

FIFTY-THIRD DAY

St. Paul, Minnesota, Wednesday, May 14, 1975

The Senate met at 9:00 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, J.	Ogdahl	Schmitz
Arnold	Doty	Keefe, S.	Olhoft	Schrom
Ashbach	Dunn	Kirchner	Olson, A. G.	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, H. D.	Solon
Berg	Frederick	Kowalczyk	Olson, J. L.	Spear
Bernhagen	Gearty	Larson	O'Neill	Stassen
Blatz	Hansen, Baldy	Laufenburger	Patton	Stokowski
Borden	Hansen, Mel	Lewis	Perpich, A. J.	Stumpf
Brataas	Hanson, R.	McCutcheon	Perpich, G.	Tennessee
Brown	Hughes	Merriam	Pillsbury	Ueland
Chmielewski	Humphrey	Milton	Purfeerst	Wegener
Coleman	Jensen	Moe	Renneke	Willet
Conzemius	Josefson	North	Schaaf	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Chenoweth, Knutson and Nelson were excused from this morning's Session. Mr. McCutcheon was excused from the Session of today at 3:00 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1975 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of

the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1975 May 9	Date Filed 1975 May 9
	110	99		

Sincerely,

Joan Anderson Growe
Secretary of State

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Anderson, Kirchner and Milton introduced—

S. F. No. 1750: A bill for an act relating to health; establishing a program of comprehensive school health services to be administered by the department of education; appropriating money.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Keefe, S. introduced—

S. F. No. 1751: A bill for an act relating to taxation; taxes upon real property; establishing a deduction from gross income for the cost of improvements to certain homesteads to meet building code standards.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Perpich, A. J.; Blatz and Conzemius introduced—

S. F. No. 1752: A bill for an act relating to taxation; establishing an investment tax credit for the promotion of commuter vans; exempting sales of motor vehicles used in commuter van programs from sales and use taxation; amending Minnesota Statutes 1974, Sections 290.06, by adding a subdivision; and 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Keefe, S. introduced—

S. F. No. 1753: A bill for an act relating to financial institutions; requiring insurance for accounts in credit unions and savings associations; requiring a certificate of approval; amending Minnesota Statutes 1974, Section 51A.23 by adding subdivisions; and Chapter 52 by adding a section.

Referred to the Committee on Labor and Commerce.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 220.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

Mr. President:

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

S. F. No. 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.

Senate File No. 1026 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

Mr. Frederick moved that S. F. No. 1026 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 711: A bill for an act relating to taxation; sales and use tax; definitions; excluding from term sale and purchase meals and drinks delivered or served to senior citizens or the handicapped by governmental or nonprofit organizations; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 3, and by adding subdivisions.

Senate File No. 711 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1975

CONCURRENCE AND REPASSAGE

Mr. Moe moved that the Senate concur in the amendments by the House to S. F. No. 711 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 711: A bill for an act relating to taxation; sales and use tax; definitions; excluding from term sale and purchase meals and drinks delivered or served to individuals who are 60 years of age or over, and their spouses or the handicapped by governmental or nonprofit organizations; amending Minnesota Statutes 1974, Section 297A.01, Subdivision 3, and by adding a subdivision.

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

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 39: A bill for an act relating to taxation; providing exemptions from the motor vehicle excise tax; amending Minnesota Statutes 1974, Section 297B.03.

Senate File No. 39 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 13, 1975

CONCURRENCE AND REPASSAGE

Mr. Fitzsimons moved that the Senate concur in the amendments by the House to S. F. No. 39 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 39 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Anderson	Bernhagen	Chmielewski	Frederick	Hughes
Arnold	Blatz	Davies	Gearty	Humphrey
Ashbach	Borden	Doty	Hansen, Baldy	Jensen
Bang	Brataas	Dunn	Hansen, Mel	Josefson
Berg	Brown	Fitzsimons	Hanson, R.	Kirchner

Kleinbaum	Moe	Perpich, A. J.	Sillers	Ueland
Larson	North	Perpich, G.	Solon	Wegener
Laufenburger	Ogdahl	Pillsbury	Spear	Willet
Lewis	Olson, A. G.	Purfeerst	Stassen	
McCutcheon	Olson, H. D.	Renneke	Stokowski	
Merriam	Olson, J. L.	Schmitz	Stumpf	
Milton	Patton	Schrom	Tennessee	

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 782: A bill for an act relating to courts; providing compensation and mileage allowance for jurors; amending Minnesota Statutes 1974, Section 357.26, Subdivision 1.

Senate File No. 782 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 12, 1975

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 782 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 782: A bill for an act relating to courts; providing compensation and mileage allowance for jurors; amending Minnesota Statutes 1974, Section 357.26, Subdivision 1; repealing Minnesota Statutes 1974, Section 593.18.

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

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

And the roll being called, there were yeas 56 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. North; Perpich, A. J. and Perpich, G. voted in the negative.

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 210, 649, 1199 and 1722.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 13, 1975

FIRST READING OF HOUSE BILLS

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

H. F. No. 210: A bill for an act relating to public health; providing nutritional supplements to high risk women and children; appropriating money.

Referred to the Committee on Rules and Administration.

H. F. No. 649: A bill for an act relating to human services; supporting the operation of human services boards; creating a state office of human services; providing for the development of a unified state plan and budget for human services; appropriating money; amending Minnesota Statutes 1974, Sections 402.01, Subdivision 1; 402.02, Subdivisions 1 and 2, and by adding subdivisions; 402.04, Subdivision 1; 402.05, Subdivisions 1 and 2; and 402.08; and repealing Minnesota Statutes 1974, Section 402.05, Subdivision 3.

Referred to the Committee on Finance.

H. F. No. 1199: A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, by adding subdivisions; and Chapter 254A, by adding sections.

Referred to the Committee on Rules and Administration.

H. F. No. 1722: A bill for an act relating to transportation; increasing the excise tax on gasoline and gasoline substitutes; decreasing tax levies authorized for the metropolitan transit commission; providing for a redefinition of the transit taxing district and authorizing contract service beyond the boundaries thereof; providing for public transportation improvements throughout the state and providing for public transit demonstration projects; creating the Minnesota state transportation fund, and authorizing the issuance of state bonds to provide money for appropriation to state

agencies and subdivisions to finance public lands, buildings and capital improvements needed for a balanced state transportation system; amending a route on the interstate system; adding additional routes to the trunk highway system; providing for the construction of certain acoustical barriers along certain interstate highways; appropriating money; amending Minnesota Statutes 1974, Sections 161.12; and 296.02, Subdivision 1; and Chapter 296, by adding a section; and Laws 1975, Chapter 13, Section 71, Subdivisions 1, 2 and 4.

Mr. Coleman moved that H. F. No. 1722 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H. F. No. 1292: A bill for an act relating to crime prevention; increasing the compensation for dependents of peace officers killed in the line of duty; amending Minnesota Statutes 1974, Section 352E.04.

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

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

S. F. No. 1308: 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.

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

Page 24, line 18, strike "\$1,160,000" and insert "\$840,000"

Page 24, line 19, after "fund" insert "*for the biennium ending June 30, 1977,*"

Page 24, line 24, after the period strike "*Notwithstanding the*"

Page 24, strike lines 25 through 28

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

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

S. F. No. 804: A bill for an act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency; appropriating money.

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

Page 2, line 11, strike "90" and insert "75"

Page 4, line 3, after "cancel" insert "the first year"

Page 4, line 4, strike "expended" and insert "June 30, 1977"

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

Mr. Arnold from the Committee on Finance, to which was re-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. Report adopted.

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

S. F. No. 1165: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1974, Section 116.18, Subdivisions 1 and 4.

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

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

H. F. No. 1288: A bill for an act relating to the operation of

shade tree disease control programs by local governments; providing funds for the control of shade tree disease; establishing a grant-in-aid program under the department of agriculture; appropriating money; amending Minnesota Statutes 1974, Sections 18.022, by adding a subdivision; 18.023, Subdivisions 1 and 3, and by adding subdivisions.

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

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

H. F. No. 1436: 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 do pass. Report adopted.

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

H. F. No. 872: A bill for an act relating to welfare; requiring the commissioner of public welfare to negotiate an agreement transferring the Lake Owasso Children's Home from the state to Ramsey county; appropriating money; repealing Minnesota Statutes 1974, Section 252.025, Subdivision 3.

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

Page 1, line 21, strike "The sum needed to continue"

Page 1, strike lines 22 through 24

Page 2, strike lines 1 and 2 and insert: "The sum of \$300,000 is appropriated to the department of public welfare from the general fund for the purpose of operating and maintaining the Lake Owasso Children's Home. This appropriation shall not cancel but remain available until expended."

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

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

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

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

Page 1, line 16, after "400.161" insert "*, and Laws 1975, Chapter 13, Sections 11 and 138 to 144*"

Page 2, after line 18 insert a new subdivision to read:

"Subd. 4. The agency shall submit any rules proposed under this section to the senate committee on finance and the house committee on appropriations for review."

Page 3, line 3, strike "*period*" and insert "*biennium*"

Page 3, line 4, strike "*beginning July 1, 1975, and*"

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

Mr. Arnold from the Committee on Finance, 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, Chapter 490, by adding a section; and Section 490.124, Subdivisions 2 and 9.

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

Page 1, line 12, strike "*receiving*" and insert "*entitled to receive*"

Page 1, line 15, strike "*of*" and insert "*allotted*"

Page 1, line 16, following "*1975*" strike the semicolon and insert "*and in the same proportion of such salary as the proportion to which he was entitled upon retirement*"

Page 1, line 19, strike "*his*" and insert "*the*"

Page 1, line 19, after "*if any*" insert "*and provided spouse is otherwise entitled thereto*"

Page 2, strike line 7

Page 2, line 8, strike "*required herein are hereby appropriated*"

Page 2, line 10, strike "*and the*"

Page 2, strike line 11

Page 2, line 12, strike "*appropriated from the general fund*"

Page 2, line 22, after "*retirement*" insert "*and for life*"

Page 2, line 22, after "*on*" insert "*a salary not greater than*"

Page 3, line 2, after "*if any*" insert "*and provided the spouse is otherwise entitled thereto*"

Page 3, line 12, strike "*widow*" and insert "*surviving spouse*"

Page 3, line 13, strike "*her*" and insert "*the spouse*"

Page 3, line 16, strike "*June 30*" and insert "*July 1*"

Page 3, line 18, strike all the language after "account"

Page 3, strike line 19

Page 3, line 20, strike "appropriated from the general fund"

Page 3, line 25, strike "(3)"

Page 3, line 26, strike "section" and insert "clause"

Page 3, line 32, strike "(4)" and insert "(3)"

Page 4, strike lines 7 and 8

Page 5, after line 16, insert:

"Sec. 4. [APPROPRIATION.] *There is appropriated from the general fund in the state treasury to the executive director of the Minnesota state retirement system the amounts specified in this section for the purposes indicated, to be available for the fiscal years ending June 30, 1975, 1976, and 1977.*

Supreme and district court judges' retirement benefits \$1,454,500

Supreme and district court judges' survivors' benefits \$ 568,200

Sec. 5. [NON-SEVERABILITY.] *If any provision of this act is declared unconstitutional, the entire act is void."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 3, after "act;" insert "appropriating money;"

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

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

H. F. No. 1074: A bill for an act relating to public welfare; medical assistance for the needy; establishing a department lien on certain causes of action accruing to the needy; authorizing the assignment of insurance proceeds and the subrogation to the department of the rights of any recipient of medical assistance having private health care coverage; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; and 256B, by adding sections; Sections 256B.02, by adding a subdivision; 256B.06, Subdivision 1; and 393.10, 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. Minnesota Statutes 1974, Chapter 62A, is amended by adding a section to read:

[62A.045] [PAYMENTS TO WELFARE RECIPIENTS.] *No policy of accident and sickness insurance issued or renewed after August 1, 1975, shall contain any provision denying or reducing*

benefits because services are rendered to an insured or dependent who is eligible for or receiving medical assistance pursuant to chapter 256B.

Sec. 2. Minnesota Statutes 1974, Chapter 62C, is amended by adding a section to read:

[62C.141] [PAYMENTS TO WELFARE RECIPIENTS.] *After August 1, 1975, no service plan corporation shall deliver, issue for delivery, or renew any subscriber's contract which contains any provision denying or reducing benefits because services are rendered to a subscriber or dependent who is eligible for or receiving medical assistance pursuant to chapter 256B.*

Sec. 3. Minnesota Statutes 1974, Chapter 64A, is amended by adding a section to read:

[64A.221] [PAYMENT TO WELFARE RECIPIENTS.] *After August 1, 1975, no association authorized to do business in this state which provides or pays for any health care benefits shall issue any certificate which contains any provision denying or reducing benefits because services are rendered to a certificate holder or beneficiary who is eligible for or receiving medical assistance pursuant to chapter 256B.*

Sec. 4. Minnesota Statutes 1974, Section 64A.23, is amended to read:

64A.23 [BENEFITS NOT ATTACHABLE.] *Except as provided in chapter 256B, the money or other benefits, charity, relief, or aid to be paid, provided, or rendered by any association authorized to do business under this chapter shall, neither before nor after being paid, be liable to attachment, garnishment, or other process and shall not be seized, taken, appropriated, or applied by any legal or equitable process or operation of laws to pay any debt or liability of a certificate holder or of any beneficiary named in a certificate, or of any person who may have any right thereunder.*

Sec. 5. Minnesota Statutes 1974, Section 393.10, Subdivision 2, is amended to read:

Subd. 2. [PUBLIC WELFARE; MEDICAL ASSISTANCE LIEN.] *Such The county board or county welfare board may perfect and enforce its lien by following the procedures set forth in sections 514.69, 514.70 and 514.71, except that it shall have 180 days from the date when the last item of medical, surgical or hospital care was furnished in which to file its lien. Provided, however, that no lien pursuant to this section shall be effective as to any payment made prior to the time that the lien is filed.*

Sec. 6. Minnesota Statutes 1974, Chapter 256B, is amended by adding a section to read:

[256B.042] [THIRD PARTY LIABILITY.] *Subdivision 1. When the state agency provides, pays for or becomes liable for medical care, it shall have a lien for the cost of the care upon any and all causes of action which accrue to the person to whom the*

care was furnished, or to his legal representatives, as a result of the injuries which necessitated the medical care.

Subd. 2. The state agency may perfect and enforce its lien by following the procedures set forth in sections 514.69, 514.70 and 514.71, except that it shall have one year from the date when the last item of medical care was furnished in which to file its verified lien statement, and the statement shall be filed with the appropriate clerk of court in the county of financial responsibility. The verified lien statement shall contain the following: the name and address of the person to whom medical care was furnished, the date of injury, the name and address of the vendor or vendors furnishing medical care, the dates of the service, the amount claimed to be due for the care, and, to the best of the state agency's knowledge, the names and addresses of all persons, firms or corporations claimed to be liable for damages arising from the injuries. This section shall not affect the priority of any attorney's lien.

Sec. 7. Minnesota Statutes 1974, Chapter 256B, is amended by adding a section to read:

[256B.37] [PRIVATE INSURANCE POLICIES.] *Subdivision 1. Upon furnishing medical assistance to any person having private health care coverage, the state agency shall be subrogated, to the extent of the cost of medical care furnished, to any rights the person may have under the terms of any private health care coverage. The right of subrogation does not attach to benefits paid or provided under private health care coverage prior to the receipt of written notice of the exercise of subrogation rights by the carrier issuing the health care coverage.*

Subd. 2. To recover under this section, the attorney general, or the appropriate county attorney, acting upon direction from the attorney general, may institute or join a civil action against the carrier of the private health care coverage.

Sec. 8. Minnesota Statutes 1974, Chapter 256B, is amended by adding a section to read:

[256B.39] [AVOIDANCE OF DUPLICATE PAYMENTS.] *Billing statements forwarded to recipients of medical assistance by vendors seeking payment for medical care rendered shall clearly state that reimbursement from the state agency is contemplated.*

Sec. 9. Minnesota Statutes 1974, Section 256B.02, is amended by adding a subdivision to read:

Subd. 9. "Private health care coverage" means any plan regulated by chapters 62A, 62C or 64A. Private health care coverage also includes any self-insurance plan providing health care benefits.

Sec. 10. Minnesota Statutes 1974, Section 256B.06, Subdivision 1, is amended to read:

256B.06 [ELIGIBILITY REQUIREMENTS.] *Subdivision 1. Medical assistance may be paid for any person:*

(1) Who is eligible for or receiving public assistance under the aid to families with dependent children program; or

(2) Who is eligible for or receiving supplemental security income for the aged, blind and disabled; or

(3) Who except for the amount of income or resources would qualify for supplemental security income for the aged, blind and disabled, or aid to families with dependent children and is in need of medical assistance; or

(4) Who is under 21 years of age and in need of medical care that neither he nor his relatives responsible under sections 256B.01 to 256B.26 are financially able to provide; or

(5) Who is residing in a hospital for treatment of mental disease or tuberculosis and is 65 years of age or older and without means sufficient to pay the per capita hospital charge; and

(6) Who resides in Minnesota, or, if absent from the state, is deemed to be a resident of Minnesota in accordance with the regulations of the state agency; and

(7) Who alone, or together with his spouse, does not have equity in real property in excess of \$15,000; and

(8) Who, if single, does not have more than \$750 in cash or liquid assets or, if married, whose cash or liquid assets do not exceed \$1,000 plus \$150 for each additional legal dependent; and

(9) Who has or anticipates receiving an annual income not in excess of \$2,600 for a single person, or \$3,250 for two family members (man and wife, parent and child, or two siblings), plus \$625 for each additional legal dependent, or who has income in excess of these maxima and in the month of application (or during the three months prior to the month of application) incurs expenses for medical care that total more than one-half of the annual excess income in accordance with the regulations of the state agency. In such excess income cases, eligibility shall be limited to a period of six months beginning with the first of the month in which these medical obligations are first incurred.

Who has continuing monthly expenses for medical care that are more than the amount of his excess income, computed on a monthly basis, in which case eligibility may be established before the total income obligation referred to in the preceding paragraph is incurred, and medical assistance payments may be made to cover the monthly unmet medical need. In licensed nursing home and state hospital cases, both excess income and income over and above that required for justified needs are to be applied to the cost of institutional care; and

(10) Who has applied or agrees to apply all proceeds received or receivable by him or his spouse from ~~health and accident insurance policies private health care coverage~~ *on to the costs of medical care for himself, his spouse, and children. The state agency may require from any applicant or recipient of medical assistance the assignment of any rights accruing under private health care cover-*

age. Any rights or amounts so assigned shall be applied against the cost of medical care paid for under this chapter. Any assignment shall not be effective as to benefits paid or provided under private health care coverage prior to receipt of the assignment by the person or organization providing the benefits."

Further amend the title in its entirety and insert:

"A bill for an act relating to public welfare; establishing a lien on certain causes of action accruing to recipients of medical assistance; authorizing the assignment of insurance proceeds and the subrogation to the commissioner of public welfare of the rights of any recipient of medical assistance having private health care coverage; amending Minnesota Statutes 1974, Chapters 62A, by adding a section; 62C, by adding a section; 64A, by adding a section; 256B, by adding sections; and Sections 64A.23; 256B.02, by adding a subdivision; 256B.06, Subdivision 1; and 393.10, Subdivision 2."

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

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

H. F. No. 343: A bill for an act relating to outdoor recreation; establishing an outdoor recreation system; classifying units of the outdoor recreation system and specifying the purposes and administration of each class of units; providing for authorization, acquisition, and establishment of units; requiring master plans for all units; establishing an outdoor recreation advisory council; requiring a registry of units and reports on existing units and new units; providing for review of present classifications; changing names; amending Minnesota Statutes 1974, Sections 84.029, Subdivision 1; 84.03; 84.033; 97.48, Subdivisions 13, 15 and 25; 97.481; 99.251; 104.35, Subdivision 3; 104.37; 138.09; 138.52, Subdivision 1; 138.53, Subdivision 49, and by adding subdivisions; 138.56, Subdivision 1, and by adding subdivisions; 138.585, Subdivision 1, and by adding subdivisions; 138.60, Subdivision 2; 161.10; and repealing Minnesota Statutes 1974, Sections 85.013, Subdivisions 2, 3, 4, 5b, 6, 7, 11, 17, 18, 25, 25a, and 27; 85.20, Subdivisions 2, 3, 4, and 5; 92.46, Subdivision 2; 138.08; 138.52, Subdivisions 2, 3, 4, 5, and 6; 138.53, Subdivisions 4, 11, 12, 17, 30, 48, and 61; 138.54; 138.55, Subdivisions 18 and 19; 138.57, Subdivisions 6 and 7; 138.60, Subdivision 3.

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

Page 2, line 16, strike "*and equitable*"

Page 2, line 19, strike "*12*" and insert "*11*"

Page 2, line 26, strike "*such*" and insert "*the*"

Page 2, line 28, strike "*12*" and insert "*11*"

Page 3, line 6, after "*class*" insert "*of units*"

Page 4, line 18, after "*individual*" insert "*natural*"

Page 4, line 18, strike "*recreation area*" and insert "*recreational state park*"

Page 4, line 23, strike "*such*"

Page 5, line 2, after "*a*" insert "*natural*"

Page 5, line 15, after "*and*" begin a new paragraph and insert "(3)" before "*is*"

Page 6, line 24, strike "*state recreation areas*" and insert "*recreational state parks*"

Page 7, line 26, strike "*that mode*" and insert "*a particular manner of travel*"

Page 8, line 2, strike "*act*" and insert "*subdivision*"

Page 8, line 7, after "*pass,*" insert "*and*"

Page 8, strike line 32

Page 9, strike line 1

Page 9, line 5, strike "*a*" and insert "*an undisturbed*"

Page 11, line 21, after "*traffic.*" insert "*Motorized traffic shall not be allowed.*"

Page 11, line 22, strike "*Motorized traffic shall not be allowed*"

Page 11, strike line 23

Page 11, line 24, strike "*purposes.*"

Page 11, line 32, strike "*such*"

Page 12, line 1, strike "*such*" and insert "*a*"

Page 12, line 1, strike "*as is*"

Page 14, line 16, strike "*such*" and insert "*the*"

Page 16, line 17, strike "*said*" and insert "*the*"

Page 16, line 27, strike "*may*" and insert "*shall*"

Page 17, line 26, strike "*said*" and insert "*the*"

Page 17, line 31, strike "*said*" and insert "*the*"

Page 18, line 1, strike "*such*" and insert "*the*"

Page 18, line 7, strike "*such*" and insert "*the*"

Page 18, line 11, before "*state*" insert "*natural*"

Page 19, line 11, strike "*agreement*" and insert "*agreement*"

Page 19, line 16, strike "*shall have*" and insert "*has*"

Page 19, line 18, strike "*shall have*" and insert "*has*"

Page 19, line 30, after "*present*" strike "*such*" and insert "*the*"

Page 19, line 30, after "*in*" strike "*such*"

Page 19, line 31, strike "*in such*"

Page 19, line 31, strike "*as may be*" and insert "*that is*"

Page 22, line 8, strike "*schedules*" and insert "*scheduled*"

Page 23, line 13, strike "[86A.12]"

Page 23, line 24, after "*before*" insert "*January 1, 1976 and*"

Page 24, line 6, after "*before*" insert "*January 1, 1976 and*"

Page 28, line 9, restore the stricken language and strike the new language

Page 30, line 31, strike "*establish*" and insert "*designate*"

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

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

S. F. No. 1415: A bill for an act relating to public welfare; authorizing an experimental program for the cost of home care of mentally retarded and cerebral palsied children; appropriating money; amending Minnesota Statutes 1974, Section 252.27, by adding a subdivision.

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

Page 1, line 18, after "*retarded*" strike "*or cerebral palsied*"

Page 2, line 1, strike "*the costs of room and board,*"

Page 2, line 2, strike "*as well as*"

Page 2, line 2, strike "*additional needed services including,*"

Page 2, line 3, strike "*but not limited to,*"

Page 2, line 6, strike "*daytime activity center costs,*"

Page 2, line 8, after "*costs*" insert "*not to exceed \$250 per month per family*"

Page 2, strike section 2

Further amend the title as follows:

Page 1, line 4, strike "*and cerebral palsied*"

Page 1, line 5, strike "*appropriating money;*"

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

Mr. Arnold from the Committee on Finance to which was referred

S. F. No. 429: A bill for an act relating to the Minnesota zoological garden; providing a means of public access to the garden at the time of its opening; directing the department of highways to improve a certain road to provide such public access; and appropriating money.

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

Page 2, line 31, after "enactment." insert "The appropriation made in section 4 shall not cancel on June 30, 1975, but shall remain available until June 30, 1977."

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

Mr. Arnold from the Committee on Finance to which was referred

S. F. No. 1347: A bill for an act relating to public transit; providing for public transportation improvements throughout the state and public transit demonstration projects as provided for in Laws 1974, Chapter 534; appropriating money.

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

Page 1, line 15, after "assistance" insert "or demonstration projects"

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

Mr. Arnold from the Committee on Finance, 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 by adding a subdivision; and Chapter 241, by adding a section; repealing Minnesota Statutes 1974, Section 241.42, Subdivision 4; and Laws 1973, Chapter 553, Section 7.

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

Page 1, line 19, after "and" strike "*municipal*,"

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

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

S. F. No. 243: A bill for an act relating to corrections; providing for the retention of funds received for use of facilities and

provision of services to juvenile courts; amending Minnesota Statutes 1974, Sections 241.01, Subdivision 7; and 260.161, Subdivision 1.

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

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

H. F. No. 521: 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 do pass. Report adopted.

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

H. F. No. 2: A bill for an act relating to employment services; authorizing the summer employment of young persons for state and local service; appropriating money.

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

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

H. F. No. 231: A bill for an act relating to motor vehicles; authorizing the issuance of special license plates to physically handicapped persons; amending Minnesota Statutes 1974, Section 168.021.

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

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

S. F. No. 1206: A bill for an act relating to state parks; exempting senior citizens from payment of certain fees; amending Minnesota Statutes 1974, Section 85.05, Subdivision 1.

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

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

S. F. No. 1167: A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees, native Americans, and underserved groups; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, Subdivision 1, and by adding subdivisions; and Chapter 254A, by adding sections.

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

Page 2, line 12, after the period insert "*The method of evaluation shall be one approved by the alcohol and drug abuse evaluation consortium.*"

Page 2, after line 12, insert:

"Subd. 18. "Alcohol and drug abuse evaluation consortium" means a collaborative agency working within the state authority and comprised of individuals employed at the state authority and the university of Minnesota. The agency shall develop guidelines and criteria for effective evaluation of all activity funded through the state authority. The evaluation shall be directed at determining the degree to which funded activities attain their pre-stated objectives, whether existent and proposed activities are the most appropriate programmatic response to predetermined needs and whether they are the most cost effective."

Page 3, line 25, strike "*Subdivision 1.*"

Page 4, strike lines 1 through 6

Page 4, line 19, after the period insert "*In evaluating or providing for the evaluation of programs, he shall consult with the alcohol and drug abuse evaluation consortium.*"

Page 6, line 15, after the period insert "*Reallocations under this provision may only be made after consultation with the alcohol and drug abuse evaluation consortium.*"

Page 6, line 19, strike "\$5,000,000" and insert "\$2,360,000"

Page 6, line 25, strike "\$250,000" and insert "\$125,000"

Page 6, line 32, strike "\$2,700,000" and insert "\$1,400,000"

Page 6, line 32, strike "*For the purposes of section 6,*"

Page 7, strike lines 1 and 2

Page 7, line 14, strike "\$100,000" and insert "\$50,000"

Page 7, line 18, strike "\$225,000." and insert "\$125,000; and there is appropriated to the Board of Regents of the University of Minnesota for the biennium ending June 30, 1977, the sum of \$150,000."

Further amend the title as follows:

Page 1, line 5, after "groups;" insert "creating an alcohol and drug abuse evaluation consortium, and prescribing its duties;"

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

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

H. F. No. 982: A bill for an act relating to motor vehicles;

authorizing the issuance of personalized license plates; prescribing additional charges therefor; amending Minnesota Statutes 1974, Section 168.12, by adding a subdivision.

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

Page 1, line 13, strike "\$30" and insert "\$75"

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

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

H. F. No. 837: A bill for an act providing for the identification of donors by the designation "donor" on the driver's license or nonqualification certificate; appropriating money; amending Minnesota Statutes 1974, Sections 171.07, by adding a subdivision; 171.12, by adding a subdivision; 525.924, by adding a subdivision; and 525.927, Subdivision 3.

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

Page 1, line 12, strike "shall" and insert "may"

Page 3, line 6, strike "\$44,000" and insert "\$35,000"

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

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

H. F. No. 533: A bill for an act relating to public welfare; Red Lake Indian reservation; state payments; amending Minnesota Statutes 1974, Chapter 256, by adding a section.

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

Page 1, line 11, strike "100" and insert "90"

Page 2, line 7, strike "the day following final"

Page 2, line 8, strike "enactment" and insert "July 1, 1975"

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

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

H. F. No. 685: A bill for an act relating to daytime activities centers; providing for the transportation of handicapped persons to licensed daytime activity centers attended by these persons; amending Minnesota Statutes 1974, Sections 123.39, by adding a subdivision; 252.24, Subdivision 4; and 252.26.

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

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

S. F. No. 1096: A bill for an act relating to public safety; telephone companies; providing for local emergency telephone service; appropriating money.

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

Page 1, line 8, strike "in every county" and insert "to serve throughout each of the seven counties in the metropolitan area, and similar systems shall be established on or before December 15, 1984, to serve throughout every remaining county in the state"

Page 1, line 10, after the period insert "Determination of non-compatibility may be made only by the department of administration."

Page 1, line 12, strike "or" and insert "and"

Page 1, line 17, strike "Every system may" and insert "Planning for every system shall"

Page 1, line 18, after "include" insert the "the study of"

Page 1, line 19, after "and" insert "emergency"

Page 2, line 6, strike "1980" and insert "1984, where technologically feasible. Determination of non-feasibility may be made only by the department of administration"

Page 2, line 15, after "number" insert ", dispatch zone identification,"

Page 2, line 19, strike "develop an overall plan" and insert "coordinate"

Page 2, line 20, strike "for"

Page 2, line 21, strike "December 15, 1980" and insert "the deadline established in section 1"

Page 2, line 27, after "increase" insert "911 systems' "

Page 2, line 30, strike "technical and operational"

Page 3, line 17, after "date" insert "and a description of changes planned during the reporting period"

Page 3, line 18, after "2" insert "or changes planned pursuant to subdivision 3"

Page 3, line 22, strike "shall" and insert "may"

Page 3, line 27, strike "shall" and insert "may"

Page 3, line 32, before "In" insert "Subdivision 1."

Page 4, line 7, strike "Copies of the"

Page 4, strike lines 8 and 9

Page 4, strike line 10 and insert

“Subd. 2. Public safety agencies with jurisdictional responsibilities shall in all cases be notified by the dispatch center of a request for service in their jurisdiction.”

Page 4, line 12, strike “December 1, 1975 and December 1, 1976,” and insert “January 1, 1976 to January 1, 1977,”

Page 4, line 24, strike “\$35,000” and insert “\$40,000”

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

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

S. F. No. 1379: A bill for an act relating to economic development; participation in federal programs by the area redevelopment agency; authorizing the state agency to make certain loans and guarantees and to expend funds for certain purposes; appropriating money; amending Minnesota Statutes 1974, Section 472.13, by adding a subdivision.

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

Page 2, after line 11, insert:

“There shall be designated \$250,000 from this appropriation for the development of pilot community development corporation projects; areas to be designated by the commissioner of economic development with approval from the state executive council. At least one will be in the metropolitan area and one in outstate Minnesota. Up to \$50,000 may be used for administration.”

Further amend the title as follows:

Page 1, line 6, after “purposes;” insert “authorizing community development corporation projects;”

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

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

S. F. No. 50: A bill for an act relating to public health; providing nutritional supplements to high risk women and children; appropriating money.

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

Page 1, strike lines 6 through 20

Renumber the sections in sequence

Page 5, line 16, strike “\$3,000,000” and insert “\$1,000,000”

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

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

S. F. No. 916: A bill for an act relating to historic sites; providing for acquisition, administration and control of additional sites by the Minnesota historical society; appropriating money; amending Minnesota Statutes 1974, Sections 138.025, Subdivision 1, and by adding subdivisions; and 138.53, Subdivision 50; repealing Minnesota Statutes 1974, Sections 85.012, Subdivision 7; and 138.025, Subdivisions 7 and 8.

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

Page 3, line 27, strike "\$260,000" and insert "\$200,000"

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

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

S. F. No. 1339: A bill for an act relating to appropriations; appropriating funds for development of a comprehensive plan for the development of irrigation and specialty crops.

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

Page 1, line 8, strike "\$226,835" and insert "\$175,000"

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

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

S. F. No. 1299: A bill for an act relating to education; fluctuating school enrollments; providing for study by an advisory commission; appropriating money; repealing Laws 1974, Chapter 355, Section 68, Subdivision 4.

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

Page 1, line 8, after the dollar sign insert "60,000"

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

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

S. F. No. 250: A bill for an act relating to the legislature; creating an advisory on the Minnesota legislature; prescribing powers and duties; appropriating money.

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

Page 1, line 9, strike "17" and insert "12"

Page 1, line 12, after the comma insert "and"

Page 1, line 13, strike ", and five by the governor"

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

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

H. F. No. 48: A bill for an act relating to public welfare; providing a coordinated approach to the supervision, protection and habilitation of mentally retarded persons; amending Minnesota Statutes 1974, Sections 253A.02, Subdivision 5, and by adding a subdivision; 253A.04, Subdivisions 1 and 2; 253A.07, Subdivision 17, 19, and 21; 253A.15, Subdivision 1; 256.93, Subdivisions 1 and 2; 259.24, Subdivision 1; and 517.03; repealing Minnesota Statutes 1974, Sections 253A.07, Subdivision 18; 253A.13; and 256.07.

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred for proper reference under Rule 35, together with the committee report thereon,

H. F. No. 1527: A bill for an act relating to motor vehicles; providing for licensing and taxation; providing penalties; amending Minnesota Statutes, 1973 Supplement, Section 168.013, Subdivisions 1c and 1e, and 1g, as amended; and Minnesota Statutes 1974, Sections 168.012, Subdivision 7; 168.09, Subdivision 3; and 168.31, Subdivision 3.

Reports the same back with the recommendation that the report from the Committee on Transportation and General Legislation shown in the Journal for May 10, 1975 that "when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

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

H. F. Nos. 1180 and 719 for comparison to companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their Second Reading and substituted for their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1180	1177				
719	685				

and that the above Senate Files be indefinitely postponed.

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

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

H. F. Nos. 654, 831, 718, 1146 and 1441 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
654	1041				
831	1700				
718	1171				
1146	1390				
1441	1695				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 654 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 609.185, is amended to read:

609.185 [MURDER IN THE FIRST DEGREE.] Whoever does either of the following is guilty of murder in the first degree and shall be sentenced to imprisonment for life:

(1) Causes the death of a human being with premeditation and with intent to effect the death of such person or of another; or

(2) Causes the death of a human being while committing or attempting to commit ~~rape or sodomy~~ *criminal sexual conduct in the first or second degree* with force or violence, either upon or affecting such person or another.

Sec. 2. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.29] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 2 to 12, the terms in this section have the meanings given them:*

Subd. 2. "Actor" means a person accused of criminal sexual conduct.

Subd. 3. "Force" means commission or threat by the actor of an assault, as defined in section 609.22, or commission or threat of any other crime by the actor against the complainant or another, which causes the complainant to reasonably believe that the actor has the present ability to execute the threat, and also causes the complainant to submit.

Subd. 4. "Consent" means a voluntary uncoerced manifestation of a present agreement to perform a particular sexual act.

Subd. 5. "Intimate parts" includes the primary genital area, groin, inner thigh, buttocks, or breast of a human being.

Subd. 6. "Mentally defective" means that a person suffers from a mental disease or defect which renders that person temporarily or permanently incapable of appraising the nature of his conduct.

Subd. 7. "Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling his conduct due to the influence of alcohol, a narcotic, anesthetic, or any other substance administered to that person without his agreement, or due to any other act committed upon that person without his agreement.

Subd. 8. "Physically helpless" means that a person is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to act and the condition is known or reasonably should have been known to the actor.

Subd. 9. "Position of authority" includes but is not limited to any person acting in the place of a parent and charged with any of a parent's rights, duties or responsibilities to a child, or a person who is charged with any duty or responsibility for the health, welfare, or supervision of a child, either independently or through another, no matter how brief, at the time of the act.

Subd. 10. "Sexual contact" includes any of the following acts committed without the complainant's consent, if the acts can reasonably be construed as being for the purpose of satisfying the actor's sexual or aggressive impulses, except in those cases where consent is not a defense:

(i) The intentional touching by the actor of the complainant's intimate parts, or

(ii) The coerced touching by the complainant of the actor's, the complainant's, or another's intimate parts, or

(iii) The coerced touching by another of the complainant's intimate parts, or

(iv) In any of the cases above, of the clothing covering the immediate area of the intimate parts.

Subd. 11. "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion however slight into the genital or anal openings of the complainant's body of any part of the actor's body or any object used by the actor for this purpose, where the act is committed without the complainant's consent, except in those cases where consent is not a defense. Emission of semen is not necessary.

Subd. 12. "Complainant" means a person alleging to have been subjected to criminal sexual conduct.

Sec. 3. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.291] [CRIMINAL SEXUAL CONDUCT IN THE FIRST DEGREE.] A person is guilty of criminal sexual conduct in the first degree and may be sentenced to imprisonment for not more than 20 years, if he engages in sexual penetration with another person and if any of the following circumstances exists:

(a) *The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or*

(b) *The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant, and uses this authority to coerce the complainant to submit. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or*

(c) *Circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another; or*

(d) *The actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit; or*

(e) *The actor causes bodily harm to the complainant, as defined in section 609.02, subdivision 7, and either of the following circumstances exists:*

(i) *The actor uses force or coercion to accomplish sexual penetration; or*

(ii) *The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless; or*

(f) *The actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:*

(i) *An accomplice uses force or coercion to cause the complainant to submit; or*

(ii) *An accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant reasonably to believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.*

Sec. 4. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.292] [CRIMINAL SEXUAL CONDUCT IN THE SECOND DEGREE.] *A person is guilty of criminal sexual conduct in the second degree and may be sentenced to imprisonment for not more than 15 years if he engages in sexual contact with another person and if any of the following circumstances exists:*

(a) *The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or*

(b) *The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant and in a position of authority over the complainant, and uses this authority to coerce the complainant to submit. Neither mistake as to the complainant's age nor consent to the act by the complainant is a defense; or*

(c) *Circumstances existing at the time of the act cause the complainant to have a reasonable fear of imminent great bodily harm to the complainant or another; or*

(d) *The actor is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the dangerous weapon to cause the complainant to submit; or*

(e) *The actor causes bodily harm to the complainant, as defined in section 609.02, subdivision 1, and either of the following circumstances exists:*

(i) *The actor uses force or coercion to accomplish the sexual contact; or*

(ii) *The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless; or*

(f) *The actor is aided or abetted by one or more accomplices within the meaning of section 609.05, and either of the following circumstances exists:*

(i) *An accomplice uses force or coercion to cause the complainant to submit; or*

(ii) *An accomplice is armed with a dangerous weapon or any article used or fashioned in a manner to lead the complainant to reasonably believe it to be a dangerous weapon and uses or threatens to use the weapon or article to cause the complainant to submit.*

Sec. 5. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.293] [CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE.] *A person is guilty of criminal sexual conduct in the third degree and may be sentenced to imprisonment for not more than ten years, if he engages in sexual penetration with another person and any of the following circumstances exists:*

(a) *The complainant is under 13 years of age and the actor is no more than 36 months older than the complainant. Neither mistake as to the complainant's age nor consent to the act by the complainant shall be a defense; or*

(b) *The complainant is at least 13 but less than 16 years of age and the actor is more than 24 months older than the complainant and not in a position of authority over the complainant. In any such case it shall be an affirmative defense, which must be proved by a preponderance of the evidence, that the actor believes the complainant to be 16 years of age or older. If the actor in such a case is no more*

than 48 months but more than 24 months older than the complainant, he may be sentenced to imprisonment for not more than five years. Consent by the complainant is not a defense; or

(c) The actor uses force or coercion to accomplish the penetration; or

(d) The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless.

Sec. 6. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.294] [CRIMINAL SEXUAL CONDUCT IN THE FOURTH DEGREE.] *A person is guilty of criminal sexual conduct in the fourth degree and may be sentenced to imprisonment for not more than five years, if he engages in sexual contact with another person and if any of the following circumstances exists:*

(a) The complainant is under 13 years of age and the actor is more than 36 months older than the complainant. Neither mistake as to the complainant's age or consent to the act by the complainant is a defense; or

(b) The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant or in a position of authority over the complainant and uses this authority to coerce the complainant to submit. In any such case, it shall be an affirmative defense which must be proved by a preponderance of the evidence that the actor reasonably believes the complainant to be 16 years of age or older; or

(c) The actor uses force or coercion to accomplish the sexual contact; or

(d) The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless.

Sec. 7. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.295] [SUBSEQUENT OFFENSES.] *Subdivision 1. If a person is convicted of a second or subsequent offense under sections 3 to 7 within 15 years of the prior conviction, the court shall commit the defendant to the commissioner of corrections for imprisonment for a term of not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted; provided, however, that the court may invoke the provisions of section 609.135, if a specific condition of the probationary term under section 609.135 includes the successful completion of a treatment program for anti-social sexual behavior, and such person shall not be eligible for parole from imprisonment until he shall either have served the full minimum sentence herein provided, or until he shall have successfully completed a treatment program for anti-social sexual behavior as herein provided notwithstanding the provisions of sections 242.19, 243.05, 609.11, 609.12 and 609.135.*

Subd. 2. For the purposes of this section, an offense is considered a second or subsequent offense if, prior to conviction of the second or subsequent offense, the actor has been at any time convicted under sections 3 to 7 or under any similar statute of the United States, or this or any other state.

Sec. 8. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.296] [EVIDENCE.] *Subdivision 1. In a prosecution under sections 3 to 7, the testimony of a complainant need not be corroborated.*

Subd. 2. In a prosecution under sections 3 to 7, there is no need to show that the complainant resisted the actor.

Subd. 3. In a prosecution under sections 3 to 7, evidence of the complainant's previous sexual conduct shall not be admitted nor shall any reference to such conduct be made in the presence of the jury, except by court order under the procedure provided in subdivision 4, and only to the extent that the court finds that any of the following proposed evidence is material to the fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value:

(a) When consent or fabrication by the complainant is the defense in the case, evidence of such conduct tends to establish a common scheme or plan of similar conduct on the part of the complainant, relevant to the issue of consent or fabrication. Evidence of such conduct engaged in more than one year prior to the date of alleged offense is inadmissible;

(b) Evidence of specific instances of sexual activity showing the source of semen, pregnancy, or disease at the time of the incident or, in the case of pregnancy, between the time of the incident and trial;

(c) Evidence of the complainant's past sexual conduct with the defendant;

(d) For purposes of impeachment, when such evidence is offered to rebut specific testimony of the complainant.

Subd. 4. The defendant may not offer evidence described in subdivision 3 except pursuant to the following procedure:

(a) A motion shall be made by the defendant prior to trial, unless later for good cause shown, stating to the court and prosecutor that the defendant has an offer of proof of the relevancy of the evidence of the sexual conduct of the complainant which is proposed to be presented;

(b) If the court finds that the offer of proof is sufficient, the court shall order a hearing out of the presence of the jury, if any, and in such hearing shall allow the defendant to make a full presentation of his offer of proof;

(c) At the conclusion of the hearing, if the court finds that the evidence proposed to be offered by the defendant regarding the

sexual conduct of the complainant is relevant and material to the fact of consent, and is not so prejudicial as to be inadmissible, the court shall make an order stating the extent to which evidence is admissible under subdivision 3 and prescribing the nature of questions to be permitted at trial. The defendant may then offer evidence pursuant to the order of the court;

(d) If new information is discovered after the date of the hearing or during the course of trial, which may make evidence described in subdivision 3 admissible, the defendant shall make the disclosures under clause (a) of this subdivision and the court shall order an in camera hearing to determine whether the proposed evidence is admissible by the standards herein.

Subd. 5. In a prosecution under sections 3 to 7, the court shall not instruct the jury to the effect that:

(a) It may be inferred that a complainant who has previously consented to sexual intercourse with persons other than the defendant would be therefore more likely to consent to sexual intercourse again; or

(b) The complainant's previous or subsequent sexual conduct in and of itself may be considered in determining the credibility of the complainant; or

(c) Criminal sexual conduct is a crime easily charged by a complainant but very difficult to disprove by a defendant because of the heinous nature of the crime; or

(d) The jury should scrutinize the testimony of the complainant any more closely than it should scrutinize the testimony of any witness in any felony prosecution.

Sec. 9. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.297] This act shall not apply to sexual penetration or sexual contact when done for a bona fide medical purpose.

Sec. 10. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.298] A person does not commit criminal sexual conduct under this act if the actor and complainant were cohabiting at the time of the alleged offense, or if the complainant is the actor's legal spouse, unless the couple is living apart and one of them has filed for separate maintenance or dissolution of the marriage. Nothing in this section shall be construed to prohibit or restrain the prosecution for any other offense committed by any person against his legal spouse.

Sec. 11. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.299] [COSTS OF MEDICAL EXAMINATION.] No costs incurred by a county, city, or private hospital or other emergency medical facility or by a private physician for the examination of a complainant of criminal sexual conduct, when the examination is per-

formed for the purpose of gathering evidence for possible prosecution, shall be charged directly or indirectly to the complainant. The reasonable costs of such examination shall be paid by the county in which the alleged offense was committed. Nothing in this section shall be construed to limit the duties, responsibilities, or liabilities of any insurer, whether public or private.

Sec. 12. Minnesota Statutes 1974, Chapter 609, is amended by adding a section to read:

[609.2911] [APPLICABILITY TO PAST AND PRESENT PROSECUTIONS.] *Except for section 8 of this act, crimes committed prior to the effective date of this act are not affected by its provisions.*

Sec. 13. *Minnesota Statutes 1974, Sections 609.29; 609.291; 609.-292; 609.293; 609.295; 609.296; 609.34; and 609.36 are repealed.*"

Further amend the title as follows:

Line 6, after "609.185;" insert "and"

Line 8, delete "and"

Line 9, after "609.296" insert "; 609.34; and 609.36"

And when so amended, H. F. No. 654 will be identical to S. F. No. 1041 and further recommends that H. F. No. 654 be given its second reading and substituted for S. F. No. 1041 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 831 be amended as follows:

Page 1, after line 8, insert

"Section 1. Minnesota Statutes 1974, Section 609.11, is amended by adding a subdivision to read:

Subd. 3. A defendant convicted of soliciting or inducing another to practice prostitution within the meaning of section 609.32, subdivision 2, shall be committed to the commissioner of corrections or the Minnesota corrections authority for a term of not less than one year and if the defendant has been previously convicted of this crime the defendant shall not be eligible for stay of imposition of sentence, stay of execution of sentence, nor for probation by the court, nor shall he be conditionally released by parole until the expiration of the one year term, notwithstanding the provisions of sections 242.19, 243.05, 609.12 and 609.135."

Page 1, line 13, restore the stricken "or to payment of" and delete the underscored period

Page 1, line 14, restore the stricken ", or both:" and delete "may also be"

Page 1, delete line 15

Page 3, after line 13, insert

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

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 4, after "prostitution;" insert "providing minimum sentences for certain felonies relating to soliciting another to practice prostitution;"

Page 1, line 5, delete "Section" and insert "Sections 609.11, by adding a subdivision; and"

And when so amended, H. F. No. 831 will be identical to S. F. No. 1700 and further recommends that H. F. No. 831 be given its second reading and substituted for S. F. No. 1700 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 718 be amended as follows:

Page 2, line 3, strike "has no usual place of abode and"

Page 2, lines 9 and 10, strike "no person is actually occupying the premises and that"

Page 2, strike line 23

Page 2, line 24, strike "his appearance and defend therein" and insert "*proceed*"

Page 2, after line 24 insert

"Sec. 2. Minnesota Statutes 1974, Section 566.09, is amended to read:

566.09 [JUDGMENT; FINE; EXECUTION.] If, upon the trial, the justice or jury find for the plaintiff, the justice shall *immediately* thereupon enter judgment that the plaintiff have restitution of the premises, and tax the costs for him. The justice shall issue execution in favor of the plaintiff for such costs, and also *immediately* issue a writ of restitution. *No stay of the writ of restitution may be granted except upon a showing by the defendant that the restitution would work a substantial hardship upon the defendant. Upon a proper showing by the defendant of substantial hardship, the justice may stay the writ of restitution for a reasonable period not to exceed seven days, except that no stay of the writ of restitution shall extend later than three days prior to the date the rent is next due.* If the justice or jury shall find for the defendant, he shall enter judgment for the defendant, tax the costs against the plaintiff, and issue execution therefor."

Further, amend the title as follows:

Page 1, line 3, before "amending" insert "providing for stay of writ of restitution;"

Page 1, line 3, delete "Section 566.06" and insert "Sections 566.06; and 566.09"

And when so amended, H. F. No. 718 will be identical to S. F. No. 1171 and further recommends that H. F. No. 718 be given its

second reading and substituted for S. F. No. 1171 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1146 be amended as follows:

Page 1, line 15, delete "*may bring an action*" and insert "*has a claim*"

Page 2, line 5, after "*sale*" insert a comma

Page 4, line 8, delete the second "*the*" and insert "*a*"

Page 5, line 10, after "*void.*" delete the remainder of the line

Page 5, delete lines 11 to 13

Page 7, line 3, delete "*personally or*"

Page 7, line 3, after "*mail*" delete the comma and insert "*or personally*"

Page 8, delete lines 5 to 8

Page 9, after line 11, insert

"Sec. 9. Minnesota Statutes 1974, Section 504.20, is amended by adding a subdivision to read:

Subd. 7a. No tenant may withhold payment of all or any portion of rent for the last payment period of a residential rental agreement on the grounds that such deposit should serve as payment for the rent. Withholding all or any portion of rent for the last payment period of the residential rental agreement creates a rebuttable presumption that the tenant withheld the last payment on the grounds that such deposit should serve as payment for the rent. Violation of this subdivision after written demand and notice of this subdivision shall subject the tenant to damages of twice the deposit and forfeiture of any interest due on the deposit in addition to any actual damages."

Further, amend the title as follows:

Page 1, line 4, before "providing" insert "security deposits; withholding rent for last payment period;"

Page 1, line 6, after "6;" insert "504.20, by adding a subdivision;"

And when so amended, H. F. No. 1146 will be identical to S. F. No. 1390 and further recommends that H. F. No. 1146 be given its second reading and substituted for S. F. No. 1390 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1441 be amended as follows:

Page 4, after line 1, insert

"Sec. 6. Minnesota Statutes 1974, Section 474.02, Subdivision 1, is amended to read:

474.02 [DEFINITIONS.] Subdivision 1. The term "Project" as used in sections 474.01 to 474.13 chapter 474, unless a different meaning clearly appears from the context, means any properties, real or personal, used or useful in connection with :

(a) a revenue producing enterprise, or any combination of two or more such enterprises engaged or to be engaged in :

(1) generating, transmitting, or distributing electricity, ;

(2) assembly, fabricating, manufacturing, mixing, processing, storing, warehousing, or distributing any products of agriculture, forestry, mining, or manufacture, or in ;

(3) research and development activity in this field. The term "project" shall also include any properties, real or personal, used or useful in fields enumerated in paragraphs (a) (1) and (2) of this subdivision; and

(4) any other business or profession, whether or not for profit, including but not limited to hospitals, nursing homes, clinics and other health care facilities;

(b) the abatement or control of noise, air or water pollution, or the disposal of solid wastes, in connection with a revenue producing enterprise, or any combination of two or more such enterprises engaged or to be engaged in any business or industry. The term "project" shall also mean any properties, real or personal, used or useful in connection with ;

(c) the business of telephonic communications, conducted or to be conducted by a telephone company, including, without limitation, toll lines, poles, cables, switching and other electronic equipment and administrative, data processing, garage and research and development facilities."

Page 8, lines 21 to 27, delete the underscored language

Page 15, delete lines 22 to 32

Page 16, delete lines 1 to 20 and insert

"Sec. 21. Minnesota Statutes 1974, Section 474.10, Subdivision 4, is amended to read:"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 7, before "2," insert "1,"

Page 1, line 9, after "474.10" insert ", Subdivisions 1 and 4"

And when so amended, H. F. No. 1441 will be identical to S. F. No. 1695 and further recommends that H. F. No. 1441 be given its second reading and substituted for S. F. No. 1695 and that the Senate File be indefinitely postponed.

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

Mr. Coleman from the Committee on Rules and Administration, to which were re-referred for proper reference under Rule 35:

S. F. Nos. 1721, 1722, 1723, 1724, 1668, 1738 and 1363, reports the same back with the recommendation that the bills be re-referred as follows:

S. F. Nos. 1721, 1722, 1723, 1724 and 1738 to the Committee on Health, Welfare and Corrections.

S. F. No. 1668 to the Committee on Metropolitan and Urban Affairs.

S. F. No. 1363 to the Committee on Judiciary.

Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1308, 804, 1393, 1165, 1030, 1062, 1415, 429, 1347, 175, 243, 1206, 1167, 1096, 1379, 50, 916, 1339, 1299 and 250 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1292, 1288, 1436, 872, 1074, 343, 521, 2, 231, 982, 837, 533, 685, 48, 1527, 1180, 719, 654, 831, 718, 1146 and 1441 were read the second time.

MOTIONS AND RESOLUTIONS

SUSPENSION OF RULES

Mr. Merriam moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1292 and that the rules of the Senate be so far suspended as to give H. F. No. 1292, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 1292: A bill for an act relating to crime prevention; increasing the compensation for dependents of peace officers killed in the line of duty; amending Minnesota Statutes 1974, Section 352E.04.

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	Bang	Blatz	Brown	Conzemius
Arnold	Berg	Borden	Chmielewski	Davies
Ashbach	Bernhagen	Brataas	Coleman	Doty

Dunn	Keefe, J.	Milton	Perpich, A. J.	Spear
Fitzsimons	Keefe, S.	Moe	Perpich, G.	Stassen
Gearty	Kirchner	North	Pillsbury	Stokowski
Hansen, Baldy	Kleinbaum	Ogdahl	Purfeerst	Stumpf
Hansen, Mel	Kowalczyk	Olhoff	Renneke	Tennessee
Hanson, R.	Larson	Olson, A. G.	Schaaf	Ueland
Hughes	Laufenburger	Olson, H. D.	Schmitz	Wegener
Humphrey	Lewis	Olson, J. L.	Schrom	Willet
Jensen	McCutcheon	O'Neill	Sillers	
Josefson	Merriam	Patton	Solon	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that General Orders be made a Special Orders Calendar for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 511: A bill for an act relating to commerce; interest rates on money; continuing the exemption of certain loans from maximum interest rates; amending Minnesota Statutes 1974, Section 334.01, Subdivision 2; repealing Laws 1974, Chapter 238, Section 2.

Mr. Borden moved to amend H. F. No. 511 as follows:

Page 1, after line 21, insert:

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

Subd. 3. Notwithstanding subdivisions 1 and 2, a financial institution, as defined in section 47.015, subdivision 1, or a mortgage bank may contract for the loan or forbearance of money (a) at a rate of interest not exceeding the lesser of nine percent or three-quarters of one percent above the federal reserve discount rate on 90 day commercial paper in effect for national banking associations in the ninth federal reserve district or (b) at an interest rate that is otherwise permitted by law. This subdivision expires July 1, 1976. A contract for a loan or forbearance of money made before July 1, 1976 at a rate of interest authorized by this subdivision shall continue to be enforceable in accordance with its terms until the indebtedness is fully satisfied.”

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 4, after “rates;” insert “permitting financial institutions to charge an interest rate based upon the federal reserve discount rate on short term commercial paper in the ninth federal reserve district;”

Page 1, line 5, after “Subdivision 2” insert “, and by adding a subdivision”

Mr. Frederick moved to amend the Borden amendment to H. F. No. 511, as follows:

Line 2 of the underlined language in the Borden amendment, strike "or"

Line 3, after "bank" insert "*an insurance company as defined in section 60A.02, subdivision 4, or any agricultural credit corporation organized to lend money for agricultural purposes,*"

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

CALL OF THE SENATE

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

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

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

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

And the roll being called, there were yeas 46 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Humphrey	Ogdahl	Schrom
Arnold	Conzemius	Jensen	Olson, H. D.	Sillers
Ashbach	Davies	Josefson	Olson, J. L.	Solon
Bang	Doty	Keefe, J.	O'Neill	Stassen
Berg	Dunn	Kirchner	Patton	Ueland
Bernhagen	Fitzsimons	Kowalczyk	Pillsbury	Wegener
Blatz	Frederick	Larson	Purfeerst	
Borden	Hansen, Baldy	Laufenburger	Renneke	
Brataas	Hansen, Mel	Milton	Schaaf	
Brown	Hanson, R.	Moe	Schmitz	

Those who voted in the negative were:

Chmielewski	Keefe, S.	Merriam	Olson, A. G.	Stumpf
Gearty	Lewis	North	Perpich, A. J.	Tennessee
Hughes	McCutcheon	Olhoft	Spear	Willet

The motion prevailed. So the amendment was adopted.

H. F. No. 511 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 50 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Humphrey	Moe	Renneke
Arnold	Conzemius	Jensen	Nelson	Schaaf
Ashbach	Davies	Josefson	Ogdahl	Schmitz
Bang	Doty	Keefe, J.	Olhoff	Schrom
Berg	Dunn	Kirchner	Olson, H. D.	Sillers
Bernhagen	Fitzsimons	Kowalczyk	Olson, J. L.	Solon
Blatz	Frederick	Larson	O'Neill	Stassen
Borden	Hansen, Baldy	Laufenburger	Patton	Tennessee
Brataas	Hansen, Mel	Lewis	Pillsbury	Ueland
Brown	Hanson, R.	Milton	Purfeerst	Wegener

Those who voted in the negative were:

Chmielewski	Keefe, S.	North	Spear	Willet
Gearty	McCutcheon	Olson, A. G.	Stokowski	
Hughes	Merriam	Perpich, A. J.	Stumpf	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that H. F. No. 1722 be taken from the table and referred to the Committee on Rules and Administration. The motion prevailed.

SPECIAL ORDER

H. F. No. 135: A bill for an act relating to taxation; providing for confiscation of vehicles, trailers and airplanes used to transport illegally untaxed cigarettes; amending Minnesota Statutes 1974, Section 297.08, Subdivisions 1 and 2, and 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 47 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Larson	Patton	Solon
Arnold	Gearty	Laufenburger	Perpich, A. J.	Spear
Bernhagen	Hansen, Mel	McCutcheon	Perpich, G.	Stassen
Blatz	Hanson, R.	Merriam	Pillsbury	Stokowski
Brataas	Humphrey	Nelson	Purfeerst	Stumpf
Brown	Jensen	North	Renneke	Wegener
Chenoweth	Josefson	Ogdahl	Schaaf	Willet
Chmielewski	Keefe, J.	Olhoff	Schmitz	
Doty	Keefe, S.	Olson, H. D.	Schrom	
Fitzsimons	Kowalczyk	O'Neill	Sillers	

Those who voted in the negative were:

Bang	Dunn	Kleinbaum	Milton	Ueland
Coleman	Hansen, Baldy	Lewis		

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 674, No. 5 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 674: A bill for an act relating to taxation; providing for additional powers to commissioner of revenue for collection of unpaid tax; creating lien on real and personal property for taxes due; providing for third party liability for withholding tax; changing rates of penalty and interest; providing that contractors shall give bond for certain unpaid taxes; amending Minnesota Statutes 1974, Chapters 270; 291; 292; by adding sections; Section 270.07, Subdivisions 1 and 5; 270.075, Subdivision 2; 270.076, Subdivision 2; 273.41; 290.087, Subdivisions 4 and 5; 290.45, Subdivision 2; 290.53, Subdivisions 1 and 2; 290.92, Subdivision 15, and by adding a subdivision; 290.93, Subdivision 10; 290.934, Subdivision 1; 290.988, Subdivisions 2 and 3; 291.11, Subdivision 5; 291.15; 291.18; 291.35; 291.46; 292.12, Subdivision 1; 294.03, Subdivisions 1 and 2; 296.15, Subdivisions 1 and 2; 297.07, Subdivision 4; 297.35, Subdivision 5; 297A.35, Subdivision 1; 297A.39, Subdivision 7; 298.09, Subdivision 4; 574.26; 574.261, Subdivision 1; repealing Minnesota Statutes 1974, Section 292.11.

Mr. Perpich, A. J. moved that the amendment made to H. F. No. 674 by the Committee on Rules and Administration in the report adopted April 19, 1975, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Perpich, A. J. moved to amend H. F. No. 674 as follows:

Strike the amendment adopted May 12, 1975, to H. F. No. 674 as amended pursuant to Rule 49, and further amend H. F. No. 674 as follows:

Page 4, line 22, strike "8" and insert "7"

Pages 5 to 8, strike section 5

Page 14, lines 5 and 20, strike "8" and insert "7"

Page 15, lines 1 and 15, strike "8" and insert "7"

Page 16, lines 5 and 9, strike "8" and insert "7"

Page 17, lines 4 and 15, strike "8" and insert "7"

Page 18, lines 5, 28, and 32, strike "8" and insert "7"

Page 23, line 14, strike "8" and insert "7"

Page 26, line 2, strike "8" and insert "7"

Page 26, lines 17 and 32, strike "8" and insert "7"

Page 29, lines 3, 13, and 22, strike "8" and insert "7"

Page 31, line 6, strike "8" and insert "7"

Page 32, line 26, strike "8" and insert "7"

Page 33, line 4, strike "8" and insert "7"

Page 34, line 18, strike "8" and insert "7"

Page 35, lines 4, 24, and 32, strike "8" and insert "7"

Page 36, line 25, strike "8" and insert "7"

Page 37, lines 3 and 26, strike "8" and insert "7"

Page 39, line 14, strike "8" and insert "7"

Page 40, line 5, strike "8" and insert "7"

Page 42, line 5, strike "6, and 7" and insert "5, and 6"

Page 42, line 7, strike "5, 40, and 41" and insert "39 and 40"

Page 42, line 9, strike "15" and insert "14"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 4 and 5, strike "creating lien on real and personal property for taxes due;"

The motion prevailed. So the amendment was adopted.

H. F. No. 674 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 55 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Ashbach; Hansen, Baldy and Knutson voted in the negative.

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

SPECIAL ORDER

H. F. No. 69: A bill for an act relating to athletics; providing for equal opportunity for members of both sexes to participate in athletics; amending Minnesota Statutes 1974, Chapter 126, by adding a section; repealing Laws 1974, Chapter 355, Section 68, Subdivision 4.

Mr. Milton moved to amend the amendment placed on H. F. No. 69 by the Committee on Judiciary, adopted by the Senate May 1, 1975, as follows:

Page 2, line 7, strike the period inserted in the committee amendment and insert “; provided, if a membership restriction on the basis of sex results in the operation of two teams in the same sport which are separated or substantially separated according to sex, the two”

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

Mr. Chmielewski moved to amend H. F. No. 69 as follows:

Page 3, after line 9, insert:

“Sec. 2. *Laws 1973, Resolution No. 1, is repealed.*”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after “repealing” insert “Laws 1973, Resolution No. 1; and”

The question being taken on the adoption of the amendment,

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

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

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Olhoff	Schmitz
Bang	Fitzsimons	Keefe, J.	Olson, H. D.	Schrom
Berg	Gearty	Kirchner	Olson, J. L.	Ueland
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Wegener
Blatz	Hansen, Mel	Kowalczyk	Patton	Willet
Brown	Hanson, R.	Larson	Pillsbury	
Chmielewski	Jensen	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Davies	Lewis	Olson, A. G.	Spear
Arnold	Doty	McCutcheon	Perpich, A. J.	Stassen
Borden	Frederick	Merriam	Perpich, G.	Stokowski
Brataas	Hughes	Milton	Purfeerst	Stumpf
Chenoweth	Humphrey	Moe	Schaaf	Tennessee
Coleman	Keefe, S.	North	Sillers	
Conzemius	Laufenburger	Ogdahl	Solon	

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

Mr. Willet moved to amend H. F. No. 69 as follows:

Page 1, strike all of subdivision 1

Renumber the subdivisions in sequence

Page 2, line 29, strike “2” and insert “1”

Page 3, line 1, strike “2” and insert “1”

Page 3, line 3, strike “2” and insert “1”

Page 3, line 9, strike “2” and insert “1”

The motion prevailed. So the amendment was adopted.

H. F. No. 69 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 58 and nays 2, as follows:

Those who voted in the affirmative were:

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

Messrs. Berg and Hansen, Baldy voted in the negative.

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

SPECIAL ORDER

H. F. No. 251: A bill for an act relating to eminent domain; possession; amending Minnesota Statutes 1974, Section 117.042.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Doty voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 68: A bill for an act relating to public welfare; juveniles; guardian ad litem; amending Minnesota Statutes 1974, Section 260.155, Subdivision 4.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 409: A bill for an act relating to veterans affairs; the transfer of the personal property a deceased resident leaves at the Minnesota veterans home; repealing Minnesota Statutes 1974, Section 198.23.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 79: A bill for an act regulating smoking at public places and in public meetings; providing a penalty.

Mr. Brown moved to amend H. F. No. 79, as amended by the Committee on Health, Welfare and Corrections, adopted by the Senate May 1, 1975, as follows:

Page 2, line 12, after "public" insert ", except that the department of labor and industry shall, in consultation with the state board of health, establish rules to restrict or prohibit smoking in those places of work where the close proximity of workers or the inadequacy of ventilation causes smoke pollution detrimental to the health and comfort of nonsmoking employees"

Page 3, line 2, after "act" insert ", except as provided for in section 4"

The motion prevailed. So the amendment was adopted.

H. F. No. 79 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 36 and nays 28, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, Mel	McCutcheon	Olson, J. L.	Stumpf
Brataas	Hughes	Merriam	O'Neill	Tennessee
Brown	Humphrey	Milton	Perpich, A. J.	Wegener
Coleman	Josefson	Moe	Pillsbury	
Conzemius	Keefe, J.	Nelson	Schaaf	
Doty	Keefe, S.	North	Schmitz	
Dunn	Kirchner	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Chenoweth	Kleinbaum	Patton	Stassen
Ashbach	Davies	Larson	Perpich, G.	Stokowski
Bang	Fitzsimons	Laufenburger	Purfeerst	Ueland
Berg	Frederick	Lewis	Renneke	Willet
Blatz	Hanson, R.	Olson, A. G.	Schrom	
Borden	Jensen	Olson, H. D.	Solon	

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

SPECIAL ORDER

H. F. No. 177: A bill for an act relating to public health; prohibiting pay toilets and urinals in public places; providing a penalty; amending Minnesota Statutes 1974, Chapter 145, 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 41 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Gearty	Keefe, J.	Lewis
Arnold	Conzemius	Hansen, Mel	Keefe, S.	McCutcheon
Borden	Davies	Hughes	Knutson	Merriam
Brown	Doty	Humphrey	Kowalczyk	Milton
Chenoweth	Fitzsimons	Josefson	Laufenburger	Moe

Nelson	Olson, H. D.	Purfeerst	Sillers	Stokowski
North	Olson, J. L.	Schaaf	Solon	Stumpf
Olhoff	Pillsbury	Schmitz	Spear	Willet
Olson, A. G.				

Those who voted in the negative were:

Ashbach	Brataas	Kirchner	O'Neill	Stassen
Bang	Dunn	Kleinbaum	Perpich, G.	Tennessen
Bernhagen	Hanson, R.	Larson	Renneke	Ueland
Blatz	Jensen	Ogdahl	Schrom	Wegener

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:00 o'clock p.m. The motion prevailed.

The hour of 1:00 o'clock p.m. having arrived, the President called the Senate to order.

SPECIAL ORDER

H. F. No. 1020: A bill for an act relating to Hennepin county; city of Minneapolis; granting authority to lease, operate and maintain a correctional facility, work farm, or detention facilities.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Ogdahl	Sillers
Bang	Fitzsimons	Knutson	Olhoff	Spear
Berg	Frederick	Kowalczyk	Olson, A. G.	Stassen
Bernhagen	Hansen, Baldy	Larson	Olson, J. L.	Stumpf
Blatz	Hanson, R.	Laufenburger	O'Neill	Tennessen
Brataas	Hughes	Lewis	Patton	Ueland
Brown	Humphrey	McCutcheon	Perpich, A. J.	Wegener
Conzemius	Jensen	Merriam	Pillsbury	Willet
Davies	Josefson	Moe	Renneke	
Doty	Keefe, J.	North	Schmitz	

So the bill passed and its title was agreed to.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1160, pursuant to the request of the House:

Messrs. Laufenburger; Olhoff; Hansen, Baldy; Frederick and Larson.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1, pursuant to the request of the House:

Messrs. Merriam; Keefe, S.; Laufenburger; Hanson, R. and Mrs. Brataas.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1466, pursuant to the request of the Senate:

Messrs. Arnold, Solon and Bang.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1446, pursuant to the request of the Senate:

Mr. Frederick, Mrs. Brataas and Mr. Humphrey.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 469, pursuant to the request of the Senate:

Messrs. Chenoweth, Stokowski and Ogdahl.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1518, pursuant to the request of the House:

Messrs. O'Neill, North and Stumpf.

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

SPECIAL ORDER

S. F. No. 864: A bill for an act relating to hospitalization and commitment; providing for notice to attending physician or next of kin of patient before discharge; amending Minnesota Statutes 1974, Section 253A.15, by adding a subdivision.

Mr. Hansen, Baldy moved to amend S. F. No. 864 as follows:

Page 1, line 13, strike "*next of kin and the*"

Page 1, line 14, after "*physician*" insert "*and the spouse or, if there be none, an adult child or, if there be none, the next of kin*"

The motion prevailed. So the amendment was adopted.

S. F. No. 864 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 39 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Josefson	Ogdahl	Schmitz
Bang	Frederick	Keefe, J.	Olhoft	Schrom
Berg	Hansen, Baldy	Kirchner	Olson, J. L.	Sillers
Bernhagen	Hansen, Mel	Kleinbaum	O'Neill	Stassen
Blatz	Hanson, R.	Knutson	Patton	Ueland
Brataas	Hughes	Larson	Perpich, A. J.	Wegener
Brown	Humphrey	Laufenburger	Pillsbury	Willet
Conzemius	Jensen	Moe	Renneke	

Those who voted in the negative were:

Davies	Lewis	Spear	Stumpf	Tennessee
Doty	Merriam			

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

Pursuant to Rule 21, Mr. Doty moved that the following members be excused for a Conference Committee on S. F. No. 177:

Messrs. North, Kowalczyk and Milton. The motion prevailed.

SPECIAL ORDER

H. F. No. 986: A bill for an act relating to crime victims reparations; authorizing the crime victims reparations board to limit the fees charged by an attorney representing a claimant before the board; amending Minnesota Statutes 1974, Section 299B.03, Subdivision 1; and Chapter 299B, 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Keefe, J.	Olhoft	Schrom
Bang	Dunn	Kirchner	Olson, A. G.	Sillers
Berg	Frederick	Kleinbaum	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Knutson	O'Neill	Stassen
Blatz	Hansen, Mel	Laufenburger	Patton	Stumpf
Brataas	Hanson, R.	Lewis	Perpich, A. J.	Tennessee
Brown	Hughes	McCutcheon	Pillsbury	Ueland
Conzemius	Jensen	Moe	Schaaf	Wegener
Davies	Josefson	Ogdahl	Schmitz	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1444: A bill for an act relating to metropolitan government; prohibiting membership in more than one commission; amending Laws 1975, Chapter 13, Section 7, Subdivision 4.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Kirchner	Olson, J. L.	Solon
Bang	Dunn	Kleinbaum	Perpich, A. J.	Spear
Berg	Fitzsimons	Knutson	Perpich, G.	Stumpf
Blatz	Gearty	Laufenburger	Pillsbury	Ueland
Brown	Hansen, Mel	McCutcheon	Purfeerst	Wegener
Coleman	Hughes	Olhoft	Schaaf	
Conzemius	Jensen	Olson, A. G.	Schmitz	
Davies	Keefe, J.	Olson, H. D.	Schrom	

Those who voted in the negative were:

Bernhagen	Hanson, R.	Larson	Patton	Stassen
Brataas	Humphrey	Ogdahl	Renneke	Tennessee
Chenoweth	Josefson	O'Neill	Sillers	Willet

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Hansen, Baldy moved that the vote whereby S. F. No. 864 was passed by the Senate on May 14, 1975, be now reconsidered. The motion prevailed.

SPECIAL ORDER

S. F. No. 864: A bill for an act relating to hospitalization and commitment; providing for notice to attending physician or next of kin of patient before discharge; amending Minnesota Statutes 1974, Section 253A.15, by adding a subdivision.

Mr. Hansen, Baldy moved to amend S. F. No. 864 as follows:

Page 1, line 14, after the period insert "*The next of kin or the attending physician may, within five days of receipt of the notice, request that a hearing on the discharge be held and that the requesting party be able to testify at the hearing. The discharging authority shall hold the hearing and accept the testimony of the next of kin or attending physician as soon as possible after receipt of the request, and before discharge of the patient.*"

Further amend the title as follows:

Page 1, line 3, after "to" insert "and hearing on request of"

The motion prevailed. So the amendment was adopted.

S. F. No. 864: A bill for an act relating to hospitalization and commitment; providing for notice to and hearing on request of attending physician or next of kin of patient before discharge; amending Minnesota Statutes 1974, Section 253A.15, by adding a subdivision.

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 43 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Josefson	Olhoff	Sillers
Bang	Dunn	Keefe, J.	Olson, H. D.	Solon
Berg	Fitzsimons	Kirchner	Olson, J. L.	Stassen
Bernhagen	Gearty	Kleinbaum	Patton	Stokowski
Blatz	Hansen, Baldy	Knutson	Perpich, A. J.	Ueland
Brataas	Hansen, Mel	Larson	Pillsbury	Wegener
Brown	Hanson, R.	Laufenburger	Purfeerst	Willet
Coleman	Hughes	McCutcheon	Schaaf	
Conzemius	Jensen	Ogdahl	Schrom	

Those who voted in the negative were:

Chenoweth	Merriam	Spear	Stumpf	Tennessee
Doty	Perpich, G.			

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

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743:

Messrs. Olson, J. L.; Renneke; Moe; Perpich, G. and Doty. The motion prevailed.

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H. F. No. 1758:

Messrs. Ashbach; Arnold; Hansen, Mel; Davies and Tennessee. The motion prevailed.

SPECIAL ORDER

H. F. No. 581: A bill for an act relating to retirement; providing a combined service annuity for public employees who have allowable service credit in more than one Minnesota retirement fund; amending Minnesota Statutes 1974, Chapter 356, 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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Davies	Jensen	Merriam	Sillers
Berg	Dunn	Josefson	Nelson	Spear
Bernhagen	Fitzsimons	Kirchner	Ogdahl	Stassen
Blatz	Frederick	Kleinbaum	Olhoff	Stokowski
Brataas	Gearty	Knutson	Patton	Stumpf
Brown	Hansen, Baldy	Larson	Perpich, A. J.	Ueland
Chenoweth	Hanson, R.	Laufenburger	Pillsbury	Wegener
Conzemius	Hughes	McCutcheon	Purfeerst	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1526: A bill for an act relating to the city of Saint Paul; establishing the city's tax levy limits as that levy limit established by general and special state law; repealing Laws 1971, Chapter 762.

Mr. McCutcheon moved to amend H. F. No. 1526 as follows:

Page 1, lines 8 to 12, underline the language

Page 1, strike lines 13 to 17 and insert:

"Sec. 2. 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. 3. Laws 1974, Chapter 435, Section 1.0207, is amended to read:

Sec. 1.0207. [HEALTH.] (a) [ADDITION TO ST. PAUL-RAMSEY HOSPITAL; PLANNING.] Ramsey county may issue and sell general obligation bonds of the county in an amount not to exceed \$400,000 to plan and design an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required and these bonds shall not be included in computing

the net debt of the county under any laws; and taxes required to be levied for the payment of the bonds shall not be subject to any limitation of rate or amount.

(b) [MORGUE.] (1) [DUTY TO PROVIDE.] Ramsey county shall provide and equip a public morgue at the county seat for the receipt and proper disposition of all dead bodies, which are by law subject to a postmortem or coroner's inquest, without charge to anyone.

(2) [MAINTENANCE.] The morgue shall be under the control of the county, be maintained in a suitable building, separate from any other business, and equipped with the best modern approved appliances for the handling and disposition of dead bodies. It may not be connected in any manner with an undertaking establishment; no person may be employed in or about the morgue who is in any manner connected with or interested in the undertaking business.

(c) [HEALTH DEPARTMENT.] (1) [HEALTH DEPARTMENT; PURPOSE.] It is the purpose of this subsection to provide enabling authority for Ramsey county to establish a comprehensive health department and to provide coordinated public and mental health services to the residents of Ramsey county. The term "department" means the comprehensive health department established in Ramsey county. This subsection is in addition to any statutory authority now existing for the establishment of a health department for Ramsey county.

(2) [CREATION OF DEPARTMENT.] Ramsey county may create a county health department which is under the supervision and control of the county board.

(3) [POWERS AND RESPONSIBILITIES.] (A) The responsibilities assigned to the department shall include but not be limited to all or some of the responsibilities as set forth in the following subparagraphs.

(B) The powers and duties vested in or imposed upon a local health board as provided in Minnesota Statutes 1969, Chapter 145, for the area of all of Ramsey county.

(C) The powers and duties imposed upon a board of county commissioners to employ public health nurses as provided in Minnesota Statutes 1969, Chapter 145.

(D) Health services for school children vested in or imposed upon a school district when the board of education of the school district petitions the county to provide the services by contract or otherwise for its district.

(E) The powers and duties vested in or imposed upon the health officer of a city inside the county of Ramsey who has elected to maintain local registration of vital statistics and the powers and duties of the clerk of the district court of Ramsey county as local registrar of vital statistics.

(F) The county may authorize the health department to operate

a mental health program and may utilize the authorities of the community mental health boards as set forth in Minnesota Statutes, Sections 245.61 to 245.68. When so authorized, the county board shall suffice to function in lieu of the community mental health board provided for in Minnesota Statutes, Section 245.66.

(G) Prepare and have published an annual report of the work of the health department.

(H) Recommend to the governing body of a governmental unit inside the county of Ramsey local legislation pertaining to public health.

(I) The department may be authorized to provide other health services as may be directed by the county board if the services are authorized by law to be provided by the county or by any agency or department thereof.

(J) The department may be authorized to buy services from other agencies, public or private, that are providing services consistent with health department purposes.

(K) The department may be authorized to establish fee schedules based on ability to pay for services rendered.

(L) The county shall have the authority to adopt and enforce regulations for the preservation of public health applicable to the whole or a part of the county, but no county regulation may supersede higher standards established by statute, the regulations of the state board of health, or provisions of the charter or ordinances of a municipality inside the county pertaining to the same subject. Nothing in this subparagraph shall prohibit a municipality from adopting ordinances or resolutions for the regulation of the public health setting higher standards than those of the state board of health, the county board, or state law.

(M) The health department shall cause all laws and regulations relating to public health to be obeyed and enforced inside its jurisdictional area.

(4) [FUNDING.] (A) The health department shall be operated and maintained from funds appropriated for and fees collected by the department together with the state, federal, and private grants that are made available to it or to any of the local governmental units in the county of Ramsey for health purposes.

(B) The county shall annually prepare and approve a budget of the department's proposed expenditures for the ensuing fiscal year.

(5) [TRANSFER OF FUNCTIONS.] Upon assignment by the county board of the responsibilities under paragraph (3), the powers and duties of a department, board, agency, governmental subdivision, or bureau whose powers and duties have been placed in the health department shall end and its records and personnel relating to the powers and duties are transferred to the health department.

(6) [PERSONNEL.] (A) [HEALTH OFFICER.] The county shall appoint a health officer who shall be designated the director of public health and who shall be responsible for the operation of the department. The county shall fix his salary.

(B) [QUALIFICATIONS OF HEALTH OFFICER.] The health officer must be a licensed physician experienced or trained in public health administration, or instead a person, other than a physician with training or experience in public health administration. If the appointee is not a physician, the county board shall provide, in addition, the services of a licensed physician that are necessary on either a part time or full time basis and provide reasonable compensation therefor. The director of the department shall select subordinate personnel subject to the approval of the county board.

(C) [EMPLOYEES.] (i) Each person transferred to the health department by this paragraph and each employee under a merit system governing public employees is considered to have qualified for a permanent position of similar class and grade in the classified civil service of Ramsey county, without reduction in pay or seniority, and without examination. Each other person so transferred who is a full time officer or employee shall take, within six months after the organization of the health department, and subject to civil service rules of Ramsey county, a non-competitive, practical, qualifying examination. The qualifying examination may involve only the duties of the position occupied immediately prior to the organization of the health department or the position occupied on the date the examination is given, whichever examination the officer or employee elects to take. If a person taking the qualifying examination possesses the ability and capacity that enables him to perform the duties of the position for which he is examined, in a reasonably efficient manner, he shall be given a permanent civil service status in the Ramsey county civil service. A person who willfully refuses to take the examination when offered without reasonable excuse shall be removed from his position immediately. A person taking the examination who fails to pass shall be removed from his position at the end of 60 days after receipt of notice of failure to pass. A person required to take a qualifying examination shall not be laid off, suspended, discharged, or reduced in pay or position except in accordance with the provision of laws applicable to members of the classified Ramsey county civil service having civil service status until he has completed the qualifying examination and has been notified of the result thereof.

(ii) A part time officer or employee of a department, board, agency, governmental subdivision or bureau whose powers and duties are placed in the health department may be transferred upon the organization of the health department and may become officers or employees thereof.

(7) [RESOLUTION, APPROVAL.] No resolution adopted by the board of county commissioners of Ramsey county establishing a county health department is effective inside each of the

following governmental units unless approved by the governing body of the particular unit, namely: city of Saint Paul; city of White Bear Lake; villages of Arden Hills, Blaine, Falcon Heights, Gem Lake, Little Canada, Lauderdale, Maplewood, Mounds View, New Brighton, North Oaks, North Saint Paul, Roseville, Saint Anthony, Shoreview, Spring Lake Park, Vadnais Heights; town of White Bear. The resolution is effective in a unit upon the approval of that unit's governing body.

(8) [COUNTY NURSING SERVICE.] The Ramsey county nursing service presently existing shall not be discontinued unless the discontinuance is approved by two-thirds of the governing bodies of the governmental units listed in paragraph (7) of this subsection.

(9) [PAYMENT FOR SERVICES.] No governmental unit listed in paragraph (7) shall pay for any services provided by this subsection until its governing body has approved the resolution as provided in paragraph (7)

(10) [CITY HEALTH DEPARTMENTS; FUNCTIONS.] None of the functions of the presently-existing city health departments in the county of Ramsey may be abandoned by the county health department without proper provision for the exercise of the function by some agency of government.

(d) [AMBULANCE SERVICE.] (1) [LIMITED TO REQUESTING MUNICIPALITIES.] If the county of Ramsey, or an agency or department thereof, establishes an emergency ambulance service, the cost of operating and maintaining the service shall be a charge only against the real and personal property located inside those villages, cities or towns inside the county which by resolution of its governing body request the service.

(2) [SERVICE CHARGE.] If an emergency ambulance service as provided under the above paragraph is provided in a village, city or town in which the real and personal property is not charged for the cost thereof, then a reasonable charge for the service shall be made of the benefited person.

(e) [PARAMEDICS.] (1) [DEFINITIONS.] As used in this article, "physician's trained mobile intensive care paramedic" means a person who:

(A) Is an employee of the county of Ramsey or the city of St. Paul;

(B) Has been specially trained in emergency cardiac and non-cardiac care by a licensed physician in a training program certified by the state board of health or the state board of medical examiners and is certified as qualified to render the emergency lifesaving services enumerated herein.

(2) The city of St. Paul and the county of Ramsey are hereby authorized to maintain a staff of physician's trained mobile intensive care paramedics.

(3) (A) Notwithstanding any other provision of law, physi-

cian's trained mobile intensive care paramedics may do any of the following:

- (i) Regular rescue, first aid and resuscitation services;
- (ii) During training may administer parenteral medications under the direct supervision of a licensed physician or a registered nurse;
- (iii) Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient;
- (iv) Administer intravenous saline or glucose solutions;
- (v) Administer parenteral injections in any of the following classes of drugs:
 - (a) antiarrhythmic agents;
 - (b) vagolytic agents;
 - (c) chronotropic agents;
 - (d) analgesic agents;
 - (e) alkalinizing agents;
 - (f) vasopressor agents;
 - (g) diuretics;
- (vi) Administer, perform and apply all other procedures, drugs and skills in which they have been trained and are certified to give, apply and dispense.

(B) But at all times before undertaking the actions authorized by clauses (iii), (iv), (v) and (vi), paramedics shall make and continue to make, during the course of an emergency, attempts to establish voice communications with and receive instructions from a licensed physician who has been associated with the dispensing of emergency cardiac and noncardiac medical care. Additionally, the paramedics shall make and continue to make, during the course of what they believe to be a cardiac emergency, attempts to telemeter to a licensed physician, who has been associated with the dispensing of cardiac medical care, an electrocardiogram of the person being treated.

(C) Nothing contained in this subsection shall be construed to change existing law as it relates to delegation by a licensed physician of acts, tasks or functions to persons other than physician's trained mobile intensive care paramedics.

(4) No licensed physician or registered nurse, who in good faith *and in the exercise of reasonable care* gives emergency instructions to a certified physician's trained mobile intensive care paramedic at the scene of an emergency, or while in transit to and from the scene of such emergency, shall be liable for any civil damages as a result of issuing such instructions.

(5) No certified physician's trained mobile intensive care paramedic, who in good faith *and in the exercise of reasonable care*

renders emergency lifesaving care and treatment as set forth in this subsection, shall be liable for any civil damages because of rendering such care and treatment.

(f) [AIR QUALITY.] (1) [APPROPRIATION.] Ramsey county may appropriate and spend money in each year for the improvement and preservation of the purity and quality of the air.

(2) [JOINT POWERS.] Ramsey county may enter into contractual agreements with another governmental unit, body or group of bodies inside or outside the county without regard to whether the other governmental unit, body or group of bodies be a unit of state, county or municipal government or a school district, authority, or special district to perform on behalf of that unit, body or group of bodies the improvement and preservation of the purity and quality of the air.

(3) [ORDINANCE.] Ramsey county may, by ordinance, enact and enforce rules and regulations controlling the purity and quality of the air. No regulation adopted by the county pursuant hereto is effective within a governmental unit until ratified by the governing body of the governmental unit affected.

Sec. 4. The provisions of Laws 1974, Chapter 435, Section 1.0207(e) and section 2 of this act shall also apply to the city of Maplewood.

Sec. 5. Laws 1971, Chapter 762, is repealed.

Sec. 6. Sections 1 and 2 of this act shall become effective only after their approval by a majority of the governing body of the city of Saint Paul and upon compliance with Section 645.021.

Section 4 of this act shall become effective only after the approval of a majority of the governing body of the city of Maplewood and upon compliance with Section 645.021."

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

"A bill for an act relating to the cities of St. Paul and Maplewood; establishing the St. Paul levy limit as that levy limit established by general and special state law; authorizing the city of Maplewood to establish a physician's trained intensive care paramedic program; authorizing the cities of St. Paul and Maplewood to impose reasonable charges for emergency or paramedic ambulance services; amending Laws 1974, Chapter 435, Section 1.0207, and by adding a section; repealing Laws 1971, Chapter 762."

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend H. F. No. 1526 as follows:

Page 1, after line 12, insert

Sec. 2. Laws 1974, Chapter 435, Section 1.0209, is amended to read:

Sec. 1.0209. [HIGHWAYS.] (a) [POWER TO APPROPRIATE FOR SAINT PAUL STREETS.] (1) [APPROPRIATION.] Ramsey county may appropriate the reasonable sums of money

that it considers proper shall annually appropriate to the city of Saint Paul an amount of money which shall be not less than the equivalent of a levy of one and one-quarter mills against all taxable property within the county to assist in the construction, improvement and maintenance of roads and streets, and bridges thereon, inside the limits of the city of Saint Paul where the roads and streets, and bridges thereon, connect with, and are extensions of, roads in the county outside of the city, but leading into the city.

(2) [CITY TO CONTROL EXPENDITURE.] Moneys so appropriated shall be spent under the direction of the city.

(b) [DUTY TO APPROPRIATE FOR MUNICIPAL STREETS.] (1) [FORMULA FOR APPROPRIATION.] Ramsey county shall appropriate \$60,000 annually and pay it to the municipalities in the county, outside the city of St. Paul, to aid the municipalities in the construction and maintenance of municipal roads, streets or bridges, and this appropriation shall be apportioned in the following manner:

(A) 70 percent to be prorated to the municipalities in proportion as the number of miles of roads inside, and maintained exclusively by each municipality bears to the total number of miles of roads inside the county and maintained exclusively by all the municipalities; and

(B) 30 percent thereof to the municipalities, proportionately, according to the assessed valuation of all property for taxation in the municipalities, and shall be spent on municipal roads, streets, or bridges by the governing body of each municipality.

(2) [CERTIFICATE.] On or before March 15 of each year, the county engineer shall certify the actual number of miles of roads inside and maintained exclusively by the municipalities outside the city of St. Paul. The mileage so certified shall not include undeveloped roads, even though the plat thereof may have been filed for record.

(c) [COUNTY MAY DO MUNICIPAL WORK.] (1) [MUNICIPAL AUTHORITY.] In Ramsey county, the governing body of a city, village or town therein may authorize the county to construct and maintain any or all of its highways without advertising for bids.

(2) [COST, LIMITATION.] The construction that is referred to in the above paragraph is only to be performed as part of a maintenance job, and, the cost of the construction shall not exceed \$2,500 for a project.

(d) [LEXINGTON AVENUE; OLD TRUNK HIGHWAY NO. 10.] That part of Lexington avenue in Ramsey county from Larpen-teur avenue to the northerly boundary of county road E and that part of county road E from Lexington avenue to trunk highway marked No. 51, are a part of the county state-aid system of highways. Minnesota Statutes, Section 161.082, applies to this section of highway."

Underline all new language in the bill.

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 2, strike "the city of Saint Paul" and insert "local government in Ramsey County"

Page 1, line 4, after the semicolon insert "requiring Ramsey county to appropriate money to the city of St. Paul for certain purposes; amending Laws 1974, Chapter 435, Section 1.0209;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1526 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	Olhoff	Spear
Berg	Fitzsimons	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Frederick	Larson	O'Neill	Stokowski
Blatz	Gearty	Laufenburger	Patton	Stumpf
Borden	Hansen, Baldy	Lewis	Perpich, A. J.	Ueland
Brataas	Hanson, R.	McCutcheon	Pillsbury	Wegener
Brown	Hughes	Merriam	Purfeerst	Willet
Chenoweth	Jensen	Milton	Schmitz	
Coleman	Josefson	Nelson	Schrom	
Conzemius	Kirchner	North	Sillers	

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

SPECIAL ORDER

H. F. No. 176: 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.

Mr. Coleman moved to amend H. F. No. 176 as follows:

Page 3, after line 27, insert:

"Sec. 4. Minnesota Statutes 1974, Section 340.11, is amended by adding a subdivision to read:

Subd. 20. [ON-SALE WINE LICENSES.] (a) "On-sale wine licenses" shall mean licenses authorizing the sale of wine not exceeding 14 percent alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food.

(b) For purposes of this subdivision "restaurant" shall mean an establishment, under the control of a single proprietor or manager, having appropriate facilities for serving meals, and where, in consideration of payment therefor, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests.

(c) Any municipality which maintains a municipal liquor store or any municipality or county authorized to issue "on-sale" licenses for

the sale of intoxicating liquor may issue on-sale wine licenses to any restaurant having facilities for seating not fewer than 25 guests at one time. The licenses shall be in addition to the number of on-sale licenses for the sale of intoxicating liquor authorized by the intoxicating liquors act. The fee for on-sale wine licenses shall be set by the issuing authority, but shall not exceed one half of the license fee charged by the municipality for an on-sale license, or \$2,000, whichever is less. Licenses issued pursuant to this subdivision shall not be effective until approved by the commissioner. The licenses shall authorize the sale of wine as herein provided on all days of the week unless the issuing authority restricts the license's authorization to the sale of wine on all days other than Sunday."

Renumber the sections in sequence.

Amend the title as follows:

Page 1, line 8, before the period insert ", and by adding a subdivision"

Mr. Larson moved to amend the Coleman amendment to H. F. No. 176, as follows:

Clause (c) of the Coleman amendment, line 8, after "exceed" insert "*the price normally paid for any liquor license*"

Lines 8 to 10, strike "*one half of the license fee charged by the municipality for an on-sale license, or \$2,000, whichever is less*"

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

And the roll being called, there were yeas 21 and nays 31, as follows:

Those who voted in the affirmative were:

Blatz	Humphrey	Larson	Patton	Willet
Chmielewski	Jensen	Lewis	Pillsbury	
Gearty	Keefe, J.	McCutcheon	Schrom	
Hansen, Baldy	Kirchner	Olhoft	Stokowski	
Hanson, R.	Kowalczyk	Olson, H. D.	Wegener	

Those who voted in the negative were:

Anderson	Chenoweth	Kleinbaum	Ogdahl	Solon
Bang	Coleman	Knutson	O'Neill	Spear
Berg	Conzemius	Laufenburger	Perpich, A. J.	Stumpf
Bernhagen	Dunn	Merriam	Purfeerst	
Borden	Fitzsimons	Milton	Schaaf	
Brataas	Frederick	Nelson	Schmitz	
Brown	Josefson	North	Sillers	

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

Mr. Schrom moved to amend the Coleman amendment to H. F. No. 176 as follows:

The fourth line of clause (c), strike "25" and insert "100"

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

Mr. Schrom moved to amend the Coleman amendment to H. F. No. 176 as follows:

The eighth line of clause (c), strike "*not exceed*" and insert "*be equal to*"

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

Mr. Nelson moved to amend the Coleman amendment to H. F. No. 176 as follows:

The ninth line of clause (c), strike "*municipality*" and insert "*issuing authority*"

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

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

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

And the roll being called, there were yeas 31 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Lewis	Perpich, A. J.	Stumpf
Berg	Gearty	Merriam	Purfeerst	Ueland
Borden	Hanson, R.	Milton	Schaaf	Wegener
Brown	Hughes	Nelson	Schmitz	
Chenoweth	Humphrey	North	Sillers	
Coleman	Kleinbaum	Ogdahl	Solon	
Conzemius	Knutson	O'Neill	Spear	

Those who voted in the negative were:

Bernhagen	Frederick	Kirchner	McCutcheon	Schrom
Blatz	Hansen, Baldy	Kowalczyk	Olhoff	Stassen
Chmielewski	Jensen	Larson	Olson, H. D.	Stokowski
Dunn	Josefson	Laufenburger	Patton	Willet

The motion prevailed. So the amendment was adopted.

H. F. No. 176 was read the third time, as amended, and placed on its final passage.

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

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

And the roll being called, there were yeas 36 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kleinbaum	O'Neill	Spear
Arnold	Davies	Lewis	Perpich, A. J.	Stumpf
Bang	Fitzsimons	Merriam	Pillsbury	Tennessen
Borden	Hanson, R.	Milton	Purfeerst	Ueland
Brataas	Hughes	Nelson	Schaaf	
Brown	Humphrey	North	Schmitz	
Chenoweth	Keefe, J.	Ogdahl	Sillers	
Coleman	Keefe, S.	Olson, A. G.	Solon	

Those who voted in the negative were:

Ashbach	Frederick	Josefson	Laufenburger	Stassen
Bernhagen	Gearty	Kirchner	Olhoft	Stokowski
Blatz	Hansen, Baldy	Knutson	Olson, H. D.	Wegener
Chmielewski	Hansen, Mel	Kowalczyk	Patton	Willet
Dunn	Jensen	Larson	Schrom	

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 439, No. 34 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 439: A bill for an act relating to taxation; providing an income tax credit to deaf individuals and increasing the tax credit to certain blind persons; amending Minnesota Statutes 1974, Section 290.06, Subdivision 3c.

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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Fitzsimons	Knutson	Olson, A. G.	Spear
Berg	Gearty	Kowalczyk	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Larson	Patton	Stokowski
Blatz	Hanson, R.	Laufenburger	Perpich, A. J.	Stumpf
Borden	Hughes	Merriam	Perpich, G.	Ueland
Brataas	Humphrey	Milton	Purfeerst	Wegener
Brown	Jensen	Nelson	Schaaf	Willet
Chmielewski	Josefson	North	Schmitz	
Coleman	Keefe, J.	Ogdahl	Schrom	
Dunn	Kirchner	Olhoft	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1304: A bill for an act relating to banks; permitting open end credit arrangements; amending Minnesota Statutes 1974, Chapter 48, by adding a section.

Mr. Merriam moved to amend H. F. No. 1304, as amended pursuant to Rule 49, adopted by the Senate May 10, 1975, as follows:

Strike the Rule 49 amendments to pages 1, 2, 3, and 4; to page 5, lines 1 to 5 and line 11; and to page 6, lines 22 and 23, and further amend H. F. No. 1304 as follows:

Page 2, line 19, after "estate" insert "constituting a primary residence"

Page 2, line 29, after "estate" insert "constituting a primary residence"

The motion did not prevail. So the amendment was not adopted. H. F. No. 1304 was then progressed.

SPECIAL ORDER

H. F. No. 619: A bill for an act relating to commerce; providing disclosure obligations and personal solicitation of sales; providing penalties.

Mr. Spear moved to amend H. F. No. 619 as follows:

Page 2, lines 15 and 16, strike "with the information required by this section" and insert "which clearly states the seller's name and the name of the business or organization he represents"

In the amendment to page 2, line 18, adopted by the Senate May 9, 1975, pursuant to Rule 49, strike "requirement of showing identification cards" and insert "requirements of this section"

Page 2, line 20, strike "sections 1 or 2" and insert "section 2"

Page 2, strike lines 23 to 27

The motion prevailed. So the amendment was adopted.

Mr. Nelson moved to amend H. F. No. 619 as follows:

Page 1, line 22, strike the period and insert "; or "

Page 1, after line 22, insert:

"(c) An attempted sale of a newspaper subscription in which the seller is a minor child engaged in both the delivery and sale of the newspaper."

The motion prevailed. So the amendment was adopted.

H. F. No. 619 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 35 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	North	Schaaf
Borden	Gearty	Kleinbaum	Ogdahl	Sillers
Brataas	Hanson, R.	Kowalczyk	Olhoft	Solon
Brown	Hughes	Lewis	Olson, A. G.	Spear
Chenoweth	Humphrey	Merriam	Olson, H. D.	Stokowski
Coleman	Keefe, J.	Milton	Perpich, A. J.	Stumpf
Conzemius	Keefe, S.	Nelson	Purfeerst	Wegener

Those who voted in the negative were:

Bang	Dunn	Larson	Patton	Schrom
Bernhagen	Fitzsimons	Laufenburger	Pillsbury	Ueland
Chmielewski	Hansen, Baldy	O'Neill	Schmitz	Willet

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Perpich, A. J., Chairman of the Committee on Taxes and Tax Laws, designated H. F. No. 474, No. 47 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 474: A bill for an act relating to taxation; denying tax deductions relating to substandard rental housing; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivision 20; and 290.12, Subdivision 2.

Mr. Perpich, A. J. moved to amend H. F. No. 474, as amended pursuant to Rule 49, adopted by the Senate May 7, 1975, as follows:

Page 1, line 13, after "*interest*" strike the comma and insert "*and*"

Page 1, line 14, after "*depreciation*" strike "*, taxes, trade or business expenses, expenses*"

Page 1, strike line 15

Page 1, line 18, after "*building*" insert "*other than buildings used for agricultural purposes*"

Page 2, line 6, after "*notice*" insert "*or within the time prescribed by the agency in the notice*"

Page 2, line 7, strike "*or the time prescribed by the agency in the*"

Page 2, line 8, strike "*notice,*"

Page 2, line 16, after "*and shall*" insert "*contain the particulars of the noncompliance and shall*"

Page 3, line 5 strike "*income*" and insert "*taxable*"

The motion prevailed. So the amendment was adopted.

Mr. Tennessen moved that H. F. No. 474 be re-referred to the Committee on Taxes and Tax Laws.

The question being taken on the adoption of the motion,

Mr. Perpich, A. J. moved that those not voting be excused from voting. The motion prevailed.

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

Those who voted in the affirmative were:

Ashbach	Davies	Josefson	Olson, J. L.	Stassen
Bang	Dunn	Keefe, J.	O'Neill	Tennessee
Berg	Fitzsimons	Kirchner	Patton	Ueland
Bernhagen	Frederick	Knutson	Pillsbury	Wegener
Blatz	Hansen, Baldy	Kowalczyk	Renneke	
Brown	Hansen, Mel	Nelson	Schaaf	
Coleman	Hanson, R.	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Olson, A. G.	Solon
Arnold	Hughes	Lewis	Olson H. D.	Spear
Brataas	Humphrey	Merriam	Perpich, A. J.	Stokowski
Chenoweth	Jensen	Milton	Perpich, G.	Stumpf
Chmielewski	Keefe, S.	Moe	Purfeerst	Willet
Conzemius	Kleinbaum	North	Schmitz	
Doty	Larson	Olhoff	Schrom	

The motion did not prevail. H. F. No. 474 was then progressed.

Without objection, the Senate reverted to the Order of Business of Messages from the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 1425: A bill for an act relating to the city of Saint Paul; authorizing the city to directly negotiate and enter into contracts for solid waste collection and disposal; exempting such contracts from the Minnesota antitrust law of 1971.

Senate File No. 1425 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. North moved that the Senate do not concur in the amendments by the House to S. F. No. 1425 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S. F. No. 211: A bill for an act relating to counties; altering compensation of county officers; amending Minnesota Statutes

1974, Sections 38.38; 106.431, Subdivision 1; 123.56, Subdivision 9; 273.061, Subdivision 6; 282.09, Subdivision 1; 282.19; 344.19; 375.055, Subdivisions 1 and 5; 375.06, Subdivision 1; 375.47; Chapter 375, by adding a section; 376.58, Subdivision 2; 393.03; and 394.30, Subdivision 3; repealing Minnesota Statutes 1974, Sections 274.15; 375.055, Subdivision 3; 375.43; 384.151, Subdivision 2; 385.373, Subdivision 2; 386.015, Subdivision 3; 387.20, Subdivision 3; 388.18, Subdivision 3; and 485.018, Subdivision 3.

Senate File No. 211 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. Wegener moved that the Senate do not concur in the amendments by the House to S. F. No. 211 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

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

S. F. No. 917: A bill for an act relating to waters and watercraft safety; modifying the hours of operation of a watercraft towing a person; authorizing counties to expend moneys received from watercraft license fees for watercraft and swimming safety instructions; amending Minnesota Statutes 1974, Sections 361.09, Subdivision 2; and 361.27, Subdivision 1.

Senate File No. 917 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

CONCURRENCE AND REPASSAGE

Mr. Willet moved that the Senate concur in the amendments by the House to S. F. No. 917 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 917: A bill for an act relating to waters and watercraft safety; modifying the hours of operation of a watercraft towing a person; authorizing counties to expend moneys received from watercraft license fees for watercraft and swimming safety instructions; removing operator's permit exception for certain non-residents; amending Minnesota Statutes 1974, Sections 361.041, Subdivision 2; 361.09, Subdivision 2; and 361.27, Subdivision 1.

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

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

And the roll being called, there were yeas 50 and nays 5, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	Olhoff	Schmitz
Blatz	Fitzsimons	Kowalczyk	Olson, A. G.	Sillers
Brataas	Gearty	Larson	Olson, J. L.	Solon
Brown	Hansen, Mel	Laufenburger	O'Neill	Spear
Chenoweth	Hanson, R.	Lewis	Patton	Stassen
Chmielewski	Hughes	Merriam	Perpich, A. J.	Stokowski
Coleman	Humphrey	Milton	Perpich, G.	Stumpf
Conzemius	Jensen	Moe	Pillsbury	Tennessee
Davies	Keefe, J.	Nelson	Purfeerst	Wegener
Doty	Keefe, S.	North	Schaaf	Willet

Those who voted in the negative were:

Ashbach	Berg	Bernhagen	Hansen, Baldy Ueland
---------	------	-----------	----------------------

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 954: A bill for an act relating to elections; rearranging the laws regulating campaign practices and penalties; providing penalties; amending Laws 1975, Chapter 5, by adding a section; and Minnesota Statutes 1974, Sections 123.015; 290.09, Subdivision 2; and 290.21, Subdivision 3; repealing Minnesota Statutes 1974, Sections 210.01 to 210.22 and 211.01 to 211.41.

Senate File No. 954 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 954 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 954: A bill for an act relating to elections; rearranging the laws regulating campaign practices and penalties; providing penalties; amending Minnesota Statutes 1974, Sections 123.015; 290.09, Subdivision 2; and 290.21, Subdivision 3; repealing Minnesota Statutes 1974, Sections 210.01 to 210.21 and 211.01 to 211.41.

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

The question being taken on the repassage of the bill, as amended,
And the roll being called, there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 963: A bill for an act relating to insurance; prohibiting offsets in certain contracts for disability benefits received or receivable under the federal Social Security Act; amending Minnesota Statutes 1974, Chapter 62A, by adding a section; Sections 62B.06, Subdivision 2; 62C.14, by adding a subdivision; 62D.12, by adding a subdivision; and 64A.31, by adding a subdivision.

Senate File No. 963 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

CONCURRENCE AND REPASSAGE

Mr. Patton moved that the Senate concur in the amendments by the House to S. F. No. 963 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 963: A bill for an act relating to insurance; prohibiting offsets in certain contracts for disability benefits received or receivable under the federal Social Security Act; the Railroad Retirement Act, any Veteran's Disability Compensation and Survivor Benefits Act, Worker's Compensation or any similar federal or state law; amending Minnesota Statutes 1974, Chapter 62A, by adding a section; Sections 62B.06, Subdivision 2; 62C.14, by adding a subdivision; 62D.12, by adding a subdivision; and 64A.31, by adding a subdivision.

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

The question being taken on the repassage of the bill, as amended,
And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 398, 787 and 914.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 14, 1975

FIRST READING OF HOUSE BILLS

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

H. F. No. 398: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1974, Section 116.18, Subdivisions 1 and 4.

Referred to the Committee on Rules and Administration.

H. F. No. 787: A bill for an act relating to education; higher education coordinating commission; prescribing additional duties for the commission; authorization of reciprocity agreements; authorizing contracts with private colleges; providing for increasing scholarships and grants-in-aid; authorizing revenue bonds for student loans; appropriating money; amending Minnesota Statutes 1974, Sections 136A.04; 136A.05; 136A.08; 136A.101, Subdivision 4; 136A.121, Subdivision 3; 136A.171; 136A.20; 147.30; and 147.31.

Referred to the Committee on Rules and Administration.

H. F. No. 914: A bill for an act relating to education; children attending nonpublic schools; providing auxiliary services, text-

books, instructional materials and equipment; appropriating money.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Willet moved that S. F. No. 460 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Willet moved that the recommendations and Conference Committee Report as printed in the Journal May 13, 1975 on S. F. No. 460 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 460: A bill for an act relating to pollution; prohibiting sale of beverage containers having detachable parts; providing a penalty.

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

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

And the roll being called, there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Renneke voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Frederick moved that S. F. No. 1026 be taken from the table. The motion prevailed.

Mr. Frederick moved that the Senate do not concur in the amendments by the House to S. F. No. 1026 and that a Conference Committee of 5 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:30 o'clock p. m. The motion prevailed.

The hour of 7:30 o'clock p. m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Borden, Milton and Larson were excused from this evening's Session. Mr. Nelson was excused from this evening's Session at 8:30 o'clock p.m.

Pursuant to Rule 21, Mr. Keefe S. moved that the following members be excused for a Conference Committee on H. F. No. 1 at 8:00 p.m.:

Mrs. Brataas, Messrs. Hanson, R; Keefe, S.; Laufenburger and Merriam. The motion prevailed.

SPECIAL ORDER

S. F. No. 1554: A bill for an act relating to taxation; providing additional duties and powers for the state board of equalization; providing for tax equalization when one taxing jurisdiction includes two or more counties; amending Minnesota Statutes 1974, Section 270.12.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Wegener moved that the following members be excused for a Conference Committee on H. F. No. 1674:

Messrs. Blatz; Coleman; Conzemius; Olson, A. G. and Perpich, A. J. The motion prevailed.

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

Messrs. Borden; Fitzsimons; Chenoweth; Josefson and Willet. The motion prevailed.

Pursuant to Rule 21, Mr. Arnold moved that the following members be excused for a Conference Committee on H. F. No. 1758:

Messrs. Arnold; Ashbach; Davies; Hansen, Mel and Tennesen. The motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 1425, pursuant to the request of the Senate:

Messrs. Chenoweth, North, Stumpf.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on S. F. No. 211, pursuant to the request of the Senate:

Messrs. Wegener, Olson, A. G. and Kowalczyk.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 749, pursuant to the request of the House:

Messrs. Tennesen; Doty; Olson, J. L.; North and Frederick.

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

SPECIAL ORDER

H. F. No. 80: A bill for an act relating to education; authorizing certain governing student associations of institutions of higher learning to expend money for the purpose of funding a legal counseling and services program.

Mr. Hughes moved to amend H. F. No. 80 as follows:

Page 1, line 18, before the period insert "and derived solely from fees received from students"

The motion prevailed. So the amendment was adopted.

H. F. No. 80 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 44 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Lewis	Olson, H. D.	Solon
Brataas	Jensen	McCutcheon	O'Neill	Spear
Chenoweth	Josefson	Merriam	Patton	Stassen
Chmielewski	Keefe, J.	Milton	Perpich, G.	Stokowski
Doty	Keefe, S.	Moe	Purfeerst	Stumpf
Dunn	Kirchner	Nelson	Renneke	Ueland
Frederick	Kleinbaum	North	Schmitz	Wegener
Gearty	Knutson	Ogdahl	Schrom	Willet
Hanson, R.	Kowalczyk	Olhoft	Sillers	

Those who voted in the negative were:

Berg	Brown	Hansen, Baldy	Olson, J. L.	Pillsbury
Bernhagen				

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

SPECIAL ORDER

H. F. No. 599: A bill for an act relating to health; practice of healing; increasing the annual registration fee; amending Minnesota Statutes 1974, Section 146.13.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Kowalczyk	Olson, J. L.	Spear
Berg	Hanson, R.	Laufenburger	O'Neill	Stassen
Bernhagen	Hughes	Lewis	Patton	Stokowski
Brataas	Humphrey	McCutcheon	Perpich, G.	Stumpf
Brown	Jensen	Merriam	Purfeerst	Ueland
Chmielewski	Keefe, J.	Milton	Renneke	Wegener
Doty	Keefe, S.	Moe	Schmitz	
Dunn	Kirchner	North	Schrom	
Frederick	Kleinbaum	Ogdahl	Sillers	
Gearty	Knutson	Olhoft	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 600: A bill for an act relating to public health; providing for representation of the state examining committee for physical therapists on the advisory committee on allied health manpower credentialing of the state board of health; amending Minnesota Statutes 1974, Section 145.865, 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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Olhoff	Schrom
Bang	Hansen, Baldy	Knutson	Olson, J. L.	Solon
Bernhagen	Hanson, R.	Kowalczyk	O'Neill	Spear
Brataas	Hughes	Laufenburger	Patton	Stassen
Brown	Humphrey	Lewis	Perpich, G.	Stokowski
Chmielewski	Jensen	Merriam	Pillsbury	Stumpf
Doty	Keefe, J.	Moe	Purfeerst	Ueland
Dunn	Keefe, S.	North	Renneke	Wegener
Frederick	Kirchner	Ogdahl	Schmitz	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 562: A bill for an act relating to school districts; lowering the age of retired employees for whom a school board may purchase medical insurance; amending Minnesota Statutes 1974, Section 123.72.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson, J. L.	Solon
Bang	Hughes	McCutcheon	O'Neill	Spear
Bernhagen	Humphrey	Milton	Pillsbury	Stassen
Brown	Jensen	Moe	Purfeerst	Stokowski
Chmielewski	Keefe, J.	Nelson	Renneke	Stumpf
Doty	Kirchner	North	Schmitz	Ueland
Dunn	Kleinbaum	Ogdahl	Schrom	Wegener
Frederick	Kowalczyk	Olhoff	Sillers	

Those who voted in the negative were:

Berg	Knutson	Olson, H. D.	Patton	Perpich, G.
Hansen, Baldy				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 739: A bill for an act relating to the department of administration; powers of the commissioner; air navigation facilities; amending Minnesota Statutes 1974, Section 16.02, Subdivision 2a.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson, J. L.	Schrom
Bang	Gearty	Kowalczyk	O'Neill	Sillers
Berg	Hansen, Baldy	Lewis	Patton	Solon
Bernhagen	Hughes	Moe	Perpich, G.	Spear
Brown	Humphrey	North	Pillsbury	Stokowski
Chmielewski	Keefe, J.	Ogdahl	Purfeerst	Stumpf
Doty	Kirchner	Olhoff	Renneke	Ueland
Dunn	Kleinbaum	Olson, H. D.	Schmitz	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 306: A bill for an act relating to children; requiring reports of maltreatment of minors to be filed by certain individuals; authorizing reports to be filed by citizens under certain circumstances; prescribing penalties for failing to report or falsifying reports; amending Minnesota Statutes 1974, Chapter 626, by adding a section; repealing Minnesota Statutes 1974, Section 626.554.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kowalczyk	Olson, J. L.	Schrom
Bang	Hansen, Baldy	Lewis	O'Neill	Sillers
Berg	Hughes	Milton	Patton	Solon
Bernhagen	Humphrey	Moe	Perpich, G.	Spear
Chmielewski	Keefe, J.	North	Pillsbury	Stokowski
Doty	Kirchner	Ogdahl	Purfeerst	Stumpf
Dunn	Kleinbaum	Olhoff	Renneke	Ueland
Frederick	Knutson	Olson, H. D.	Schmitz	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 481: A bill for an act relating to agriculture; regulating wholesale produce dealers by requiring licensing, bonding, and assurance of financial responsibility; removing requirement of publication of information concerning commercial feed, fertilizer, and soil conditioners; removing restrictions on unofficial grain inspection certificates; providing a penalty; amending Minnesota Statutes 1974, Sections 27.001; 27.01, Subdivisions 2, 5 and 8; 27.03; 27.04; 27.06; 27.19; and Chapter 27, by adding a section; repealing Minnesota Statutes 1974, Sections 17.724; 17B.19; and 25.45.

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 36 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Moe	Pillsbury	Stokowski
Bang	Kirchner	North	Purfeerst	Stumpf
Brown	Kleinbaum	Ogdahl	Renneke	Ueland
Chmielewski	Knutson	Olhoft	Schmitz	Wegener
Doty	Kowalczyk	Olson, H. D.	Schrom	
Gearty	Lewis	Olson, J. L.	Sillers	
Hansen, Baldy	McCutcheon	O'Neill	Solon	
Hughes	Milton	Perpich, G.	Spear	

So the bill passed and its title was agreed to.

Mr. Hansen, Baldy moved the Senate do now adjourn.

The question being taken on the adoption of the motion,

Mr. O'Neill moved that those not voting be excused from voting.

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

And the roll being called, there were yeas 15 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Kirchner	Kowalczyk	Ogdahl	Renneke
Brown	Kleinbaum	Lewis	O'Neill	Sillers
Hansen, Baldy	Knutson	North	Pillsbury	Ueland

Those who voted in the negative were:

Moe	Olson, J. L.	Purfeerst	Schrom	Wegener
Olson, H. D.	Perpich, G.	Schmitz	Tennessee	

The motion did not prevail.

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

The question being taken on the adoption of the motion of Mr. Hansen, Baldy to adjourn,

And the roll being called, there were yeas 13 and nays 26, as follows:

Those who voted in the affirmative were:

Brown	Knutson	Olson, J. L.	Renneke	Ueland
Hansen, Baldy	Kowalczyk	O'Neill	Schrom	
Kirchner	Ogdahl	Pillsbury	Sillers	

Those who voted in the negative were:

Anderson	Humphrey	Milton	Purfeerst	Tennessee
Arnold	Keefe, S.	Moe	Schmitz	Wegener
Chmielewski	Kleinbaum	North	Solon	
Davies	Laufenburger	Olhoft	Spear	
Gearty	McCutcheon	Olson, H. D.	Stokowski	
Hughes	Merriam	Perpich, G.	Stumpf	

The motion did not prevail.

SPECIAL ORDER

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.

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

The question being taken on the passage of the bill,

Mr. Hansen, Baldy moved that those not voting be excused from voting. The motion did not prevail.

And the roll being called, there were yeas 41 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olhoft	Spear
Arnold	Gearty	Kowalczyk	Olson, H. D.	Stokowski
Bang	Hansen, Mel	Laufenburger	O'Neill	Stumpf
Brown	Hughes	Lewis	Patton	Tennessee
Chmielewski	Humphrey	McCutcheon	Pillsbury	Wegener
Coleman	Keefe, J.	Merriam	Schmitz	
Davies	Keefe, S.	Milton	Schrom	
Doty	Kirchner	Moe	Sillers	
Dunn	Kleinbaum	North	Solon	

Those who voted in the negative were:

Berg	Hansen, Baldy	Perpich, G.	Renneke	Ueland
Bernhagen	Olson, J. L.	Purfeerst		

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Thursday, May 15, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate