fifteen members, at the option of the selecting committee. When any city, county or town singly establishes such a program, ~~such the~~ board shall be appointed by the chief executive officer of ~~such the~~ city or the chairman of the governing body of ~~such the~~ county or town. When a non-profit corporation is the administrator of such a program not established by a city, county or town, ~~such the~~ corporation shall select a community mental health board which shall be representative of the groups herein enumerated, but the number of members need not be nine. When any combination of the political ~~subdivision subdivisions~~ herein enumerated establishes a community mental health services program, the chief executive officer of each participating city and the chairman of the governing body of each participating county or town shall appoint two members to a selecting committee, which shall select the members of the board. Membership of the community mental health board shall be representative of local health departments, medical societies, county welfare boards, hospital boards, lay associations concerned with mental health, labor, agriculture, business, civic and professional groups and the general public. Nothing in this section shall be construed to preclude the appointment to the community mental health board of individuals who are also members of a board of county commissioners so long as the mental health board retains the representative character indicated above."

Further, amend the title as follows:

Page 1, line 4, after the semicolon insert "enlarging the community mental health boards formed by four or less political subdivisions;"

Page 1, line 5, strike "Section" and insert "Sections"

Page 1, line 6, after "1" and before the period insert "; and 245.66"

S. F. No. 711, which the committee recommends to pass with the following amendment offered by Mr. Moe:

Amend the title as follows:

Page 1, line 4, strike "at home"

S. F. No. 1251, which the committee recommends to pass with the following amendment offered by Mr. Tennesen:

Page 1, line 15, strike "*all classes*" and insert "*each and every class*"

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, April 24, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate