

FIFTY-FOURTH DAY

St. Paul, Minnesota, Thursday, May 15, 1975

The Senate met at 9:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

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

Anderson	Dunn	Kirchner	Olson, H. D.	Schmitz
Arnold	Fitzsimons	Kleinbaum	Olson, J. L.	Sillers
Bang	Frederick	Kowalczyk	O'Neill	Spear
Berg	Gearty	Laufenburger	Patton	Stokowski
Bernhagen	Hansen, Baldy	McCutcheon	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Milton	Perpich, G.	Tennessee
Chmielewski	Hanson, R.	Moe	Pillsbury	Ueland
Davies	Hughes	Ogdahl	Purfeerst	Wegener
Doty	Keefe, S.	Olhoff	Renneke	Willet

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

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

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

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

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. Olson, A. G. and Schaaf were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The Honorable Alec Olson
President of the Senate

Sir:

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

S. F. No. 287, An act relating to natural resources; changing the name of Minnesota Memorial Hardwood State Forest; prescribing certain duties for the revisor of statutes.

S. F. No. 311, An act relating to unemployment compensation; allowing applicants to receive benefits in weeks they receive holiday pay.

S. F. No. 421, An act relating to natural resources; eliminating duplicate, previously repealed language.

S. F. No. 451, An act relating to natural resources; raising limitations on values of timber which may be sold by informal sale; reducing the value of timber which may be sold at auction; altering certain sale procedures.

S. F. No. 452, An act relating to game and fish; affording protection to turtles and regulating the taking thereof.

S. F. No. 590, An act relating to unemployment compensation; requiring reports to the department of employment services be in the same name as appears on the employer's payroll checks.

S. F. No. 778, An act relating to the city of Medford, authorizing the issuance of certain general obligation bonds in excess of the debt limit of the city.

S. F. No. 845, An act relating to Itasca County; increasing the permissible per capita expenditure on tourist agricultural and industrial promotion.

S. F. No. 871, An act relating to St. Louis County; providing for the donation of Mesabi nursing home to range hospital corporation, a nonprofit corporation.

S. F. No. 1038, An act relating to certain counties; providing for the filing of surveys with the county surveyor.

S. F. No. 1088, An act relating to natural resources; authorizing the establishment of additional state trails.

S. F. No. 1210, An act relating to the city of Ely; authorizing

the governing body thereof to consolidate the offices of city clerk and city treasurer.

S. F. No. 1441, An act relating to real estate; changing recording functions of the register of deeds.

S. F. No. 1443, An act relating to real estate; liens; eliminating the required margin notation by register of deeds.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Purfeerst introduced—

S. F. No. 1754: A bill for an act relating to agriculture; requiring persons purchasing corn or soybeans to pay a premium for dry corn or soybeans.

Referred to the Committee on Natural Resources and Agriculture.

Mr. Keefe, S. introduced—

S. F. No. 1755: A bill for an act relating to public health; altering requirements and procedures for the issuance of certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2, 3, and 5, and by adding subdivisions; 145.75; 145.76; 145.77; 145.78; 145.79; 145.80; and 145.82.

Referred to the Committee on Health, Welfare and Corrections.

Messrs. Olson, H. D.; Ueland and Borden introduced—

S. F. No. 1756: A bill for an act relating to intoxicating liquor, restrictions upon places of sale; amending Minnesota Statutes 1974, Sections 340.07, Subdivision 13; and 340.353, Subdivision 1.

Referred to the Committee on Labor and Commerce.

Messrs. Hughes and Fitzsimons introduced—

S. F. No. 1757: A bill for an act relating to recreation; environmental preservation and energy conservation; conserving human and natural resources by promoting health and recreation and abating environmental pollution by encouraging the use of bicycles; providing for a bicycle registration system, and prescribing the powers and duties of the commissioner of public safety in relation thereto; regulating the use of bicycles on streets, highways, bicycle ways and bicycle lanes; providing for bicycle safety education in schools; prescribing a model bicycle ordinance for political subdivisions; directing the commissioner of natural resources to de-

velop a plan for an interconnecting system of bicycle trails; prescribing penalties; and appropriating money; repealing Minnesota Statutes 1974, Section 169.221.

Referred to the Committee on Transportation and General Legislation.

Mr. Conzemius introduced—

S. F. No. 1758: A bill for an act relating to the establishment of an environmental education center; authorizing the state to receive a gift of property; authorizing the commissioner of natural resources to administer the environmental education center; appropriating money.

Referred to the Committee on Education.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 143, 624, 949, 1102, 282, 912, 977, 1558, 1577, 51, 366, 757, 1113, 167, 306 and 1119.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 14, 1975

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 226, and repassed said bill in accordance with the report of the Committee, so adopted.

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

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 14, 1975

Mr. President:

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

S. F. No. 469: A bill for an act relating to retirement; miscellaneous changes in various provisions of the teachers retirement act; amending Minnesota Statutes 1974, Sections 354.05, Sub-

divisions 13, 25, 26, and by adding a subdivision; 354.06, Subdivision 1; 354.07, by adding subdivisions; 354.092; 354.10; 354.43, Subdivisions 1, and 3; 354.44, Subdivisions 4, and 6, and by adding a subdivision; 354.46, Subdivision 1; 354.48, Subdivisions 3, and 10; 354.49, Subdivision 5; 354.53, Subdivision 1; 354.55, Subdivisions 3, 11, 16, and 19; and 354.62, Subdivision 5.

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

Patton, Parish and Biersdorf.

Senate File No. 469 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. President:

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

S. F. No. 1446: A bill for an act relating to Dodge and Olmsted counties; authorizing a judge of the county court district of Dodge-Olmsted to take a leave of absence for purposes of study and research.

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

Friedrich, Lemke and Dieterich.

Senate File No. 1446 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. President:

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

S. F. No. 1466: A bill for an act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

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

Prahl; Anderson, I. and Begich.

Senate File No. 1466 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 229:

H. F. No. 229: A bill for an act relating to taxes on or measured by net income; appropriating money; amending Minnesota Statutes 1974, Chapter 290, by adding a section; Sections 290.01, Subdivisions 8, 20, 21, and 22; and by adding subdivisions; 290.02; 290.06, Subdivisions 2c and 11; 290.0601, Subdivisions 6 and 9; 290.061; 290.086, Subdivision 7; 290.09, Subdivisions 4 and 15; 290.16, by adding a subdivision; 290.21, Subdivision 4; 290.26; 290.50, Subdivisions 1, 2, 3 and 5; 290.92, Subdivisions 6 and 19; 290.931, Subdivision 1; 290.933, Subdivision 1; 290.972, Subdivision 2; 290.983, Subdivision 1; 290.985; repealing Minnesota Statutes 1974, Sections 290.072; 290.08, Subdivisions 9, 10, 11, 15, 16, 17, 18 and 22; 290.0801; and 290.931, Subdivision 2.

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

Dietrich, Casserly, Jaros, Tomlinson and Jacobs have been appointed as such committee on the part of the House.

House File No. 229 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 14, 1975

Mr. Perpich, A. J. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 229, 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 appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1526:

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.

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

Dieterich, Hanson and Kostohryz have been appointed as such committee on the part of the House.

House File No. 1526 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 14, 1975

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1526, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 133:

H. F. No. 133: A bill for an act relating to taxation; eliminating assessor's function of obtaining agricultural statistics and information; appointment of special boards of review and equalization; providing for certification of assessor; reclassification procedures for certain property; amending Minnesota Statutes 1974, Sections 17.03, Subdivision 2; 270.11, by adding a subdivision; 270.48; 273.17, Subdivision 1; 274.01; 274.13; 274.14.

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

Pehler, Tomlinson, McCollar, DeGroat and White have been appointed as such committee on the part of the House.

House File No. 133 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 14, 1975

Mr. Coleman moved that H. F. No. 133 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 929:

H. F. No. 929: A bill for an act relating to banks, savings banks and credit unions; authorizing consumer banking facilities; providing penalties.

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

Hanson, Eken and Kelly, R. have been appointed as such committee on the part of the House.

House File No. 929 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 14, 1975

Mr. Coleman moved that H. F. No. 929 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. 1428: A bill for an act relating to the capitol area architectural and planning commission; authorizing the city of St. Paul to expend moneys held by it in accordance with the city capital improvement budget; amending Minnesota Statutes 1974, Section 15.50, Subdivision 3.

Senate File No. 1428 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 14, 1975

Mr. Stumpf moved that the Senate do not concur in the amendments by the House to S. F. No. 1428 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. 1221: A bill for an act relating to courts; Hennepin county conciliation court; providing for compensation for referees; amending Minnesota Statutes 1974, Section 488A.13, Subdivision 1.

Senate File No. 1221 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 14, 1975

CONCURRENCE AND REPASSAGE

Mr. Gearty moved that the Senate concur in the amendments by the House to S. F. No. 1221 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1221 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 55 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Hansen, Baldy voted in the negative.

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

Pursuant to Rule 21, Mr. Tennessen moved that the following members be excused for a Conference Committee on H. F. No. 749: Messrs. Tennessen; North; Olson, J. L.; Doty and Frederick. The motion prevailed.

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. 1222: A bill for an act relating to courts; Hennepin county municipal court; providing for assignment of retired judges to hear certain causes; amending Minnesota Statutes 1974, Section 488A.021, by adding a subdivision.

Senate File No. 1222 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

CONCURRENCE AND REPASSAGE

Mr. Gearty moved that the Senate concur in the amendments by the House to S. F. No. 1222 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1222 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 126: A bill for an act relating to game and fish; methods of taking bear; providing a penalty; amending Minnesota Statutes 1974, Section 100.29, by adding a subdivision.

Senate File No. 126 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. 126 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 126 was read the third time, as amended by the House, and placed on its repassage.

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

And the roll being called, there were yeas 51 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 747: A bill for an act relating to crimes; specifying the acts constituting the offense of possession of shoplifting devices or gear; prescribing penalties; amending Minnesota Statutes 1974, Chapter 609, by adding a section.

Senate File No. 747 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. 747 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 747: A bill for an act relating to crimes; specifying the acts constituting the offense of possession of shoplifting devices or gear; prescribing penalties; providing penalties for certain acts relating to livestock; providing for the collection of damages; amending Minnesota Statutes 1974, Chapter 609, by adding sections.

S. F. No. 747 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

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

S. F. No. 242: A bill for an act relating to corrections; defining powers and duties of the commissioner of corrections; amending Minnesota Statutes 1974, Section 241.01, Subdivision 5a, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 241.01, Subdivision 3.

Senate File No. 242 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

Mr. Lewis moved that S. F. No. 242 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. 46: A bill for an act relating to courts; jurisdictional amount in conciliation court actions; amending Minnesota Statutes 1974, Sections 487.30; 491.03, Subdivision 4; and 491.04, Subdivision 1.

Senate File No. 46 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 14, 1975

CONCURRENCE AND REPASSAGE

Mr. Ueland moved that the Senate concur in the amendments by the House to S. F. No. 46 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 46: A bill for an act relating to courts; jurisdictional amount in conciliation court actions; amending Minnesota Statutes 1974, Sections 487.27, Subdivision 1; 487.30; 491.03, Subdivision 4; and 491.04, 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 49 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Coleman	Keefe, S.	Nelson	Sillers
Arnold	Davies	Kirchner	Ogdahl	Solon
Ashbach	Dunn	Kowalczyk	Olhoft	Spear
Bang	Fitzsimons	Larson	Olson, H. D.	Stassen
Berg	Gearty	Laufenburger	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	McCutcheon	Perpich, G.	Ueland
Brataas	Hanson, R.	Merriam	Pillsbury	Wegener
Brown	Humphrey	Milton	Purfeerst	Willet
Chmielewski	Josefson	Moe	Schrom	

Messrs. Jensen, Patton and Schmitz voted in the negative.

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

MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce that, pursuant to Joint Rule No. 14, the House has receded from the action taken by the House on May 13, 1975, when it refused to concur in the Senate amendments to H. F. No. 522 and appointed a Conference Committee of five members. The House requests the return of H. F. No. 522 for further consideration.

Edward A. Burdick, Chief Clerk, House of Representatives

May 14, 1975

Mr. Keefe, S. moved that the Senate accede to the request of the House for the recall of H. F. No. 522 for further consideration. The motion prevailed.

Mr. President:

I have the honor to announce that the House wishes to recall for purpose of further consideration House File No. 593:

H. F. No. 593: A bill for an act relating to retirement; computation of legislative annuities; mandatory age for legislative employees; miscellaneous changes in the Minnesota state retirement system law; amending Minnesota Statutes 1974, Chapters 3A; 352; and 352B, by adding sections; Sections 3A.01, Subdivisions 2 and 4; 3A.02, Subdivisions 1, 3, and 4; 3A.03, Subdivision 2; 3A.04, Subdivisions 1 and 2; 3A.05; and 3A.10, Subdivision 1; 43.051, Subdivision 1; 352.01, Subdivision 17; 352.03, Subdivisions 4, 11, and by adding a subdivision; 352.113, Subdivisions 1, 5, and 12; 352.115, Subdivisions 2, 10, and 11; 352.12, Subdivisions 1, 2, 6, 7, 8, and 11; 352.15; 352.22, Subdivisions 3 and 8; 352.72, Subdivision 2, and by adding a subdivision; 352.91, by adding a subdivision; 352.93, Subdivision 1; 352B.03, Subdivisions 1 and 2; 352D.015, Subdivision 9; 352D.02, Subdivisions 1 and 3; 352D.05, Subdivision 3; 352D.06, Subdivisions 1 and 2; 352D.065, Subdivisions 2 and 3; and 352D.075, Subdivisions 2 and 3; repealing Minnesota Statutes 1974, Sections 352.28; 352.32; 352.38; 352.715; 352B.01, Subdivision 5; 352B.021;

352B.04; 352D.015, Subdivision 10; 352D.05, Subdivision 2; 352D.065, Subdivision 1; 352D.075, Subdivision 1; and 352D.085, Subdivision 2.

Edward A. Burdick, Chief Clerk, House of Representatives
May 14, 1975

Mr. Chenoweth moved that the Senate accede to the request of the House for the recall of H. F. No. 593 for further consideration. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 943.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 14, 1975

FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

H. F. No. 943: A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 2, 6, 7, 12, and by adding a subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 375.164; repealing Minnesota Statutes 1974, Sections 238.05, Subdivisions 8 and 16; and 238.09, Subdivision 2.

Referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

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

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

S. F. No. 1530: A bill for an act relating to wild animals; establishing the expiration date of all game and fish licenses as the last day of February; authorizing the commissioner of natural resources to provide for the issuance of more than one game or fish license to a person during any licensing year; providing for distribution of game and fish licenses on consignment; establishing an issuing fee for such licenses; requiring sub-agents to be

bonded; authorizing county auditors to retain a four percent commission on all license fees including surcharges; authorizing the commissioner of natural resources to issue regulations regulating to sub-agencies; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 1; and 98.50, Subdivisions 1, 2, 3 and 5.

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

Page 5, line 21, after the period insert "*All licenses issued for the calendar year 1975 shall be deemed to have been issued for a period ending on the last day of February, 1976.*"

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. 483: A bill for an act relating to livestock; registration and publication of livestock brands or marks; amending Minnesota Statutes 1974, Sections 35.824; 35.826; 35.827; 35.828; 35.829; and 35.830; repealing Minnesota Statutes 1974, Section 35.823.

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. 777: A bill for an act relating to aeronautics; joint operations; authorizing agreements for joint operations between the state and the Dominion of Canada or its governmental subdivisions subject to the approval of the United States; amending Minnesota Statutes 1974, Sections 360.021, Subdivision 3; and 360.042, Subdivision 1, and by adding a subdivision.

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. 806: A bill for an act relating to control of noxious weeds; authorizing towns to control noxious weed growth on state lands; providing reimbursement of certain expenses incurred to control weeds on state lands.

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. 1035: A bill for an act relating to railroad safety; appropriating money to the department of public service for the purpose of enforcing certain railroad track safety standards.

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. 798: 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.

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

Page 2, strike lines 16 through 21 and insert:

"(e) Develop, in cooperation with the postsecondary systems, legislative staff and the departments of administration and finance a compatible budgetary reporting format designed to provide data of a nature to facilitate systematic review of the budget submissions of the university of Minnesota, the state college system, the state community college system and the public vocational technical schools; and which includes the relating of dollars to program output,"

Page 3, line 1, delete ";" and insert "."

Page 3, strike lines 2 through 7

Page 3, line 13, strike "shall"

Page 6, line 28, strike "\$1,200" and reinstate "\$1,000"

Page 7, line 3, strike "\$1,200" and reinstate "\$1,000"

Page 9, line 15, strike "without regard to the number"

Page 9, strike line 16 except the period

Page 9, line 25, after "and" insert "\$120,000 per year"

Page 9, line 25, after "for" and before "loans" insert "new"

Page 9, line 26, strike ", for up to maximum of"

Page 9, line 27, strike "20"

Page 9, line 28, strike "recipients"

Page 9, line 28, strike "per year of the biennium"

Page 11, line 5, strike "\$6,000" and insert "\$4,000"

Page 11, line 8, strike "\$24,000" and insert "\$16,000"

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. 1715: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; amending Minnesota Statutes 1974, Sections 43.05, Subdivision 2; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1 and 2; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivision 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9.

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. 757: A bill for an act relating to health care; directing the commissioner of insurance to prescribe certain health insurance claim forms.

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

Strike everything after the enacting clause and insert:

"Section 1. The commissioner of insurance shall prescribe uniform health insurance claim forms for each class of provider which shall be used by all insurers issuing in this state policies of accident and sickness insurance, all service plan corporations issuing in this state subscriber contracts, and all state agencies that require health insurance claims for their records. The forms shall be scannable where required and provide information as required to insure maximum federal participation in program and administrative costs. Whenever feasible, the commissioner shall utilize the standardized claim form of the provider or an association to which the provider belongs."

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. 1009: A bill for an act relating to health and welfare; providing for increasing service levels under the nutrition for the elderly program; 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

S. F. No. 1120: A bill for an act relating to flood plain management; providing for a program of grants to local government

units for the construction of floodwater retention and retarding structures; appropriating money; amending Minnesota Statutes 1974, Chapter 104, by adding sections.

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

Page 2, line 12, strike "75" and insert "50"

Page 2, line 16, strike "75" and insert "50"

Page 6, line 11, strike "*annually*"

Page 6, line 18, strike "16.17" and insert "16A.28"

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

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

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

S. F. No. 661: A bill for an act relating to elections; requiring the secretary of state to train all election officials; appropriating money.

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

Page 2, strike lines 6 through 8

Renumber the remaining section

Further amend the title as follows:

Page 1, line 3, strike the semicolon

Page 1, line 4, 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

H. F. No. 1140: A bill for an act relating to health; providing for a program of treatment for adults having cystic fibrosis; appropriating money; amending Minnesota Statutes 1974, Chapter 144, by adding a section.

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. 344: A bill for an act relating to motor vehicles; providing for activities in connection with motor vehicle and other waste; amending Minnesota Statutes 1974, Sections 168B.02, by adding a subdivision; 168B.09, Subdivision 1; 168B.10, Subdivision 1; and Chapter 168B, by adding a section.

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

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

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

Page 4, strike lines 11 through 14 and insert:

"Sec. 6. [APPROPRIATION.] The sum of \$300,000 is appropriated for the purposes of this act from the general fund to the state board of health for the period beginning July 1, 1975, and ending January 1, 1977. Funds available shall not cancel until June 30, 1977. Funds appropriated under this act shall not be used to establish family planning clinics in primary and secondary schools."

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. 907: A bill for an act relating to charitable trusts and trustees; authorizing the secretary of state to establish and maintain a register of charitable trusts; authorizing the attorney general to take appropriate actions to protect and enforce the proper administration of charitable trusts; authorizing investigations; authorizing fees.

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

S. F. No. 1527: A bill for an act relating to the American revolution bicentennial; creating a commission; appropriating money.

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

Page 2, strike line 32

Page 3, strike lines 1 through 3

Further amend the title as follows:

Page 1, line 3, 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 re-referred

S. F. No. 677: A bill for an act relating to state procurement; requiring the commissioner of administration to set aside certain state procurement from normal bidding procedures for first offering to small businesses; requiring the commissioners of administration and economic development to publicize the set-asides and assist small businesses; appropriating money.

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

Page 7, line 17, strike “\$25,000” 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 re-referred

S. F. No. 1437: A bill for an act creating a legislative commission to study the Minnesota usury law; appropriating money therefor.

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. 755: A bill for an act relating to state administrative procedures; redefining certain terms; prescribing a method for the adoption, amendment, suspension or repeal of rules; providing for the publication of a manual of state agency rules; providing for the publication of the state register; creating an office of hearing examiners; appropriating money; amending Minnesota Statutes 1974, Sections 15.0411; 15.0412; 15.0413, Subdivisions 1, 2 and 3; 15.0415; 15.0421; 15.046; 15.047, Subdivision 1; 15.048; 15.049; 15.051, Subdivisions 1 and 2, and by adding a subdivision; 16.80, Subdivision 1; Laws 1974, Chapter 344, Section 9; Chapters 5, by adding a section; and 15, by adding sections; repealing Minnesota Statutes 1974, Section 15.0413, Subdivisions 4, 5 and 6.

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

Page 20, line 17, strike “*Subdivision 1.*”

Page 20, line 19, after the dollar sign insert “167,600”

Page 20, strike lines 24 through 27

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

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

H. F. No. 398 for comparison to companion Senate Files, reports the following House File was found identical and recommends the House File be given its Second Reading and substituted for its companion Senate File as follows:

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.
398	1165				

And that the above Senate File be indefinitely postponed.

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

Mr. Coleman from the Committee on Rules and Administration, to which were referred H. F. Nos. 1722, 210 and 1199 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.
1722	79				
210	50				
1199	1167				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1722 be amended as follows:

Strike everything after the acting clause and insert

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

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

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

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

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

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

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

Sec. 3. Minnesota Statutes 1974, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE, EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of ~~seven~~ *nine* cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

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

Sec. 5. [EFFECTIVE DATE.] *This act is effective July 1, 1975. The increase in gasoline tax imposed by section 3 applies to all gasoline in distributor storage on July 1, 1975."*

Further, strike the title and insert

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

And when so amended, H. F. No. 1722 will be identical to S. F. No. 79 and further recommends that H. F. No. 1722 be given its second reading and substituted for S. F. No. 79 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 210 be amended as follows:

Page 2, line 4, after "individual" insert "age"

Page 2, line 8, delete the semicolon and insert a colon

Page 2, line 14, delete the semicolon and insert a colon

Page 4, line 31, delete "nonsugar coated"

And when so amended, H. F. No. 210 will be identical to S. F. No. 50 and further recommends that H. F. No. 210 be given its second reading and substituted for S. F. No. 50 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1199 be amended as follows:

Strike everything after the enacting clause and insert

"Section 1. Minnesota Statutes 1974, Section 254A.02, Subdivision 1, is amended to read:

254A.02 [DEFINITIONS.] Subdivision 1. For the purposes of ~~Laws 1973, Chapter 572~~ *chapter 254A*, unless the context clearly indicates otherwise, the terms defined in this section have the meanings given them.

Sec. 2. Minnesota Statutes 1974, Section 254A.02, is amended by adding subdivisions to read:

Subd. 12. "Area mental health board" means a board established pursuant to Minnesota Statutes, Sections 245.61 to 245.69.

Subd. 13. "Commissioner" means the commissioner of public welfare.

Subd. 14. "Youth" means any person 17 years of age or under.

Subd. 15. "Underserved population" means those population groups not receiving services in proportion to identified problem or need levels.

Subd. 16. "Affected employee" means an employee whose job performance is substantially affected by chemical dependency.

Subd. 17. "Purchase of service agreement" means a contract between a contractor and service provider for the provision of services, which specifies the services to be provided, the method of delivery, the type of staff to be employed, and a method of evaluation of the services to be provided. The method of evaluation shall be one approved by the alcohol and drug abuse evaluation consortium.

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 prestated objectives, whether existent and proposed activities are the most appropriate programmatic response to predetermined needs and whether they are the most cost effective.

Sec. 3. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.031] [NATIVE AMERICAN PROGRAMS.] *The commissioner shall enter into one or more purchase of service agreements to provide programs for native Americans. The agreements*

shall provide for residential and aftercare treatment programs, programs relating to prevention, education, and community awareness, and training programs. All programs shall be designed to meet the needs identified by the native American community relating to alcohol and other drug dependence and abuse. The commissioner shall enter into the agreements after consultation with the special assistant for native American programs or the alcohol and drug abuse section of the department of public welfare, and the agreements shall be reviewed pursuant to section 254A.03.

Sec. 4. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.12] [AFFECTED EMPLOYEES.] *Participating area boards shall enter into one or more purchase of service agreements to provide services to employers to develop personnel practices for prevention of alcoholism and other chemical dependency, and to assist affected employees in gaining access to care through identification and referral services.*

Sec. 5. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.13] [STATE AS A MODEL EMPLOYER.] *The commissioner of personnel shall enter into one or more purchase of service agreements to provide services to the agencies and departments of state government to develop personnel practices for prevention of alcoholism and other chemical dependency and to assist affected employees in gaining access to care through identification and referral services.*

The commisisoner of personnel shall, in consultation with the commissioner, develop uniform personnel rules for state employees which shall provide assurance of continued employment and support for an affected employee if treatment for alcoholism or other chemically related problems is obtained. All agencies and departments of state government shall cooperate with the commissioner of personnel in the implementation of this program.

Sec. 6. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.14] [SERVICES TO YOUTH AND OTHER UNDERSERVED POPULATIONS.] *Participating area boards shall enter into one or more purchase of service agreements to provide services related to the prevention of chemical dependency to persons and groups which have responsibility for, and access to, youth and other underserved populations. The boards shall also enter into purchase of service agreements to assist those populations in gaining access to care.*

Sec. 7. **[AFFIRMATIVE OUTREACH.]** *The commissioner shall design and implement a plan of affirmative outreach to encourage utilization of the services authorized in sections 3 to 6 of this act. The plan may include purchase of services by the commissioner to carry out the plan.*

Sec. 8. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.16] [RESPONSIBILITY OF THE COMMISSIONER.]

The commissioner shall provide program guidelines and technical assistance to the area boards in carrying out their responsibilities under sections 4 and 6. The commissioner shall also evaluate or provide for the evaluation of all the programs authorized by this act. In evaluating or providing for the evaluation of programs, he shall consult with the alcohol and drug abuse evaluation consortium. The commissioner shall recommend to the governor and to the legislature means of making programs wholly or partially self sustaining.

Sec. 9. Minnesota Statutes 1974, Chapter 254A, is amended by adding a section to read:

[254A.17] [ALLOCATION OF FUNDS BY COMMISSIONER OF PUBLIC WELFARE.] *The funds appropriated for sections 3 to 7 to the commissioner of public welfare shall be allocated by him subject to the following provisions:*

(a) *For the purposes of section 4, the allocation of funds shall be to each participating area board on the basis of total numbers of persons in the work force in counties served by the area board. For the purposes of section 6, subdivision 1, the allocation of funds shall be to each participating area board on the basis of the elementary, middle and secondary school populations and the most current United States census data in counties served by the area board. Area boards shall ensure that services are provided in each county in proportion to the population to be served.*

(b) *Funds in section 4 to assist affected employees in gaining access to care may be used for private employers or employee groups of under 200 persons, or public employer or employee groups of any number and shall be paid on the following cost sharing basis: During the first year of the biennium, the participating area board shall meet 90 percent of the cost of the program, the employer or employee group shall meet 10 percent of the cost. During the second year of the biennium, each party shall pay 50 percent of the cost of a program. Private employer groups of over 200 may participate in programs authorized under section 4, but shall not be eligible for receipt of public funds under this act. The area board and employer and employee groups must work towards a financially self-sustaining system for each program.*

(c) *Funds shall not be used to supplant or reduce in any way present local, state, federal, or private expenditure levels supporting existing resources.*

(d) *Existing program resources shall be fully utilized before new programs are developed.*

(e) *Allocation of funds to area mental health boards shall be contingent upon the demonstrated capability of the boards to adequately plan and coordinate chemical dependency programs.*

(f) *Area boards shall be encouraged to plan jointly to develop needed program resources on a multiarea basis.*

(g) Programs developed by funds allocated under sections 3 to 6 shall comply with the guidelines established by the commissioner.

(h) No more than five percent of the total allocation to an area mental health board may be used for purposes of administering and monitoring purchased services.

(i) Purchase of service agreements under section 3 shall be contingent on the demonstrated capability of service providers to adequately fulfill the terms of the agreement.

(j) During the biennium, the commissioner may review the unexpended balance of funds allocated to each area board and service provider under sections 4 and 6 and may reallocate unexpended funds within the program categories established by sections 4 and 6 based upon demand for services. Reallocations under this provision may only be made after consultation with the alcohol and drug abuse evaluation consortium.

Sec. 10. [APPROPRIATION.] Subdivision 1. For purposes of section 4 there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$2,360,000. Not more than \$120,000 shall be used by the commissioner for the administration of the program. The approved complement of the department of public welfare shall be enlarged by two positions.

Subd. 2. For purposes of section 5 there is appropriated the sum of \$125,000 from the general fund to the commissioner of personnel. The approved complement of the department of personnel shall be enlarged by one position.

Subd. 3. For the purposes of section 6, subdivision 1, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$1,400,000.

Subd. 4. For the purposes of section 3, there is appropriated from the general fund to the commissioner of public welfare for the biennium ending June 30, 1977, the sum of \$1,000,000. Of this sum, \$500,000 shall be used for residential treatment programs; \$450,000 shall be used for prevention, education, community awareness, and training programs; and \$50,000 shall be used for the development of a plan to implement the provisions of section 3.

Subd. 5. For purposes of section 7, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund, the sum of \$50,000.

Subd. 6. For purposes of section 8, there is appropriated to the commissioner of public welfare for the biennium ending June 30, 1977, from the general fund the sum of \$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.

Sec. 11. This act shall be effective July 1, 1975."

Further, strike the title and insert

"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; creating an alcohol and drug abuse evaluation consortium, and prescribing its duties; appropriating money; amending Minnesota Statutes 1974, Section 254A.02, Subdivision 1, and by adding subdivisions; and Chapter 254A, by adding sections."

And when so amended, H. F. No. 1199 will be identical to S. F. No. 1167 and further recommends that H. F. No. 1199 be given its second reading and substituted for S. F. No. 1167 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.

SECOND READING OF SENATE BILLS

S. F. Nos. 1530, 777, 806, 1035, 798, 1715, 1120, 661, 1313, 1527, 677, 1437 and 755 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 483, 757, 1009, 257, 1140, 344, 907, 398, 1722, 210 and 1199 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. McCutcheon moved that the name of Mr. Fitzsimons be added as second author and the name of Mr. Stassen be stricken as co-author to S. F. No. 100. The motion prevailed.

Mr. Laufenburger moved that S. F. No. 1290 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 1290 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1290: A bill for an act relating to architects, engineers, surveyors and landscape architects; providing for registration and regulation of landscape architects; changing the number of board members required to revoke, suspend or reissue a certification of registration; amending Minnesota Statutes 1974, Sections 326.02, Subdivisions 1 and 5, and by adding a subdivision; 326.03, Subdivisions 1 and 4; 326.04; 326.05; 326.06; 326.07; 326.08, Subdivision 2; 326.09; 326.10; 326.11, Subdivisions 1, 2, 4 and 5; 326.12; 326.13; and 326.14.

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 54 and nays 2, as follows:

Those who voted in the affirmative were:

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

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

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

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

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

Pursuant to Rule 21, Mr. Perpich, G. moved that the following members be excused for a Conference Committee on H. F. No. 1743 at 10:00 a.m.:

Messrs. Perpich, G.; Moe; Doty; Olson, J. L. and Renneke. 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 at 10:00 a.m.:

Messrs. Willet, Borden, Chenoweth, Fitzsimons and Josefson. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1167, No. 57 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1167: A bill for an act relating to motor vehicles; registration and taxation; authorizing the transfer of number plates issued to a vehicle used in driver education courses in public schools to another vehicle used for the same purposes; amending Minnesota Statutes 1971, Section 168.12, Subdivision 1, as amended.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Josefson	Olhoft	Spear
Arnold	Dunn	Keefe, S.	Olson, H. D.	Stassen
Ashbach	Fitzsimons	Kirchner	O'Neill	Stokowski
Bang	Gearty	Kleinbaum	Patton	Stumpf
Bernhagen	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Ueland
Blatz	Hansen, Mel	Larson	Pillsbury	Wegener
Brataas	Hanson, R.	Laufenburger	Purfeerst	Willet
Brown	Hughes	Milton	Schmitz	
Chmielewski	Humphrey	Nelson	Schrom	
Conzemius	Jensen	Ogdahl	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1308, No. 89 on the General Orders Calendar, a Special Order to be heard immediately.

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 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.

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

The question being taken on the passage of the bill,

Mr. Olson, H. D. moved that those not voting be excused from voting. The motion prevailed.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 804, No. 90 on the General Orders Calendar, a Special Order to be heard immediately.

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.

Mr. Moe moved to amend S. F. No. 804 as follows:

Page 1, line 11, after "municipalities" insert "or federally recognized Indian tribes, bands or communities located within the territorial boundaries of the state"

The motion prevailed. So the amendment was adopted.

S. F. No. 804 was then progressed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1288, No. 93 on the General Orders Calendar, a Special Order to be heard immediately.

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.

Mr. Humphrey moved to amend H. F. No. 1288 as follows:

Page 6, strike all of section 7

Renumber the remaining section

The motion prevailed. So the amendment was adopted.

H. F. No. 1288 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kowalczyk	Olson, H. D.	Solon
Bernhagen	Gearty	Larson	O'Neill	Spear
Blatz	Hanson, R.	Laufenburger	Patton	Stassen
Brataas	Hughes	Lewis	Perpich, A. J.	Stokowski
Brown	Humphrey	Merriam	Pillsbury	Stumpf
Chenoweth	Jensen	Milton	Purfeerst	Ueland
Chmielewski	Josefson	Nelson	Schaaf	Willet
Coleman	Keefe, S.	North	Schmitz	
Conzemius	Kirchner	Ogdahl	Schrom	
Dunn	Knutson	Olhoft	Sillers	

Mr. Hansen, Baldy voted in the negative.

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

MEMBERS EXCUSED

Mr. Merriam was excused for the balance of this morning's Session.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 804, No. 90 on the General Orders Calendar, a Special Order to be heard immediately.

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.

Mr. Schaaf moved to amend S. F. No. 804 as follows:

Page 1, after line 6, insert:

"Section 1. [LEGISLATIVE FINDINGS AND PURPOSE.]
The legislature finds and declares that the local governmental units within the metropolitan area are interdependent, that the growth and patterns of urbanization within the area create the need for additional state, metropolitan and local public services and facilities and increase the danger of air and water pollution,

and that developments in one local governmental unit may have an impact on the provision of regional capital improvements for sewers, transportation, airports and regional recreation open space. Since problems of urbanization and development transcend local governmental boundaries, there is a need for the adoption of coordinated plans, programs and controls by all local governmental units and school districts in order to protect the health, safety and welfare of the residents of the metropolitan area and to ensure coordinated, orderly and economic development. Therefore, it is the purpose of sections 1 to 17 of this act to (1) establish requirements and procedures to accomplish comprehensive local planning with land use controls consistent with planned, orderly and staged development and the metropolitan system plans, and (2) to provide assistance to local governmental units and school districts within the metropolitan area for the preparation of plans and official controls appropriate for their areas and consistent with metropolitan system plans.

Sec. 2. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144A. [473.901] [DEFINITIONS.] Subdivision 1. As used in sections 1 to 17 of this act, the following terms shall have the meanings given them.

Subd. 2. "Advisory metropolitan land use committee" or "advisory committee" means an advisory committee established by the metropolitan council pursuant to section 3 of this act.

Subd. 3. "Applicable planning statute" means Minnesota Statutes, Section 394.21 to 394.37 for counties and Minnesota Statutes, Sections 462.351 to 462.364 for cities and towns.

Subd. 4. "Capital improvement program" means an itemized program for a five year prospective period, subject to at least biennial review, setting forth the schedule, timing, and details of specific contemplated capital improvements by year, together with their estimated cost, the need for each improvement, financial sources, and the impact that the improvements will have on the current operating expense of the local governmental unit or school district.

Subd. 5. "Comprehensive plan" means the comprehensive plan of each local governmental unit described in sections 6 and 7 of this act.

Subd. 6. "Local governmental unit" or "unit" means all cities, counties and towns lying in whole or in part within the metropolitan area, but does not include school districts.

Subd. 7. "School district" has the meaning given it by Minnesota Statutes, Section 120.02, Subdivisions 14 and 15, and includes any independent or special school district wholly or partly within the metropolitan area.

Subd. 8. "Metropolitan system plans" means the airports portion of the metropolitan development guide, and the policy plans, development programs and capital budgets for metropolitan waste control, transportation, and regional recreation open space.

Subd. 9. "Official controls" or "controls" means ordinances and regulations which control the physical development of a city, town or any part thereof or any detail thereof and implement the general objectives of the comprehensive plan. Official controls may include ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes and official maps.

Subd. 10. "Private sewer facility" means a single lot, multiple lot or other sewage collection or treatment facility owned, constructed or operated by any person other than a local governmental unit or the metropolitan waste control commission.

Subd. 11. "Fiscal devices" means the valuation of property pursuant to Minnesota Statutes, Section 273.111, the designation of urban and rural service districts, pursuant to Minnesota Statutes, Section 272.67, and the establishment of development districts pursuant to Minnesota Statutes, Sections 472A.01 to 472A.13 and any other statutes authorizing the creation of districts in which the use of tax increment bonding is authorized.

Sec. 3. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144B. [473.903] [ADVISORY COMMITTEE.] *The council may establish an advisory metropolitan land use committee pursuant to section 4, comprised of 16 officials of local governmental units, one from each council district, and as many additional members as are necessary to provide representation from each metropolitan county, plus a chairman.*

Sec. 4. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144C. [473.904] [GUIDELINES.] *The council shall prepare and adopt guidelines and procedures relating to the requirements and provisions of sections 1 to 17 of this act which will provide assistance to local governmental units and school districts in accomplishing the provisions of sections 1 to 17 of this act.*

Sec. 5. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144D. [473.906] [METROPOLITAN SYSTEMS STATEMENT.] *Subdivision 1. By April 1, 1976, the council shall transmit to each local governmental unit a metropolitan systems statement. In the preparation of metropolitan systems statements, the council shall consult with appropriate commissions and officials of the unit. The statement shall contain information relating to the unit and appropriate surrounding territory that the council determines necessary for the unit to consider in preparing its comprehensive plan, including the following:*

(a) The timing, character, function, location, projected capacity and conditions on use as appropriate, for existing or planned public facilities specified in metropolitan system plans, including at least interceptor sewers, highways, transit systems, airports, and regional recreation open space;

Information shall also be specified for state and federal public facilities to the extent known to the council;

(b) Population, employment and housing need projections which have been used by the council as a basis for its metropolitan systems plans.

Subd. 2. Any local governmental unit may, within 45 days after receipt of its metropolitan system statement, request the council to conduct a hearing at which the unit may present its views on the information provided in the statement. Not later than 30 days after the hearing, the council shall notify the unit of any changes in the metropolitan systems statement.

Sec. 6. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144E. [473.908] [COMPREHENSIVE PLANS; LOCAL GOVERNMENTAL UNITS.] Subdivision 1. Within three years following the receipt of the metropolitan systems statement, every local governmental unit shall have prepared a comprehensive plan in accordance with sections 1 to 17 of this act and the applicable planning statute and shall have submitted the plan to the metropolitan council for review pursuant to section 9 of this act. The provisions of sections 1 to 17 of this act shall supersede the provisions of the applicable planning statute wherever a conflict may exist.

Subd. 2. Local governmental units shall submit their proposed comprehensive plans to adjacent governmental units and affected school districts for review and comment at least six months prior to submission of the plan to the council.

Subd. 3. The comprehensive plans shall be submitted to the council following approval by the planning commission of the unit, if any, and after consideration but before final approval by the governing body of the unit.

Subd. 4. Prior to the adoption of comprehensive plans pursuant to sections 1 to 17 of this act, existing comprehensive plans, capital improvement programs, sewer policy plans and official controls of local governmental units shall remain in force and effect. Existing comprehensive plans, capital improvement programs, sewer policy plans, and official controls may be amended as appropriate and new capital improvements programs and official controls may be prepared and adopted prior to the submission to the council of comprehensive plans required by sections 1 to 17 of this act.

Sec. 7. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144F. [473.910] [COMPREHENSIVE PLAN CONTENT.] Subdivision 1. The comprehensive plan shall contain objectives, policies, standards and programs to guide public and private land use, development, redevelopment and preservation for all lands and waters within the jurisdiction of the local governmental unit through 1990 and may extend through any year thereafter which is evenly divisible by five. Each plan shall specify expected industrial and commercial

development, planned population distribution, and local public facility capacities upon which the plan is based. Each plan shall contain a discussion of the use of the public facilities specified in the metropolitan system statement and the effect of the plan on adjacent local governmental units and affected school districts. Existing plans and official controls may be used in whole or in part following modification, as necessary, to satisfy the requirements of sections 1 to 17 of this act. The comprehensive plan may contain any additional matter which may be included in a comprehensive plan of the applicable local governmental unit pursuant to the applicable planning statute.

Subd. 2 [LAND USE PLAN.] A land use plan shall designate the existing and proposed location, intensity and extent of use of land and water for agricultural, residential, commercial, industrial and other public and private purposes, or any combination of such purposes. The land use plan shall also contain a protection element, as appropriate, for historic sites and the matters listed in section 28.

Subd. 3. [PUBLIC FACILITIES PLAN.] A public facilities plan shall describe the character, location, timing, sequence, function, use and capacity of existing and future public facilities of the local governmental unit, and contain at least the following parts:

(a) A transportation plan describing, designating and scheduling the location, extent, function and capacity of existing and proposed public and private transportation services and facilities;

(b) A sewer policy plan describing, designating and scheduling the areas to be seweraged by the public system, the existing and planned capacities of the public system, the standards and conditions under which the installation of private sewer systems will be permitted, and to the extent practicable, the areas not suitable for public or private systems because of public health, safety and welfare considerations;

(c) A parks and open space plan describing, designating and scheduling the existing and proposed parks and recreation open spaces within the jurisdiction.

Subd. 4. [IMPLEMENTATION PROGRAM.] An implementation program shall describe the types of public programs, fiscal devices and other actions to be undertaken in stated sequence to implement the comprehensive plan. The program shall contain a general description of and schedule for the preparation, adoption, and administration of official controls including controls regarding zoning and subdivision ordinances, private sewer systems, and a capital improvements program for transportation, sewers, parks and open space facilities.

Sec. 8. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144G. [473.912] [COUNTIES.] Subdivision 1. Comprehensive plans of counties shall contain at least the following:

(a) Except for the counties of Hennepin and Ramsey, a land use plan as specified in section 7, subdivision 2 of this act, for all unincorporated territory within the county;

(b) *A public facilities plan which shall include all appropriate matters specified in section 7, subdivision 3 of this act, including at least a transportation plan, and a description of existing and projected solid waste disposal sites and facilities;*

(c) *An implementation program, as specified in section 7, subdivision 4.*

Subd. 2. Each county other than Hennepin and Ramsey shall prepare, with the participation and assistance of the town, the comprehensive plan for any town within the county which fails by December 31, 1975, to take action by resolution indicating its intention to prepare the comprehensive plan.

Subd. 3. Each county other than Hennepin and Ramsey shall prepare, with the participation and assistance of the town, the comprehensive plan for each town within the county not authorized to plan under Minnesota Statutes, Sections 462.351 through 462.364, or under special law.

Sec. 9. Laws 1975, Chapter 13, Section 19, is amended to read:

Sec. 19. [473.175] [COUNCIL REVIEW; COMPREHENSIVE PLANS.] **Each city, town, and county all or part of which lies within the metropolitan area, shall submit to the metropolitan council for written comment and recommendation thereon its proposed long term comprehensive plans, including but not limited to plans for land use. The proposed plans shall be submitted to the council after their approval by the planning commission of the local government unit and before final approval by the governing body of the city, town or county. The council shall maintain such plans in its files available for inspection by members of the public.**

Subdivision 1. The council shall review the comprehensive plans of local governmental units and subsequent amendments thereto to determine their compatibility with each other and conformity with metropolitan system plans. The council may review and comment on the consistency of the comprehensive plans with other adopted chapters of the metropolitan development guide. The council may require the local governmental unit to modify any comprehensive plan or part thereof, solely to ensure conformity with metropolitan system plans.

Subd. 2. Within 90 days following receipt of a comprehensive plan, or plan amendment prepared in accordance with sections 1 to 17 of this act, the council shall return a statement containing its comments and required modifications, if any, to the local governmental unit. No local government action shall be taken by any local government unit to place any such submitted comprehensive plan or plan amendment or part thereof into effect until 90 days have elapsed after its submission to the council has returned the comments and required modifications to the unit and until the unit has incorporated the modifications in the plan. Promptly after submission, the council shall notify each city, town, county, or special district which may be affected by the plans submitted, of the general nature of the plan, the date

of submission, and the identity of the submitting unit. Political subdivisions contiguous to *or within* the submitting unit shall be notified in all cases. Within 30 days after receipt of such notice any governmental unit so notified or the local governmental unit submitting the plan may request the council to conduct a hearing at which the submitting unit and any other governmental unit or subdivision may present its views. The council may attempt to mediate and resolve differences of opinion which exist among the participants in the hearing with respect to the plans submitted. If within 90 days the council fails to complete its written comments and recommendations the plans shall be deemed approved and may be placed into effect. Any ~~major alteration~~ amendment to a plan subsequent to the council's review shall be submitted to and acted upon by the council in the same manner as the original plan. The written comments and ~~recommendations~~ of the council shall be filed with the plan of the local government unit at all places where the plan is required by law to be kept on file.

Subd. 3. If a local governmental unit fails to adopt or amend a comprehensive plan in accordance with sections 1 to 17 of this act the council may commence proceedings to enforce the provisions of sections 1 to 17 of this act by appropriate legal action in the district court where the local governmental unit is located.

Subd. 4. Local governmental units shall be required to consider in their initial comprehensive plans submitted to the council any amendments or modifications to metropolitan system plans which were made by the council and transmitted to the local governmental unit prior to January 1, 1977. Thereafter, within nine months after receiving an amendment to a metropolitan system plan, each affected local governmental unit shall review its comprehensive plan to determine if an amendment is necessary to ensure continued conformity with metropolitan system plans. If an amendment is necessary, the governmental unit shall prepare the amendment and submit it to the council for review pursuant to this section.

Sec. 10. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144H. [473.914] [PLANS AND PROGRAMS; ADOPTION; AMENDMENT.] *Subdivision 1. Each local governmental unit shall adopt its comprehensive plan with required modifications within six months following receipt of the council's comments and required modifications under section 9 of this act.*

Subd. 2. Amendments to plans of local governmental units shall be prepared and submitted in the same manner as the original plan.

Sec. 11. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144I. [473.917] [IMPLEMENTATION OF COMPREHENSIVE PLANS.] *Subdivision 1. Each local governmental unit shall adopt official controls as described in its adopted comprehensive plan and shall file copies of the official controls with the council within 30 days following adoption thereof.*

Subd. 2. A local governmental unit shall not adopt any official control in conflict with its comprehensive plan.

Subd. 3. If an official control conflicts with a comprehensive plan as the result of an amendment to the plan, the official control shall be amended by the unit within six months following the amendment to the plan so as to not conflict with the amended comprehensive plan.

Sec. 12. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 21A. [473.192] [PLANNING ASSISTANCE, LOANS, GRANTS.] *Subdivision 1. On the request of a local governmental unit, the council may provide assistance to accomplish the requirements of sections 1 to 17 of this act. It shall assemble and provide advisory materials and prepare model plan provisions and official controls to assist in accomplishing the provisions of sections 1 to 17 of this act.*

Subd. 2. The council shall establish a planning assistance fund as a separate bookkeeping account in its general fund for the purpose of making grants and loans to local governmental units under this section. The council shall adopt uniform procedures for the award, disbursement and repayment of grants and loans.

Subd. 3. Applications for grants and loans shall be submitted to the council describing the activities for which the grant or loan funds will be used; the persons which the grantee or borrower plans to use in performing the grant contract; services and activities which will be paid for by funds of the grantee or borrower; the grantee or borrower's need and ability to pay for the contract services; and other information as the council may reasonably request. Grants and loans shall be made subject to contracts between the council and the recipient specifying the use and disbursement of the funds and, for loans, the terms and conditions of repayment, and other appropriate matters.

Subd. 4. The total amount of money which may be awarded by any grant shall not exceed 75 percent of the total costs and expenses of the project, service or activity for which the grant is awarded.

Subd. 5. [LOAN TERMS.] Loans made by the council shall carry an interest rate not to exceed five percent per annum and shall be payable on terms and conditions as the council determines appropriate. No loan shall be for a term in excess of five years. Funds received in payment of loans shall be credited to the planning assistance fund and shall be used for additional loans or grants under this section.

Sec. 13. Laws 1975, Chapter 13, is amended by adding a section to read:

Sec. 144J. [473.919] [EXTENSION.] *A local governmental unit may by resolution request that the council extend the time for fulfilling the requirements of sections 1 to 17 of this act. A request for extension shall be accompanied by a description of the activities previously undertaken by a local governmental unit in fulfillment*

of the requirements of this act, and an explanation of the reasons necessitating and justifying the request. Upon a finding of exceptional circumstances or undue hardship, the council may, in its discretion, grant by resolution a request for extension and may attach reasonable requirements or conditions to the extension.

Sec. 14. [EXEMPTION FROM LEVY LIMIT.] *Subdivision 1. The increased costs to a municipality of implementing section 6, subdivisions 1 to 3 of this act, and sections 7 to 10 of this act shall be deemed a "special levy" under Minnesota Statutes 1974, Section 275.50, Subdivision 5.*

Subd. 2. The proceeds of any tax levied under this section shall be deposited in the municipal treasury in a separate fund and expended only for the purposes authorized by this section.

Sec. 15. *Laws 1975, Chapter 13, is amended by adding a section to read:*

Sec. 144K. [473.923] [SCHOOL DISTRICTS; CAPITAL IMPROVEMENT PROGRAMS.] *Subdivision 1. By January 1, 1978, each school district lying in whole or in part within the metropolitan area shall prepare and submit to the metropolitan council for review pursuant to this section a capital improvements program for proposed new school sites, buildings, and building additions with a cost of more than \$200,000, including a description of the projected population of the district, facility needs and the effect of the program on affected local governmental units.*

Subd. 2. Each school district shall submit its program for review and comment to the local governmental units lying in whole or in part within the district at least nine months prior to the submission of the program to the council. The local governmental units shall review the program and provide comments to the school districts, and the council within 90 days on the compatibility of the program with the proposed comprehensive plan of the local governmental unit.

Subd. 3. The council shall review the capital improvement programs of school districts and subsequent amendments thereto. The council may review and comment on the apparent consistency of the capital improvement programs with the metropolitan system plans. Failure of the council to comment on the school districts program within 90 days after its submission shall be deemed council comment on the program.

Sec. 16. *Minnesota Statutes 1974, Section 462.355, is amended by adding a subdivision to read:*

Subd. 4. [INTERIM ORDINANCE.] If a municipality is conducting or in good faith intends to conduct studies within a reasonable time or has held or has scheduled a hearing for the purpose of considering adoption or amendment of a comprehensive plan or official controls as defined in section 2 of this act, or if new territory for which no plan or controls have been adopted is annexed to a municipality, the governing body of the municipality may adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the

health, safety and welfare of its citizens. The interim ordinance may regulate, restrict or prohibit any use or development within the jurisdiction for a period not to exceed one year from the date it is created, and may be renewed for one additional year.

Sec. 17. [NEW MUNICIPAL SEWER SYSTEMS.] *Notwithstanding the provisions of sections 1 to 16 of this act, the council shall have no authority under Laws 1975, Chapter 13 to require a local governmental unit to construct a new sewer system to serve structures or buildings for which a building permit was issued prior to the effective date of this act.*

Sec. 18. *Unless the context indicates otherwise, references to section numbers in this act refer to Laws 1975, Chapter 13.*

Sec. 19. *Sections 1 to 18 of this act apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington."*

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "requiring local adoption of minimum plans and controls; providing for limited council review and acceptance prior to the adoption of such plans and controls; providing for an advisory metropolitan land planning committee; providing for the enforcement of adopted local plans and controls; including certain expenses in the definition of special levy; providing for interim zoning;"

Page 1, line 5, before the period, insert "; amending Laws 1975, Chapter 13, Section 19, and by adding sections; and Minnesota Statutes 1974, Section 462.355, by adding a subdivision"

Mr. Conzemius raised a point of order on whether or not the Schaaf amendment was in order.

The Chair ruled that the amendment was in order.

RECESS

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

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

The question recurred on the Schaaf amendment to S. F. No. 804.

S. F. No. 804 was then progressed.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 679, No. 6 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 679: A bill for an act relating to crime; regulating the transfer, possession, and use of pistols; requiring licenses to sell pistols; requiring permits to acquire and carry pistols; prohibiting the sale or transfer to or carrying by certain persons of pistols; prescribing penalties; amending Minnesota Statutes 1974, Section 609.11, Subdivision 1.

Mr. Coleman moved to amend H. F. No. 679, as amended pursuant to Rule 49, adopted by the Senate April 26, 1975, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [CITATION.] Sections 1 to 15 may be cited as the Minnesota pistol regulation act.

Sec. 2. [PURPOSE; DECLARATION OF POLICY.] It is the purpose of sections 1 to 15 to permit and regulate the possession, transfer and carrying of pistols. It is not the intent of the legislature to regulate shotguns, rifles and other longguns of the type commonly used for hunting and not defined as pistols, or to place the cost of administration upon those citizens who wish to possess or carry pistols lawfully, or to confiscate or otherwise restrict the use of pistols by law-abiding citizens.

Sec. 3. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 15, the terms defined in this section shall have the meanings given them.

Subd. 2. "Pistol" includes a weapon designed to be fired by the use of a single hand and with an overall length less than 26 inches, or having a barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel of a length less than 16 inches in the case of a rifle (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. "Pistol" does not include a device firing or ejecting a shot measuring .18 of an inch, or less, in diameter and commonly known as a "BB gun," a scuba gun, a stud gun or nail gun used in the construction industry or children's pop guns or toys.

Subd. 3. "Person" includes an individual, corporation, partnership, firm or association. As applied to partnerships or associations the word "person" includes the partners or members; as applied to corporations, it includes the officers, agents or employees who are responsible for the act referred to.

Subd. 4. "Transferor" means any person who sells, gives, furnishes, loans, assigns or transfers, whether or not for a consideration, a pistol or the frame or receiver of a pistol to another.

"Transferee" means a person to whom a pistol or the frame or receiver of a pistol is sold, given, furnished, loaned, assigned or transferred, whether or not for a consideration.

Subd. 5. "Transfer" means a sale, gift, loan assignment, or other

furnishing, whether or not for a consideration, of a pistol or the frame or receiver of a pistol to another.

The terms defined in this subdivision shall not apply to the following loans made for temporary use:

(a) Between relatives who reside with the owner of the pistol if the loan was intended to be for a period less than 14 days;

(b) Between an owner of a pistol and a prospective buyer if the loan to the prospective buyer does not exceed 24 hours;

(c) Between the owner of the pistol and a person for the purpose of repairing the pistol;

(d) Between teachers and students enrolled in a course designed to teach marksmanship and safety with a pistol and approved by the commissioner of natural resources;

(e) Between persons at a pistol or firearm collector's exhibition if the exchange was intended to be for a period of less than one hour;

(f) Between persons lawfully engaged in hunting or target shooting if the loan was intended to be for a period less than 12 hours;

(g) Between law enforcement officers who have the power to make arrests other than citizen arrests; or

(h) Between employees and between the employer and employees of a corporation when the employee is required to carry a pistol by reason of his employment and has applied for and received a permit to carry.

Subd. 6. "Crime of violence" includes murder in the first degree, murder in the second degree, murder in the third degree, manslaughter in the first degree, manslaughter in the second degree, aiding suicide, aiding attempted suicide, aggravated assault, use of drugs to injure or to facilitate crime, simple robbery, aggravated robbery, kidnapping, false imprisonment, aggravated rape, rape, aggravated sodomy, felonious theft, aggravated arson, riot, burglary, reckless use of a gun or dangerous weapon, intentionally pointing a gun at or towards a human being, setting a spring gun, and unlawfully owning, possessing, or operating a machine gun, and an attempt to commit any of these offenses, as each of those offenses is defined in Minnesota Statutes, Chapter 609.

Sec. 4. [CERTAIN PERSONS NOT TO HAVE PISTOLS.]
Subdivision 1. The following persons shall not be entitled to carry, hold or possess a pistol:

(a) A person under the age of 18 years except that a person under 18 may carry, hold, possess or use a pistol (i) in the actual presence or under the direct supervision of his parent or guardian, (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition or target practice on a firing range approved by the chief of police

or county sheriff in whose jurisdiction the range is located and under direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol and approved by the commissioner of natural resources;

(b) A person who has been convicted in this state or elsewhere of a crime of violence unless ten years have elapsed since the person has been restored his civil rights or the sentence has expired, whichever occurs first, and during that time he has not been convicted of any other crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(c) A person who is or has ever been confined or committed in Minnesota or elsewhere as a "mentally ill," "mentally deficient" or "dangerous to the public" person as those terms are defined in Minnesota Statutes Section 253A.02, to a hospital, mental institution or sanitarium, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof that he is no longer suffering from this disability;

(d) A person who has been convicted in Minnesota or elsewhere for the unlawful use, possession or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in section 152.01, subdivision 16, or a person who is or has ever been hospitalized or committed for treatment for the habitual use of a controlled substance or marijuana, as defined in Minnesota Statutes, Sections 152.01 and 152.02, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that he has not abused a controlled substance or marijuana during the previous two years; or

(e) A person who has been confined or committed to a hospital, mental institution or sanitarium in Minnesota or elsewhere as an "inebriate person" as that term is defined in Minnesota Statutes, Section 253A.02, or for alcoholic problems, unless he possesses a certificate of a medical doctor or psychiatrist licensed in Minnesota, or other satisfactory proof, that he has not abused alcohol during the previous two years. A person who issues a certificate pursuant to this subdivision in good faith shall not be liable for damages in an action arising out of the issuance.

Subd. 2. A person who knowingly transfers a pistol to a person named in this section is guilty of a gross misdemeanor.

Subd. 3. A person named in this section who carries, holds, possesses or becomes a transferee of a pistol is guilty of a gross misdemeanor.

Sec. 5. [REPORT OF TRANSFER.] Subdivision 1. Every person who agrees to transfer a pistol shall within two days, except weekends and holidays, report in writing to the chief of police of an organized full-time police department of the municipality

where the agreement is made or to the county sheriff where there is no such local chief of police the following information:

- (a) Name, address and telephone number of the transferee;
- (b) Driver's license or other identification number of transferee;
- (c) Description of transferee, including sex, date of birth, height, weight, color of eyes and hair and other distinguishing characteristics, if any; and
- (d) Name, address and telephone number of the transferor. The report shall be signed by the transferor and transferee. The local police authority shall make report forms easily available throughout the community without charge.

Subd. 2. [INVESTIGATION.] The chief of police or sheriff shall check criminal histories, records and warrant information on each transferee through the Minnesota Crime Information System. The police authority within three days, except weekends and holidays, after receipt of a report of transfer shall notify the transferor in writing either that the authority has or has not determined the transferee is a person prohibited by section 4 from possessing a pistol. The notification shall specify the disqualification of the transferee.

Subd. 3. [DELIVERY OF PISTOLS.] No person shall deliver a pistol until receipt of notification that the chief of police or sheriff has not determined the transferee is a prohibited person or until seven days, except weekends and holidays, after the agreement to transfer is made, whichever occurs first. No person shall deliver a pistol until at least three days after an agreement to transfer, except weekends and holidays, and no person shall deliver a pistol after receipt of notification that the police authority has determined the transferee is prohibited by section 4 from possessing a pistol.

Subd. 4. [IMMEDIATE TRANSFER.] The local police authority in an individual case may permit an immediate transfer of a pistol without a report or notification.

Subd. 5. [TRANSFER OF PISTOLS.] A person who does any of the following is guilty of a misdemeanor:

- (a) Transfers a pistol to a person who does not either present evidence of his identity or is personally known to the transferor; or
- (b) Transfers a pistol which is not unloaded and securely wrapped.

Subd. 6. [PENALTIES.] A person who does any of the following is guilty of a gross misdemeanor;

- (1) Transfers a pistol in violation of subdivisions 1, 3 and 4;
- (2) Transfers a pistol to a person who has made a false statement to become a transferee of a pistol, knowing or having reason to know that the transferee has made the false statement;
- (3) Knowingly becomes a transferee of a pistol in violation of subdivisions 1, 3 and 4; or
- (4) Makes a false statement to become a transferee of a pistol, knowing or having reason to know the statement is false.

Sec. 6. [EXCEPTIONS.] Section 5 shall not apply to the passing of a pistol upon the death of an owner to his heir or legatee. If the heir or legatee of the pistol does not qualify to possess the pistol or pistols pursuant to section 4, the pistol or pistols may be possessed by him for the purpose of sale for a period not exceeding 180 days, or for such further limited period as may be approved by the chief law enforcement officer of the municipality in which the heir or legatee resides or the county sheriff if there is no local chief of police where the heir or legatee resides. Section 5 shall not apply to receipt, possession or transfer of a pistol by a personal representative pursuant to this section.

Sec. 7. [CARRYING WEAPONS WITHOUT PERMIT.] Subdivision 1. [PENALTY.] A person, other than a law enforcement officer who has authority to make arrests other than citizens arrests, who carries, holds or possesses a pistol in a motor vehicle, snowmobile or boat, or on or about his clothes or person, or otherwise in his possession or control in a public place or public area without first having obtained a permit to carry the pistol is guilty of a gross misdemeanor. A person who has been issued a permit and who engages in activities other than those for which the permit has been issued, is guilty of a misdemeanor.

Subd. 2. [WHERE APPLICATION MADE.] Applications for permits to carry shall be made to the chief of police of an organized full-time police department of the municipality where the applicant resides or to the county sheriff where there is no such local chief of police where the applicant resides. At the time of application, the local police authority shall provide the applicant with a dated receipt for the application.

Subd. 3. [CONTENTS.] Applications for permits to carry shall set forth the name, residence, date of birth, height, weight, color of eyes and hair, sex and distinguishing physical characteristics, if any, of the applicant. The application shall be signed by the applicant.

Subd. 4. [INVESTIGATION.] The application authority shall check criminal records, histories, and warrant information on each applicant through the Minnesota Crime Information System.

Subd. 5. [GRANTING OF PERMITS.] No permit to carry shall be granted to a person unless the applicant:

(a) Is not a person prohibited by section 4 from possessing a pistol;

(b) Provides a firearms safety certificate recognized by the department of natural resources, evidence of successful completion of a test of ability to use a firearm supervised by the chief of police or sheriff or other satisfactory proof of ability to use a pistol safely; and

(c) Has an occupation or personal safety hazard requiring a permit to carry.

Subd. 6. [FAILURE TO GRANT PERMITS.] Failure of the chief police officer or the county sheriff to deny the application or issue a permit to carry a pistol within 21 days of the date of application shall be deemed to be a grant thereof. The local police au-

thority shall provide an applicant with written notification of a denial and the specific reason for the denial. The permits and their renewal shall be granted free of charge. The permit shall specify the activities for which it shall be valid.

Subd. 7. [RENEWAL.] Permits to carry a pistol issued pursuant to this section shall expire after two years and shall thereafter be renewed in the same manner and subject to the same provisions by which the original permit was obtained.

Subd. 8. [PERMIT TO CARRY VOIDED.] The permit to carry shall be void at the time that the holder becomes prohibited from possessing a pistol under section 4, in which event the holder shall return the permit within five days to the application authority. Failure of the holder to return the permit within the five days is a gross misdemeanor, unless the court finds that the circumstances or the physical or mental condition of the permit holder prevented the holder from complying with the return requirement.

Subd. 9. [CARRYING PISTOLS ABOUT ONE'S PREMISES OR FOR PURPOSES OF REPAIR, TARGET PRACTICE.] A permit to carry is not required of a person:

(a) To keep or carry about his place of business, dwelling house, premises or on land possessed by him a pistol;

(b) To carry a pistol from a place of purchase to his dwelling house or place of business, or from his dwelling house or place of business to or from a place where repairing is done, to have the pistol repaired;

(c) To carry a pistol between his dwelling house and his place of business;

(d) To carry a pistol in the woods or fields or upon the waters of this state for the purpose of hunting other than protected wild animals or of target shooting in a safe area; or

(e) To transport a pistol in a motor vehicle, snowmobile or boat if the pistol is unloaded, contained in a closed and fastened case, gunbox, or securely tied package and kept in some area not normally occupied by the driver or passengers. If a motor vehicle, snowmobile or boat does not have an enclosed area other than the driver or passenger area, a pistol may be carried in the driver or passenger area as long as the pistol is unloaded and contained in a closed and fastened case, gunbox, or securely tied package. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers.

Subd. 10. [FALSE REPRESENTATIONS IN APPLICATIONS.] A person who gives or causes to be given any false information in applying for a permit to carry, knowing or having reason to know the information is false, is guilty of a gross misdemeanor.

Sec. 8. [NO LIMIT ON NUMBER OF PISTOLS.] A person shall not be restricted as to the number of pistols he may acquire or carry.

Sec. 9. [NOT PUBLIC RECORDS.] Reports of transfer, applica-

tions for permits to carry and permits to carry shall not be public records within the meaning of Minnesota Statutes, Section 15.17.

Sec. 10. [HEARING UPON DENIAL.] Any person aggrieved by notification that a police authority has determined a transferee is prohibited by section 4 from possessing a pistol or by denial of a permit to carry may appeal the denial to the county court having jurisdiction over the county or municipality wherein the notification or denial occurred. The matter shall be heard de novo without a jury.

Sec. 11. [EXEMPTIONS; ANTIQUES AND ORNAMENTS.] Sections 4 to 7 shall not apply to antique pistols or replicas thereof which are incapable of being fired, which do not fire fixed ammunition, or for which ammunition is not commercially available, and which are possessed as curiosities or for their historical significance or value.

Sec. 12. [ALTERING SERIAL NUMBER OF PISTOL; SALE; PENALTY.] Subdivision 1. A person who intentionally alters, changes, removes, disfigures, obliterates, or defaces the name of the maker, model, manufacturer's serial number, or other mark of identification of a pistol is guilty of a gross misdemeanor.

Subd. 2. A person who possesses a pistol with a serial number which has been altered, changed, disfigured or defaced with intent to prevent identification or tracing of the pistol is guilty of a gross misdemeanor.

Sec. 13. [INFERIOR QUALITY PISTOLS.] Subdivision 1. An inferior quality pistol is a pistol manufactured or assembled after 1969 having a barrel, slide, frame or receiver which is die casting of zinc alloy or other nonhomogenous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit.

Subd. 2. Any person who knowingly transfers or becomes transferee of an inferior quality pistol and any person who manufactures or assembles an inferior quality pistol in whole or in part shall be guilty of a gross misdemeanor.

Sec. 14. [LOCAL REGULATION.] Sections 1 to 13 shall be construed to prohibit more restrictive municipal or county regulation of the transfer, carrying, or possession of pistols except in cities of the first class.

Sec. 15. Minnesota Statutes 1974, Section 609.11, Subdivision 1, is amended to read:

609.11 [MINIMUM TERMS OF IMPRISONMENT.] Subdivision 1. All commitments to the commissioner of corrections for imprisonment of the defendant are without minimum terms except when sentence is to life imprisonment as required by law and except that any commitment following the defendant's first conviction of an offense wherein the defendant he had in his possession a firearm or used a dangerous weapon at the time of the offense shall be for a term of not less than three years one year plus one day, nor more than the maximum sentence provided by law for the offense for which convicted, and except that any

commitment following defendant's second or subsequent conviction of an offense wherein he had in his possession a firearm or used a dangerous weapon at the time of the offense shall be for a term not less than three years, nor more than the maximum sentence provided by law for the offense for which convicted, and such person shall not be eligible for parole until he shall have served the full minimum sentence herein provided, notwithstanding the provisions of sections 242.19, 243.05 and , 609.12 and 609.135. The offenses for which mandatory minimum sentences shall be served as herein provided are: aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, rape, robbery, sodomy, escape while under charge or conviction of a felony, or discharge of an explosive or incendiary device.

Provided, however, the court may invoke the provisions of section 609.136, if the defendant has not previously been convicted of any crime or ordinance involving possession of a firearm, other than a game law violation, or use of a dangerous weapon, or the defendant has not previously been convicted of aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, rape, robbery, sodomy, escape while under charge or conviction of a felony, or discharge of an explosive or incendiary device.

Sec. 16. [EFFECTIVE DATE.] *This act is effective October 1, 1975."*

Further amend the title as follows:

Page 1, line 3, after "requiring" insert "reports of transfers and"

Page 1, line 4, strike "acquire and"

Page 1, line 6, after "penalties" insert "amending Minnesota Statutes, 1974, Section 609.11, Subdivision 1"

The motion prevailed. So the amendment was adopted.

Mr. Jensen moved to amend H. F. No. 679, as amended by the Coleman amendment, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [CITATION.] Sections 1 to 18 may be cited as the Minnesota handgun regulation act.

Sec. 2. [PURPOSE; DECLARATION OF POLICY.] It is the purpose of Sections 1 to 18 to regulate the possession, sale, purchase and transfer of handguns. Nothing in Sections 1 to 18 shall be construed to regulate shotguns, rifles and other longguns of the type commonly used for hunting and not defined as handguns nor to place the cost of administration upon those citizens who wish to lawfully possess or carry handguns.

Sec. 3. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 18 the terms defined in this section have the meanings given them.

Subd. 2. "Handgun" includes a weapon originally designed to

be fired by the use of a single hand and with an overall length less than 26 inches, or with a barrel or barrels less than 18 inches in length (a) from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances; or (b) for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas, or vapor. "Handgun" does not include children's pop-guns or toys.

Subd. 3. "Commissioner" means the commissioner of public safety.

Subd. 4. "Transferor" means a person who sells, gives, furnishes, loans, assigns or transfers, whether or not for a consideration, a handgun or the frame or receiver of a handgun to another.

Subd. 5. "Transferee" means a person to whom a handgun or the frame or receiver of a handgun is sold, given, furnished, loaned, assigned or transferred, whether or not for a consideration.

Subd. 6. "Transfer" means a sale, gift, loan, assignment, or other furnishing, whether or not for a consideration, of a handgun or the frame or receiver of a handgun to another.

Sec. 4. [CERTAIN PERSONS NOT TO HAVE HANDGUNS.] Subdivision 1. No person who has been convicted of a gross misdemeanor or a felony within the preceding ten years or who has been adjudicated mentally ill, mentally deficient, or an inebriate person as provided in Minnesota Statutes, Chapter 253A and not restored to full legal capacity shall carry, hold, possess, or own a handgun.

Subd. 2. A person who knowingly or with reason to know transfers a handgun to a person named in this section is guilty of a gross misdemeanor.

Subd. 3. A person named in this section who carries, holds, possesses or becomes a transferee or owner of a handgun is guilty of a gross misdemeanor.

Sec. 5. [CARRYING HANDGUNS WITHOUT PERMIT PROHIBITED; PENALTY.] A person who carries, holds or possesses a handgun in a motor vehicle or snowmobile, or on or about his clothes or person, or otherwise has in his possession or control a handgun in a city or a town having the power of a statutory city without first obtaining a permit to carry the handgun is guilty of a gross misdemeanor. Failure to have the permit in possession when carrying a handgun is a misdemeanor.

Sec. 6. [EXCEPTIONS TO PERMIT REQUIREMENTS.] A permit as required by section 5 is not required of a person:

(a) To keep or carry a handgun about his place of business, dwelling house, premises or on land possessed by him;

(b) To transport a handgun from a place of purchase to his dwelling house or place of business, or from his dwelling house

or place of business to and from a place where repairing is done, to have the handgun repaired;

(c) To transport a handgun from his dwelling house to his place of business;

(d) To transport a handgun while traveling to or from hunting, fishing, a target range or an authorized place for the purpose of practice, match, target, trap or skeet shooting or shooting exhibitions.

A permit as required by section 5 is not required of a person who is a law enforcement officer with authority to make arrests other than citizens arrests.

Sec. 7. [TRANSPORTATION OF HANDGUNS; PENALTY FOR VIOLATION.] A handgun while being transported pursuant to section 6 shall be unloaded and contained in a closed and fastened case, gun box or securely tied package and, if transported in a motor vehicle, locked in the trunk of the vehicle, or, if the motor vehicle is not equipped with a trunk, in some other area of the vehicle not normally occupied by the driver or passengers. If the handgun is transported in a snowmobile or boat, it shall be unloaded. A violation of this section is a misdemeanor.

Sec. 8. [PERMIT APPLICATIONS.] Subdivision 1. An application for a permit to carry a handgun shall be made to the chief of police of the municipality in which the applicant resides if the municipality has an organized full-time police department or if the municipality has no organized full-time police department to the sheriff of the county in which the applicant resides. If the applicant is not a resident of the state of Minnesota he shall apply to the commissioner. Applications shall not be public records within the meaning of Minnesota Statutes, Section 15.17.

Subd. 2. Applications shall be in the form prescribed by the commissioner containing the name, residence, place of business, age, date of birth, occupation, sex and physical description including distinguishing physical characteristics, if any, of the applicant and whether or not the applicant is disqualified for a permit by section 4. The application shall be signed by the applicant under oath.

Subd. 3. The chief of police or sheriff shall obtain the fingerprints of the applicant and shall have them compared with available records of fingerprints.

Subd. 4. The permit shall be granted unless the applicant is not entitled to carry, hold, possess, or own a handgun as provided in section 4. Permits shall be granted or denied not less than 60 days from the date of receipt of the application. Failure of the chief of police or county sheriff to deny the application or issue a permit within 60 days of the date of application shall be deemed to be a grant thereof. The permits shall be issued free of charge.

Subd. 5. Permits issued pursuant to this section shall be valid

until the holder of the permit becomes disqualified under Section 4, Subdivision 1.

Subd. 6. A permit shall be void at the time that the holder becomes prohibited from possessing a handgun under section 4, in which event the holder shall return the permit within five days to the commissioner who shall then advise the office that granted the permit. Failure of the holder to return the permit to the commissioner within the five days is a gross misdemeanor.

Subd. 7. The permit shall be in the form prescribed by the commissioner and shall be issued in triplicate. The issuing officer shall forward the original copy to the commissioner, the second copy to the applicant and he shall retain the third copy.

Sec. 9. [TRANSFER OF HANDGUNS.] A person who transfers a handgun to a person who either does not present evidence of his identity or is not personally known to the transferor is guilty of a misdemeanor.

Sec. 10. [PERMIT VALID FOR ANY HANDGUN.] A person having a permit may carry any handgun in any city or town having the powers of a statutory city subject to any ordinances of said city or town.

Sec. 11. [FALSE REPRESENTATIONS IN APPLICATIONS OR IN PURCHASES.] A person who gives or causes to be given false information or signs a fictitious name or address in applying for a permit to carry a handgun is guilty of a gross misdemeanor.

Sec. 12. [REVOCATION.] A person may apply to the commissioner for the revocation of a permit issued pursuant to sections 1 to 18 to another person or the commissioner may revoke a permit on his own initiative if a permit holder becomes disqualified under section 4, subdivision 1. A permit shall be revoked by the commissioner after written notice to the holder, a hearing and a finding that the holder no longer qualifies.

Sec. 13. [HEARING UPON DENIAL.] A person aggrieved by the denial of a permit to carry a handgun may request a hearing before the commissioner and obtain judicial review of the commissioner's decision pursuant to Minnesota Statutes, Sections 15.0418 to 15.0426. The request for a hearing shall be made in writing within 30 days of the denial of the application. The applicant shall serve a copy of his request for a hearing upon the chief of police or sheriff to whom the application was made and upon the commissioner. The hearing shall be held within 30 days of the receipt of the application for the hearing.

Sec. 14. [ALTERING SERIAL NUMBER OF HANDGUN; SALE; PENALTY.] Subdivision 1. A person who intentionally alters, changes, removes, disfigures, obliterates, or defaces the name of the maker, model, manufacturer's serial number, or other mark of identification of a handgun is guilty of a gross misdemeanor.

Subd. 2. A person who possesses a handgun with a serial num-

ber which has been altered, changed, disfigured or defaced is guilty of a gross misdemeanor.

Sec. 15. [FORFEITURE OF HANDGUNS.] Handguns carried within a municipality without a permit except as provided in section 6, shall be confiscated and after conviction the handguns are declared to be nuisances and forfeited to the state. Forfeited handguns may be sold, destroyed or otherwise lawfully disposed of when they are no longer needed for evidentiary purposes and after they have been inventoried and their disposition witnessed and recorded by the head of the agency having possession or his representative designated for this purpose. If the handguns are found to be the property of an innocent owner prior to their disposition, they shall be returned to him when no longer needed for evidentiary purposes. A person aggrieved by the operation of this section may, no later than 30 days after the forfeiture of a handgun, request a hearing before the commissioner and obtain judicial review of the commissioner's decision pursuant to Minnesota Statutes, Sections 15.0418 to 15.0426. A copy of the request for hearing shall be served upon the law enforcement officer to whom the handgun was originally forfeited. He shall immediately notify the custodian of the handgun of the request for hearing. No handgun which is the subject of a hearing shall be disposed of until the proceedings are completed by final order of the commissioner or judicial order when the commissioner's order is appealed.

Sec. 16. [CONVICTION OF ALIENS.] Whenever a person not a citizen of the United States is convicted under a provision of sections 1 to 18, the clerk of the court in which the conviction is secured shall certify the fact of the conviction to the proper officer of the United States government having supervision of the deportation of aliens.

Sec. 17. [LOCAL REGULATIONS.] Sections 1 to 15 shall not be construed to prohibit more restrictive municipal or county regulation of handguns or to restrict existing police power in this regard.

Sec. 18. [ADDITIONAL SENTENCE FOR ARMED CRIMINALS.] Subdivision 1. Notwithstanding the provisions of any other law, a person who commits or attempts to commit a crime of violence or who is a fugitive from justice, when armed with or having in his possession any handgun, as defined in section 2, whether or not capable of being discharged, may, in addition to the punishment provided for the crime, be punished on a first conviction by imprisonment for not less than three nor more than ten years; upon a second conviction by imprisonment for not less than four nor more than 15 years; upon a third conviction by imprisonment for not less than five nor more than 20 years; and upon a fourth or subsequent conviction, by imprisonment for not less than ten years nor more than for life.

Subd. 2. For purposes of determining the number of convictions under this section, a prior conviction includes a conviction:

(a) in this state;

(b) in another state for a crime which would have been a crime of violence if committed in this state; or

(c) in a federal court.

Sec. 19. [EFFECTIVE DATE.] This act is effective October 1, 1975."

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

"A bill for an act relating to crimes and criminals; regulating the transfer, possession and use of handguns; requiring permits to carry handguns; prohibiting the sale or transfer to or carrying by certain persons of handguns; prescribing penalties; increasing penalties for crimes of violence involving handguns."

Mr. Kirchner moved to amend the Jensen amendment to H. F. No. 679, as follows:

Section 6 of the Jensen amendment, after clause (a) insert

"(b) To keep or carry a handgun in a motor home, camper, house trailer, or mobile home;"

Reletter the remaining clauses in sequence

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

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

And the roll being called, there were yeas 18 and nays 42, as follows:

Those who voted in the affirmative were:

Bang	Hanson, R.	Kirchner	Nelson	Stassen
Borden	Jensen	Knutson	Patton	Ueland
Brataas	Josefson	Kowalczyk	Perpich, A. J.	
Dunn	Keefe, J.	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Fitzsimons	McCutcheon	Olson, J. L.	Spear
Berg	Gearty	Merriam	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Milton	Perpich, G.	Stumpf
Blatz	Hughes	Moe	Purfeerst	Tennessen
Brown	Humphrey	North	Schaaf	Wegener
Chmielewski	Keefe, S.	Ogdahl	Schmitz	Willet
Coleman	Kleinbaum	Olhoft	Schrom	
Conzemius	Laufenburger	Olson, A. G.	Sillers	
Doty	Lewis	Olson, H. D.	Solon	

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

Mr. Hansen, Mel moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Sec. 3 of the amendment, after Subd. 2, insert:

"Subd. 3. *"Antique firearm" means any firearm, including any pistol, with a matchlock, flintlock, percussion cap, or similar type*

of ignition system, manufactured before 1899, and any replica of any firearm described herein if such replica is not designed or redesigned, made or remade, or intended to fire conventional rimfire or conventional centerfire ammunition, or uses conventional rimfire or conventional centerfire ammunition which is not readily available in the ordinary channels of commercial trade.

Subd. 4. "Saturday Night Special Pistol" means a pistol other than an antique firearm or a pistol for which the propelling force is carbon dioxide, air or other vapor, or children's pop guns or toys, having a frame, barrel, cylinder, slide or breechblock:

(a) of any material having a melting point (liquidus) of less than 1000 degrees Fahrenheit, or

(b) of any material having an ultimate tensile strength of less than 55,000 pounds per square inch, or

(c) of any powdered metal having a density of less than 7.5 grams per cubic centimeter."

Renumber the subdivisions in sequence

Sec. 11, second line, strike "pistols or replicas thereof" and insert "firearms"

Sec. 11, strike the third and fourth lines

Before Sec. 14, insert:

"Sec. 14. [SATURDAY NIGHT SPECIALS PROHIBITED.] Any dealer who transfers a Saturday Night Special Pistol, or any person who manufactures or assembles a Saturday Night Special Pistol in whole or in part, shall be guilty of a gross misdemeanor."

Renumber the sections in sequence.

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

Mr. Hansen, Mel then moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Sec. 4, Subd. 3, after "in" insert "subdivision 1, clause (b) of"

Sec. 4, Subd. 3, strike "gross misdemeanor" and insert "felony. A person named in any other clause of subdivision 1 of this section who carries, holds, possesses or becomes a transferee of a pistol is guilty of a gross misdemeanor. A sentence imposed on a person convicted under subdivision 1, clause (b) shall not run concurrently with any other sentence."

Mr. McCutcheon requested division of the amendment as follows:

First portion:

Sec. 4, Subd. 3, after "in" insert "subdivision 1, clause (b) of"

Sec. 4, Subd. 3, strike "gross misdemeanor" and insert "felony.

A person named in any other clause of subdivision 1 of this section who carries, holds, possesses or becomes a transferee of a pistol is guilty of a gross misdemeanor."

Second portion:

Sec. 4, Subd. 3, after the period insert:

"A sentence imposed on a person convicted under subdivision 1, clause (b) shall not run concurrently with any other sentence."

The question being taken on the adoption of the first portion of the Hansen, Mel amendment to the Coleman amendment,

The motion prevailed. So the first portion of the amendment to the amendment was adopted.

The question being taken on the adoption of the second portion of the Hansen, Mel amendment to the Coleman amendment,

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

Mr. Nelson moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Sec. 15, 18th line of the section, after "person" insert *"on both the first and second offense"*

And after *"eligible for"* insert *"stay of imposition of sentence, stay of execution of sentence, nor for probation by the court, nor shall he be conditionally released by"*

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

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

And the roll being called, there were yeas 23 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Brown	Jensen	Kowalczyk	Patton
Berg	Dunn	Josefson	Larson	Renneke
Bernhagen	Fitzsimons	Keefe, J.	Merriam	Stassen
Borden	Frederick	Kirchner	Nelson	
Brataas	Hanson, R.	Knutson	Olson, H. D.	

Those who voted in the negative were:

Anderson	Humphrey	Moe	Perpich, G.	Stokowski
Blatz	Keefe, S.	Ogdahl	Purfeerst	Stumpf
Chmielewski	Kleinbaum	Olhoff	Schaaf	Ueland
Coleman	Laufenburger	Olson, A. G.	Schmitz	Wegener
Conzemius	Lewis	Olson, J. L.	Schrom	Willet
Gearty	McCutcheon	O'Neill	Sillers	
Hughes	Milton	Perpich, A. J.	Solon	

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

Mr. Keefe, J. moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Sec. 14 of the amendment, third and fourth lines, strike "*except in cities of the first class*"

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

Mr. Nelson moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Before Sec. 16, insert:

"Sec. 16. *In those instances in which a prisoner had in his possession a firearm or used a dangerous weapon at the time of the offense for which he was imprisoned, the Minnesota corrections authority shall:*

(a) *Make parole proceeding records available for public inspection;*

(b) *Open parole proceedings to the public to receive and consider relevant evidence and testimony;*

(c) *Establish procedural rules for the public parole proceeding by rule in accordance with chapter 15;*

(d) *At least 30 days prior to a prisoner's appearance before the authority, notify and institute inquiries of (a) the chief law enforcement officers of the county and of the city, if any, where the prisoner resided prior to conviction if the prisoner resided in the state; and (b) the prosecutor of the county in which the prisoner was convicted; and (c) the judge who presided over the trial of the prisoner; and (d) the victim, if any, of the crime for which the prisoner was incarcerated. The notification shall specify the time and place of hearing and that the authority will receive and consider evidence and testimony relevant to the prisoner's potential release."*

Renumber the remaining section

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

And the roll being called, there were yeas 11 and nays 38, as follows:

Those who voted in the affirmative were:

Brataas	Keefe, J.	Kowalczyk	Nelson	Patton
Jensen	Knutson	McCutcheon	Olson, H. D.	Stassen
Josefson				

Those who voted in the negative were:

Anderson	Fitzsimons	Merriam	Perpich, A. J.	Spear
Blatz	Gearty	Milton	Perpich, G.	Stokowski
Borden	Hansen, Baldy	Moe	Pillsbury	Stumpf
Chenoweth	Hughes	North	Purfeerst	Ueland
Chmielewski	Keefe, S.	Ogdahl	Schaaf	Wegener
Coleman	Kleinbaum	Olhoft	Schmitz	Willet
Conzemius	Laufenburger	Olson, A. G.	Sillers	
Doty	Lewis	O'Neill	Solon	

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

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

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

Mr. Willet moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 15, 1975, as follows:

Before Sec. 16, insert:

"Sec. 16. This act shall apply only to the metropolitan area, as defined in Laws 1975, Chapter 13, Section 1, Subdivision 2."

Renumber the remaining section

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

H. F. No. 679 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 25 and nays 41, as follows:

Those who voted in the affirmative were:

Chenoweth	Hughes	McCutcheon	Ogdahl	Sillers
Conzemius	Humphrey	Merriam	Olson, A. G.	Spear
Davies	Keefe, S.	Milton	O'Neill	Stokowski
Gearty	Laufenburger	Moe	Pillsbury	Stumpf
Hansen, Mel	Lewis	North	Schaaf	Tennessen

Those who voted in the negative were:

Anderson	Brown	Jensen	Olson, H. D.	Solon
Arnold	Chmielewski	Josefson	Olson, J. L.	Stassen
Ashbach	Coleman	Kirchner	Patton	Ueland
Bang	Doty	Kleinbaum	Perpich, A. J.	Wegener
Berg	Dunn	Knutson	Perpich, G.	Willet
Bernhagen	Fitzsimons	Kowalczyk	Purfeerst	
Blatz	Frederick	Larson	Renneke	
Borden	Hansen, Baldy	Nelson	Schmitz	
Brataas	Hanson, R.	Olthoft	Schrom	

So the bill failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. North moved that S. F. No. 177 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 177

A bill for an act relating to public health; changing requirements and procedures for obtaining certificates of need for health care facilities; amending Minnesota Statutes 1974, Sections 145.72, Subdivisions 2 and 3; 145.76; 145.78; 145.80; 145.82; Chapter 145, by adding sections; and repealing Minnesota Statutes 1974, Section 145.81.

May 14, 1975

The Honorable Alec G. Olson
President of the Senate

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

We, the undersigned conferees for S. F. No. 177 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendments and that S. F. No. 177 be amended as follows:

Page 2, line 13, after "a" insert "*licensed medical*"

Page 2, line 14, after "group of" insert "*licensed medical*"

Page 2, line 15, before "doctors" insert "*licensed medical*"

Page 2, line 18, after "or" insert "*\$200,000 for two or more items of equipment; and*

(2) is determined by the state board of health to be designed to circumvent the provisions of sections 145.71 to 145.83."

Page 2, delete lines 19 and 20 and insert

"Sec. 3. Minnesota Statutes 1974, Section 145.72, Subdivision 5, is amended to read:

Subd. 5. "Area wide comprehensive health planning agency" means an agency established to meet the requirements of the Partnership for Health Act, P.L. 89-749, as amended, and designated as such by the Minnesota state planning agency, or a successor agency designated pursuant to the National Health Planning and Resources Development Act, P.L. 93-641; provided that in the metropolitan area the area wide comprehensive health planning agency shall be the metropolitan council, if it has appointed a health board to advise it meeting the requirements of section 145.74.

Sec. 4. Minnesota Statutes 1974, Section 145.74, is amended to read:

145.74 [HEALTH PLANNING AGENCIES; MEMBERSHIP REGULATIONS.] The state planning agency shall, subject to chapter 15, after consulting with the state board of health promulgate regulations concerning the membership of area wide comprehensive health planning agencies. The regulations shall include, but not be limited to, the following factors. The regulations shall:

(1) comply with the provisions of the Partnership for Health Act, P.L. 89-749, as amended, and with the National Health Planning and Resources Development Act, P.L. 93-641;

(2) provide that a majority of the membership be composed of consumers;

(3) provide for representation of providers of each of the following: hospital, nursing home and boarding care;

(4) provide for representation of licensed medical doctors and other health professionals;

(5) provide for a fixed term of membership; and

(6) provide that members of an area wide comprehensive health planning agency shall not select their successors.

No existing area wide comprehensive health planning agency shall exercise the functions provided in sections 145.71 to 145.83 until it is in compliance with regulations issued pursuant to this section.

If there is no area wide comprehensive health planning agency in a designated area of the state in compliance with sections 145.71 to 145.83, the Minnesota state planning agency shall perform the functions and duties of an area wide comprehensive health planning agency for that area."

Page 2, delete lines 24 to 32 and insert "*agency shall conduct a comprehensive study in its jurisdiction to:*

(a) *determine the needs for health care services or facilities which are not met by existing services or facilities;*

(b) *identify health care services and facilities which are duplicative; and*

(c) *develop guidelines for the sharing of costly technical equipment and services by health care facilities.*

The areawide comprehensive health planning agency shall annually review and amend the conclusions of the study."

Page 3, delete lines 1 to 7

Page 3, line 10, before "No" insert "*Subdivision 1. Except as provided in subdivision 2,*"

Page 4, after line 10, insert

"Subd. 2. A licensed medical doctor, a group of licensed medical doctors, or a professional corporation of licensed medical doctors proposing to purchase or acquire one or more items of diagnostic or therapeutic equipment which require capital expenditure in excess of \$100,000 for a single item or \$200,000 for two or more items shall, prior to purchasing or acquiring the equipment, notify the areawide comprehensive health planning agency and the state board of health of the proposed acquisition or purchase. The state board of health shall, within 60 days of receipt of the notice, determine whether or not the proposed acquisition or purchase is designed to circumvent the provisions of sections 145.71 to 145.83. A hearing shall be held if requested by the applicant or the areawide comprehensive health planning agency. The board of health shall notify the applicant and the areawide comprehensive health planning agency in writing of its determination. If the state board of health determines that the proposed acquisition or purchase is not designed to circumvent the provisions of sections 145.71 to 145.83, no certificate of need shall be required of the applicant. If the state board of health determines that the proposed acquisition or purchase is designed to circumvent the provisions of sections 145.71 to 145.83, the applicant must obtain a certificate of need."

Renumber the sections in sequence

Further amend the title as follows:

Page 1, line 5, delete "and" and insert a comma

Page 1, line 6, after "3" insert "and 5"

Page 1, line 6, before "145.76;" insert "145.74;"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Robert D. North, John Milton, Al Kowalczyk.

House Conferees: (Signed) Lyndon Carlson, J. R. Kaley, James Swanson.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Olson, A. G. moved that H. F. No. 929 be taken from the table. The motion prevailed.

Mr. Olson, A. G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 929, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. Olson, A. G. moved that H. F. No. 133 be taken from the table. The motion prevailed.

Mr. Olson, A. G. moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 133, 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 appointed on the part of the House. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 7:45 o'clock p.m. The motion prevailed.

The hour of 7:45 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Hansen, Baldy moved that the following members be excused for a Conference Committee on H. F. No. 1674:

Messrs. Coleman; Conzemius; Blatz; Olson, A. G. and Perpich, A. J. The motion prevailed.

MEMBERS EXCUSED

Mr. Solon was excused from this evening's Session at 10:00 o'clock p.m. Mr. Stassen was excused from this evening's Session. Mr. Nelson was excused from this evening's Session at 9:40 o'clock p.m. Mr. McCutcheon was excused from this evening's Session until 9:00 o'clock p.m.

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. 929, pursuant to the request of the House:

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

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. 1026 pursuant to the request of the Senate:

Messrs. Frederick; Bernhagen; Schrom; Olson, H. D. and Hansen, Baldy.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 1526, pursuant to the request of the House:

Messrs. McCutcheon, Milton and O'Neill.

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. 1428, pursuant to the request of the Senate:

Messrs. Stumpf, North and Knutson.

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

Mr. Davies, from the Committee on Committees, recommended that the following named Senators be and they hereby are appointed as a Conference Committee on H. F. No. 133, pursuant to the request of the House:

Messrs. Olson, A. G.; O'Neill; Perpich, A. J.; Kleinbaum 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 H. F. No. 229, pursuant to the request of the House:

Messrs. Gearty, Kleinbaum, Bang, Conzemius, and Larson

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

Pursuant to Rule 21, Mr. Olhoft moved that the following members be excused for a Conference Committee on H. F. No. 235:

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

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

Messrs. Willet, Chenoweth, Borden, Fitzsimons and Josefson. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1436, No. 94 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Olson, A. G.	Schmitz
Bang	Frederick	Laufenburger	Olson, H. D.	Solon
Berg	Gearty	Lewis	Olson, J. L.	Spear
Blatz	Hansen, Baldy	Merriam	Patton	Stassen
Brown	Hanson, R.	Milton	Perpich, A. J.	Stokowski
Conzemius	Keefe, S.	Moe	Perpich, G.	Stumpf
Davies	Kirchner	Nelson	Pillsbury	Tennessee
Doty	Kleinbaum	Olhoft	Renneke	Wegener

Mr. North voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1030, No. 96 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Laufenburger	Patton	Stokowski
Ashbach	Gearty	Lewis	Perpich, A. J.	Stumpf
Bang	Hansen, Baldy	Milton	Perpich, G.	Tennessen
Berg	Hansen, Mel	Moe	Pillsbury	Ueland
Bernhagen	Hanson, R.	Nelson	Purfeerst	Wegener
Brown	Keefe, S.	North	Schmitz	
Conzemius	Kirchner	Olhoft	Schrom	
Davies	Kleinbaum	Olson, H. D.	Solon	
Doty	Larson	Olson, J. L.	Speak	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 1074, No. 98 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 42 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Hansen, Baldy	Milton	Patton	Spear
Bang	Hansen, Mel	Moe	Perpich, A. J.	Stokowski
Berg	Hanson, R.	Nelson	Perpich, G.	Stumpf
Bernhagen	Keefe, S.	North	Pillsbury	Tennessen
Brown	Kirchner	Ogdahl	Purfeerst	Ueland
Davies	Kleinbaum	Olhoft	Renneke	Wegener
Doty	Larson	Olson, A. G.	Schmitz	
Dunn	Laufenburger	Olson, H. D.	Schrom	
Gearty	Lewis	Olson, J. L.	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1415, No. 100 on the General Orders Calendar, a Special Order to be heard immediately.

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 children; amending Minnesota Statutes 1974, Section 252.27, 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kowalczyk	North	Schmitz
Bang	Gearty	Larson	Olhoft	Schrom
Berg	Hansen, Baldy	Laufenburger	Olson, H. D.	Solon
Bernhagen	Hansen, Mel	Lewis	Olson, J. L.	Spear
Brataas	Hanson, R.	McCutcheon	Patton	Stokowski
Brown	Keefe, J.	Merriam	Perpich, G.	Stumpf
Davies	Kirchner	Milton	Pillsbury	Tennessen
Doty	Kleinbaum	Moe	Purfeerst	Ueland
Dunn	Knutson	Nelson	Renneke	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 872, No. 95 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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:

Arnold	Frederick	Laufenburger	Olson, J. L.	Stassen
Ashbach	Gearty	Lewis	Patton	Stokowski
Bang	Hansen, Baldy	McCutcheon	Perpich, G.	Stumpf
Berg	Hansen, Mel	Merriam	Pillsbury	Tennessen
Bernhagen	Hanson, R.	Milton	Purfeerst	Ueland
Brataas	Keefe, J.	Moe	Renneke	Wegener
Brown	Kirchner	Nelson	Schmitz	
Davies	Kleinbaum	North	Schrom	
Doty	Knutson	Olhoft	Solon	
Dunn	Larson	Olson, H. D.	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 521, No. 105 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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:

Arnold	Dunn	Knutson	North	Schmitz
Ashbach	Frederick	Kowalczyk	Olhoft	Schrom
Bang	Gearty	Laufenburger	Olson, H. D.	Solon
Berg	Hansen, Baldy	Lewis	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	McCutcheon	Perpich, G.	Stokowski
Brataas	Hanson, R.	Merriam	Pillsbury	Stumpf
Brown	Keefe, J.	Milton	Purfeerst	Tennessee
Davies	Keefe, S.	Moe	Renneke	Ueland
Doty	Kleinbaum	Nelson	Schaaf	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 231, No. 107 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Knutson	Olson, H. D.	Stokowski
Ashbach	Frederick	Kowalczyk	Olson, J. L.	Stumpf
Bang	Gearty	Laufenburger	Perpich, G.	Tennessee
Berg	Hansen, Baldy	Lewis	Pillsbury	Ueland
Bernhagen	Hansen, Mel	Merriam	Purfeerst	Wegener
Brataas	Hanson, R.	Milton	Schmitz	
Brown	Keefe, S.	Nelson	Schrom	
Davies	Kirchner	North	Solon	
Doty	Kleinbaum	Olhoft	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1206, No. 108 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. 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.

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 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Laufenburger	Olson, H. D.	Stokowski
Ashbach	Frederick	Lewis	Olson, J. L.	Stumpf
Bang	Gearty	McCutcheon	Perpich, G.	Tennessen
Berg	Hansen, Baldy	Merriam	Pillsbury	Ueland
Bernhagen	Hanson, R.	Milton	Purfeerst	Wegener
Brataas	Keefe, S.	Moe	Schmitz	
Brown	Kirchner	Nelson	Schrom	
Davies	Kleinbaum	North	Solon	
Doty	Knutson	Olhoft	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 982, No. 110 on the General Orders Calendar, a Special Order to be heard immediately.

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.

Mr. Ashbach moved to amend the amendment placed on H. F. No. 982 by the Committee on Finance, adopted by the Senate May 14, 1975, as follows:

In the committee amendment to page 1, line 13, strike "\$75" and insert "\$50"

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

H. F. No. 982 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 41 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Olhoft	Solon
Ashbach	Hansen, Baldy	Kowalczyk	Olson, H. D.	Spear
Bang	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Berg	Hanson, R.	Laufenburger	Patton	Ueland
Bernhagen	Jensen	Lewis	Perpich, G.	Wegener
Brataas	Keefe, J.	Merriam	Pillsbury	
Brown	Keefe, S.	Moe	Purfeerst	
Davies	Kirchner	Nelson	Schmitz	
Doty	Kleinbaum	Ogdahl	Schrom	

Those who voted in the negative were:

Gearty	Milton	North	Stumpf	Tennessen
McCutcheon				

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 837, No. 111 on the General Orders Calendar, a Special Order to be heard immediately.

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 non-qualification 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.

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:

Arnold	Frederick	Laufenburger	Olson, H. D.	Spear
Ashbach	Gearty	Lewis	Olson, J. L.	Stokowski
Bang	Hansen, Mel	McCutcheon	Patton	Stumpf
Berg	Hanson, R.	Merriam	Perpich, G.	Tennessen
Bernhagen	Keefe, J.	Milton	Pillsbury	Ueland
Brataas	Keefe, S.	Moe	Purfeerst	Wegener
Brown	Kirchner	Nelson	Renneke	
Davies	Kleinbaum	North	Schmitz	
Doty	Knutson	Ogdahl	Schrom	
Dunn	Kowalczyk	Olhoft	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1096, No. 114 on the General Orders Calendar, a Special Order to be heard immediately.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Olson, H. D.	Solon
Berg	Gearty	Laufenburger	Olson, J. L.	Spear
Bernhagen	Hansen, Baldy	Lewis	Patton	Stokowski
Brataas	Hansen, Mel	Merriam	Perpich, G.	Stumpf
Brown	Hanson, R.	Milton	Pillsbury	Ueland
Davies	Keefe, S.	Moe	Renneke	Wegener
Doty	Kirchner	Nelson	Schmitz	Willet
Dunn	Kleinbaum	North	Schrom	

Mr. McCutcheon voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 533, No. 112 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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:

Arnold	Frederick	Knutson	North	Schrom
Bang	Gearty	Larson	Olhoff	Spear
Berg	Hansen, Baldy	Laufenburger	Olson, H. D.	Stokowski
Bernhagen	Hansen, Mel	Lewis	Olson, J. L.	Stumpf
Brataas	Hanson, R.	McCutcheon	Patton	Tennessen
Brown	Keefe, J.	Merriam	Perpich, G.	Ueland
Davies	Keefe, S.	Milton	Pillsbury	Wegener
Doty	Kirchner	Moe	Purfeerst	Willet
Dunn	Kleinbaum	Nelson	Schmitz	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1339, No. 118 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Laufenburger	Olson, H. D.	Spear
Ashbach	Frederick	Lewis	Olson, J. L.	Stokowski
Bang	Gearty	McCutcheon	Perpich, G.	Stumpf
Berg	Hansen, Baldy	Merriam	Pillsbury	Tennessen
Bernhagen	Hansen, Mel	Milton	Purfeerst	Wegener
Brataas	Hanson, R.	Moe	Renneke	
Brown	Keefe, S.	North	Schmitz	
Davies	Kleinbaum	Ogdahl	Schrom	
Doty	Knutson	Olhoft	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 1299, No. 119 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 6, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Laufenburger	Olson, H. D.	Solon
Ashbach	Frederick	Lewis	Olson, J. L.	Spear
Bang	Gearty	McCutcheon	Patton	Stokowski
Bernhagen	Hanson, R.	Merriam	Perpich, G.	Stumpf
Brataas	Jensen	Milton	Purfeerst	Tennessen
Coleman	Keefe, S.	Moe	Renneke	Ueland
Davies	Kleinbaum	Ogdahl	Schmitz	
Doty	Knutson	Olhoft	Schrom	

Those who voted in the negative were:

Berg	Hansen, Mel	Kowalczyk	North	Pillsbury
Brown				

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 250, No. 120 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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 11, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Knutson	Olhoft	Schrom
Ashbach	Hansen, Baldy	Laufenburger	Olson, H. D.	Solon
Bang	Hansen, Mel	Lewis	Olson, J. L.	Spear
Brown	Hanson, R.	McCutcheon	Perpich, G.	Stokowski
Coleman	Keefe, J.	Merriam	Pillsbury	Stumpf
Davies	Keefe, S.	Milton	Purfeerst	Ueland
Doty	Kirchner	Moe	Schaaf	Wegener
Dunn	Kleinbaum	Ogdahl	Schmitz	

Those who voted in the negative were:

Berg	Frederick	Kowalczyk	North	Renneke
Bernhagen	Jensen	Larson	Patton	Tennessen
Brataas				

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 48, No. 121 on the General Orders Calendar, a Special Order to be heard immediately.

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, Subdivisions 17, 19 and 21; 253A.15, Subdivision 1; 256.93, Subdivisions 1 and 2; 259.24, Subdivision 1; and 17.03; repealing Minnesota Statutes 1974, Sections 253A.07, Subdivision 18; 253A.13; and 256.07.

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	Knutson	Olhoft	Schrom
Ashbach	Frederick	Kowalczyk	Olson, H. D.	Solon
Bang	Gearty	Larson	Olson, J. L.	Spear
Berg	Hansen, Mel	Laufenburger	Patton	Stokowski
Bernhagen	Hansen, R.	Lewis	Perpich, G.	Stumpf
Brataas	Jensen	Merriam	Pillsbury	Tennessen
Brown	Keefe, J.	Milton	Purfeerst	Ueland
Coleman	Keefe, S.	Moe	Renneke	Wegener
Davies	Kirchner	North	Schaaf	
Doty	Kleinbaum	Ogdahl	Schmitz	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended that H. F. No. 1456, No. 74 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1456: A bill for an act relating to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

Mr. Hughes moved to amend H. F. No. 1456, as amended pursuant to Rule 49, adopted by the Senate May 13, 1975, as follows:

Page 5, after line 25, insert:

"Sec. 8. Laws 1974, Chapter 435, is amended by adding a section to read:

[1.02064] [RAMSEY COUNTY.] *Subdivision 1. [ADULT DETENTION CENTER; BONDS.] The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$7,900,000 for the costs of construction, including land acquisition, architectural, and other professional fees, of an adult detention center.*

Subd. 2. [JUVENILE CENTER; BONDS.] The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$3,700,000 for the costs of construction, including land acquisition, architectural, and other professional fees, of a juvenile center.

Subd. 3. [FULL FAITH AND CREDIT; NO ELECTION.] The full faith and credit and taxing powers of the county shall be pledged for the payment of such bonds and interest thereon, and they may be issued in one or more series and shall be secured in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required.

Subd. 4. [INTEREST ON BOND PROCEEDS.] Any other law to the contrary notwithstanding, interest earned from the investment of proceeds of these obligations as the term is defined in Minnesota Statutes 1974, Section 475.51, Subdivision 3, may, at the discretion of the governing body of Ramsey county, be used either to pay any costs payable from the proceeds from which the interest is derived or, if the proceeds are not held in a sinking fund account established for the obligations, to pay any costs payable from the sinking fund account; provided the use is consistent with the covenants made with the holders of the obligations to secure payment.

Sec. 2. [EFFECTIVE DATE.] *This section shall take effect upon its approval by the board of county commissioners of Ramsey county, and upon compliance with Minnesota Statutes, Section 645.021."*

Renumber the remaining section

Amend the title as follows:

Page 1, line 7, after "trustees;" insert "authorizing the board of county commissioners of Ramsey county to issue general obligation bonds for the costs of construction, including land acquisition and fees in the construction of an adult detention center and a juvenile center;"

Page 1, line 10, after the semicolon, insert "and Laws 1974, Chapter 435, by adding a section;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1456 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 45 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Keefe, S.	North	Renneke
Bang	Frederick	Kirchner	Ogdahl	Schaaf
Berg	Gearty	Kleinbaum	Olhoft	Schmitz
Bernhagen	Hansen, Baldy	Knutson	Olson, H. D.	Schrom
Brown	Hansen, Mel	Larson	Olson, J. L.	Solon
Coleman	Hanson, R.	Lewis	Patton	Stokowski
Conzemius	Hughes	McCutcheon	Perpich, G.	Tennessee
Davies	Jensen	Milton	Pillsbury	Ueland
Doty	Keefe, J.	Moe	Purfeerst	Wegener

Messrs. Spear and Stumpf voted in the negative.

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 429, No. 101 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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 1, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	Olhoft	Schaaf
Ashbach	Doty	Keefe, S.	Olson, H. D.	Schmitz
Bang	Dunn	Kirchner	Olson, J. L.	Spear
Berg	Frederick	Kleinbaum	Patton	Stokowski
Bernhagen	Gearty	Knutson	Perpich, G.	Stumpf
Brataas	Hansen, Mel	Merriam	Pillsbury	Tennessen
Brown	Hanson, R.	Moe	Purfeerst	Ueland
Conzemius	Hughes	North	Renneke	Wegener

Mr. Schrom voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 1315, No. 47 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1315: A bill for an act relating to the city of Red Wing; retirement and survivors benefits payable by the Red Wing firemen's relief association.

Mr. Perpich, G. moved to amend H. F. No. 1315 as follows:

Page 1, line 10, after "by" insert "sections 1 to 4 of"

Page 2, line 8, after "by" insert "sections 1 to 4 of"

Pages 1 and 2, underline the language in sections 1 to 4

Page 2, after line 11, insert:

"Sec. 5. Laws 1935, Chapter 192, Section 1, as amended by Laws 1951, Chapter 48, Section 1, Laws 1955, Chapter 294, Section 1, Laws 1959, Chapter 208, Section 1, Laws 1967, Chapter 816, Section 1, Laws 1969, Chapter 686, Section 1, and Laws 1971, Chapter 614, Section 1, is amended to read:

Section 1. [HIBBING, CITY OF; FIREMEN'S RELIEF ASSOCIATION.] Subdivision 1. [SERVICE PENSIONS.] The Hibbing firemen's relief association shall pay to each of its members who has retired after 20 years or more of active service as a member of the fire department of the ~~village~~ *city* of Hibbing and who has attained the age of 55 years a monthly service pension for the remainder of his life equal to one-half of his average monthly earnings as a member of the fire department during his last six months of service; provided that the amount of any service pension payable to a retired member shall be increased from time to time by one-half of the amount of any salary increase granted subsequent to passage of this act to an active member of the fire department of a rank equivalent to the rank held by the retired member at the time of his retirement. The monthly payments may be increased by adding thereto an amount not to exceed \$10 per month for each year of active service over 20 years of service before retirement, not to exceed five years for the purpose of pension computation.

The service pension of an already retired member, from and after January 1, 1975, shall be not less than \$300 per month and shall be increased from time to time after the effective date of this act by the same amount and in the same manner as if the member had retired after the effective date of Laws 1971, Chapter 614.

Subd. 2. [DEPENDENCY PENSIONS.] When a pensioned and retired or active member of the association dies leaving

(1) A widow who was his legally married wife, residing with him, and who was married to him while or prior to the time he was on the payroll of the fire department; and who, in case the deceased member was a service pensioner, was legally married to the member at least three years before his retirement from the fire department; or

(2) A child or children who were living while the deceased was on the payroll of the fire department, or born within nine months after the decedent was withdrawn from the payroll of the fire department, the widow and the child or children shall be entitled to a pension or pensions, as follows:

(a) To the widow, not to exceed the sum of \$150 per month, as the bylaws of the association provide, for her natural life which amount may be applicable to widows already receiving pension payments before the effective date of the most recent amendment hereto which affects the amount if the bylaws should so provide; provided, that if she shall remarry then the pension shall cease and terminate as of the date of her remarriage;

(b) To the child or children, if their mother be living, a pension of not to exceed \$25 per month for each child up to the time each child reaches the age of 18 years; provided, the total pensions hereunder for the widow and children of the deceased member shall not exceed the sum of \$180 per month;

(c) A child or children of a deceased member receiving a pension or pensions hereunder shall, after the death of their mother, be entitled to receive a pension or pensions in such amount as the board of trustees of the association shall deem necessary to properly support the child or children until they reach the age of 18 years; but the total amount of the pension or pensions hereunder for any child or children shall not exceed the sum of \$180 per month.

Subd. 3. [DISABILITY PENSIONS.] A member of the association who is totally disabled by injury or sickness while an active member of the fire department of the village city but is ineligible for a service pension under subdivision 1 shall be paid a monthly disability pension for the duration of his disability in such amount as would be payable for the same disability under the provisions of Minnesota Statutes, Chapter 176, if within the scope of those provisions.

Subd. 4. [APPLICABILITY OF AMENDMENTS.] No amendment to Laws 1935, Chapter 192, Section 1, which affects the amount of any pension or other benefit authorized or required to be paid by the association or which provides for the payment

of a kind of pension or other benefit not previously authorized or required to be paid by the association shall apply to any member or dependent of a member who qualifies to receive such pension or other benefit by reason of death, retirement, or disability which occurs before the effective date of the amendment unless another provision of this section provides to the contrary. In the absence of such a provision to the contrary, such person shall continue to receive pensions or other benefits in accordance with the law as it exists before the amendment takes effect.

Subd. 5. All payments of pensions made to members who have retired prior to the enactment of Laws 1956, Chapter 204, not in excess of amounts therein authorized, are hereby validated and legalized.

Sec. 6. *From and after January 1, 1976, neither the city of Hibbing nor the firemen's relief association in the city of Hibbing shall qualify for state fire aid pursuant to Minnesota Statutes, Chapter 69, nor shall the commissioner of insurance certify such association to the county auditor as provided in Minnesota Statutes, Section 69.021, unless the provisions of Laws 1971, Chapter 614, Section 2, are complied with. Such compliance shall be determined by the commissioner of insurance, and the association shall include the information needed for such determination with its annual financial report required by Minnesota Statutes, Section 69.051."*

Page 2, lines 12 to 14, underline the language

Page 2, line 12, after "5." insert "Sections 1 to 4 of"

Page 2, line 12, strike "is" and insert "are"

Page 2, line 14, after the period insert "*Sections 5 and 6 of this act shall be effective upon its approval by the governing body of the city of Hibbing and upon compliance with section 645.021.*"

Renumber the remaining section

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

"A bill for an act relating to firemen's relief; pensions; retirement and survivors benefits payable by the firemen's relief associations of the cities of Red Wing and Hibbing; amending Laws 1935, Chapter 192, Section 1, as amended."

The motion prevailed. So the amendment was adopted.

H. F. No. 1315: A bill for an act relating to the city of Red Wing; retirement and survivors benefits payable by the Red Wing firemen's relief association.

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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Knutson	Olson, J. L.	Stokowski
Ashbach	Dunn	Larson	Patton	Stumpf
Bang	Gearty	Laufenburger	Perpich, G.	Tennessen
Berg	Hansen, Baldy	Lewis	Pillsbury	Ueland
Bernhagen	Hansen, Mel	Milton	Renneke	Wegener
Brataas	Keefe, J.	Moe	Schaaf	
Brown	Keefe, S.	North	Schmitz	
Conzemius	Kirchner	Olhoff	Schrom	
Davies	Kleinbaum	Olson, H. D.	Spear	

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

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that S. F. No. 553, No. 23 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

S. F. No. 553: A bill for an act relating to the jurisdiction of the Minnesota corrections authority; abolishing the classification of youthful offender; amending Minnesota Statutes 1974, Sections 241.045, Subdivision 6; 242.02; 242.09; 242.12; 242.16; 242.17; 242.18; 242.19; 242.22; 242.26; 242.31; 242.34; and 242.37; repealing Minnesota Statutes 1974, Sections 242.03; 242.10; 242.13; 242.20; 242.23; 242.24; 242.27; 242.28; 242.29; 242.30; 242.33; 242.35; 242.36; and 242.38.

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 2, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Laufenburger	Olson, J. L.	Stokowski
Bang	Gearty	Lewis	Patton	Stumpf
Bernhagen	Hansen, Baldy	McCutcheon	Perpich, G.	Tennessen
Brataas	Keefe, J.	Milton	Pillsbury	Ueland
Brown	Keefe, S.	Moe	Renneke	Wegener
Davies	Kleinbaum	North	Schaaf	
Doty	Knutson	Olhoff	Schmitz	
Dunn	Larson	Olson, H. D.	Spear	

Messrs. Hansen, Mel and Schrom voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 638, No. 53 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 638: A bill for an act relating to boxing; amending certain boxing commission rules; amending Minnesota Statutes 1974, Sections 341.04; 341.05, Subdivision 1; 341.10; and 341.11.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Olson, H. D.	Schmitz
Bang	Hansen, Baldy	Lewis	Olson, J. L.	Schrom
Brataas	Hansen, Mel	Merriam	Patton	Spear
Brown	Keefe, J.	Milton	Perpich, G.	Stokowski
Davies	Keefe, S.	Moe	Pillsbury	Stumpf
Doty	Kleinbaum	North	Purfeerst	Tennessen
Dunn	Knutson	Ogdahl	Renneke	Ueland
Frederick	Larson	Olhoff	Schaaf	Wegener

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that S. F. No. 1466 and the Conference Committee Report thereon be laid on the table and the Conference Committee Report be printed in the Journal. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON S. F. 1466

A bill for an act relating to intoxicating liquor; removing the general limitation on the number of county on-sale licenses; amending Minnesota Statutes 1974, Section 340.11, Subdivision 10.

May 15, 1975

The Honorable Alec G. Olson
President of the Senate

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

We, the undersigned conferees for S. F. No. 1466, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that the bill be amended as follows:

Page 1, line 14, strike "as" and insert "or to a club"

Page 1, line 15, strike "defined in section 340.07, subdivision 14"

Page 2, after line 22, insert:

"No license may be issued by the county board of any county pursuant to this section to any person who directly or indirectly has been issued an intoxicating liquor license by the county board or by the governing body of any city located within the county. Nothing in this paragraph shall be construed to prohibit the re-issuance of

any intoxicating liquor license already issued pursuant to law as of the effective date of this act.

Sec. 2. *This act shall be effective the day following final enactment."*

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Norbert Arnold, Sam G. Solon, Otto T. Bang, Jr.

House Conferees: (Signed) Norman Prah, Irvin N. Anderson, Joseph Begich.

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 339, No. 52 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 339: A bill for an act relating to butter substitutes; identification of oleomargarine served in public places; amending Minnesota Statutes 1974, Section 33.111.

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 2, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Larson	Olhoft	Schmitz
Bang	Frederick	Laufenburger	Olson, H. D.,	Schrom
Berg	Gearty	Lewis	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	Merriam	Patton	Stokowski
Brataas	Keefe, J.	Milton	Pillsbury	Stumpf
Brown	Keefe, S.	Moe	Purfeerst	Tennessen
Davies	Kleinbaum	North	Renneke	Ueland
Doty	Knutson	Ogdahl	Schaaf	Wegener

Messrs. Hansen, Baldy and Perpich, G. voted in the negative.

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 1007, No. 71 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1007: A bill for an act relating to employment; excluding conservation officers from the operation of the fair labor standards act; repealing certain job application requirements;

amending Minnesota Statutes 1974, Section 177.23, Subdivision 7; repealing Minnesota Statutes 1974, Section 43.16.

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 27 and nays 14, as follows:

Those who voted in the affirmative were:

Arnold	Keefe, S.	Milton	Pillsbury	Tennessen
Brataas	Kleinbaum	Moe	Schaaf	Ueland
Brown	Knutson	North	Schmitz	Wegener
Davies	Kowalczyk	Ogdahl	Spear	
Doty	Lewis	Olson, H. D.	Stokowski	
Gearty	Merriam	Perpich, G.	Stumpf	

Those who voted in the negative were:

Bang	Dunn	Hansen, Mel	Olhoft	Renneke
Berg	Frederick	Jensen	Patton	Schrom
Bernhagen	Hansen, Baldy	Laufenburger	Purfeerst	

So the bill failed to pass.

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 1247, No. 72 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1247: A bill for an act relating to crimes; prohibiting endurance contests without rest periods; amending Minnesota Statutes 1974, Section 624.66, 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 39 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Laufenburger	Olson, H. D.	Schmitz
Bang	Hansen, Mel	Lewis	Patton	Spear
Bernhagen	Jensen	Merriam	Perpich, A. J.	Stokowski
Brataas	Keefe, J.	Milton	Perpich, G.	Stumpf
Davies	Keefe, S.	Nelson	Pillsbury	Tennessen
Doty	Kleinbaum	North	Purfeerst	Ueland
Dunn	Knutson	Ogdahl	Renneke	Wegener
Frederick	Kowalczyk	Olhoft	Schaaf	

Messrs. Brown and Schrom voted in the negative.

So the bill passed and its title was agreed to:

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far sus-

pending that H. F. No. 1180, No. 81 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1180: A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch no. 27; setting limits for the expenditure of money for the improvement thereof; authorizing the issuance of bonds and levying of special assessments for the payment thereof.

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 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Merriam	Perpich, A. J.	Stokowski
Bang	Hansen, Mel	Milton	Perpich, G.	Stumpf
Berg	Jensen	Moe	Pillsbury	Tennessen
Bernhagen	Keefe, S.	Nelson	Purfeerst	Ueland
Brataas	Kleinbaum	North	Renneke	Wegener
Brown	Knutson	Ogdahl	Schaaf	
Davies	Kowalczyk	Olhoft	Schmitz	
Doty	Laufenburger	Olson, H. D.	Schrom	
Dunn	Lewis	Patton	Spear	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages From the House, First Reading of House Bills, Reports of Committees and Second Reading of Senate and House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

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

S. F. No. 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.

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

Hanson, Casserly and Sieloff.

Senate File No. 1425 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 15, 1975

Mr. President:

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

S. F. No. 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.

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

Meier, McEachern and Carlson, A.

Senate File No. 211 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 15, 1975

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 1554

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 15, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. No. 710, 1241 and 1769

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 15, 1975

FIRST READING OF HOUSE BILLS

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

H. F. No. 710: A bill for an act relating to state procurement; requiring the commissioner of administration to set aside certain state procurement from normal bidding procedures for first offering to small businesses; requiring the commissioners of administration and

economic development to publicize the set-asides and assist small businesses; appropriating money.

Referred to the Committee on Rules and Administration.

H. F. No. 1241: 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 and betterment of public lands and interests in land needed for natural resource programs for which the commissioner of natural resources and the metropolitan council are responsible, including the provision of funds sufficient for the payment and redemption of outstanding bonds issued by the council for this purpose; appropriating money from the fund for this purpose; requiring the approval of the board of county commissioners for land in the county the department of natural resources proposes to acquire; appropriating money from the general fund for payment of bonds.

Referred to the Committee on Rules and Administration.

H. F. No. 1769: A bill for an act relating to the operation of state government; providing for salaries, fringe benefits and other terms and conditions of employment in the state civil service; providing salaries for department heads and certain judicial positions; amending Minnesota Statutes 1974, Sections 15A.081, Subdivision 1; 15A.083; 43.05, Subdivision 2; 43.062, Subdivision 3, and by adding a subdivision; 43.067; 43.069, Subdivision 1; 43.12, Subdivisions 2, 2a, 2b and 3; 43.121, Subdivisions 1, 2, and 3; 43.122, Subdivisions 1, 3 and 4; 43.126, Subdivisions 2 and 3; 43.17, Subdivision 2; 43.18, Subdivision 2; 43.19, Subdivisions 1 and 4; 43.21; 43.23, Subdivisions 1 and 2; 43.328, Subdivision 1; 43.50, Subdivision 1; and 299D.03, Subdivisions 2 and 9; repealing Minnesota Statutes 1974, Sections 15A.081, Subdivisions 1a and 4; 487.05; and 526.18.

Referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

Mr. Davies 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

S. F. No. 919: A bill for an act relating to the environment; directing creation of an environmental permits coordinating unit within the environmental quality council; authorizing an optional consolidated application and hearing procedure for certain permits; directing establishment of permit information centers; appropriating money.

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

Page 6, line 17, strike "once in"

Page 6, line 18, strike "the Minnesota Register and"

Page 7, line 7, after "interest" insert "and are not required by any other law or rule"

Page 8, line 10, strike the comma

Page 8, line 11, after "council" insert a comma

Page 8, line 11, strike "; however," and insert a period

Page 11, line 20, strike "expeditiously" and insert "expeditiously"

Page 12, line 8, strike "in the manner"

Page 12, line 9, strike "provided by Minnesota Statutes, Chapter 15."

Page 14, line 17, strike "\$245,000" and insert \$185,000"

Page 14, line 20, strike \$120,000" and insert "\$60,000"

Page 14, line 21, strike "\$10,000" and insert "\$5,000"

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. 1217: A bill for an act relating to education; children attending nonpublic schools; providing auxiliary services, textbooks, instructional materials and equipment; appropriating money.

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

Page 3, line 9, after "the" insert "state"

Page 3, line 32, before "Each" insert "The state board of education shall promulgate rules under the provisions of Minnesota Statutes, Chapter 15, requiring that in"

Page 4, line 2, strike "commissioner of education, directly or through the"

Page 4, line 3, strike the comma

Page 4, line 16, strike "or the state"

Page 4, line 26, after the period insert "The commissioner shall allot to the school districts or intermediary service areas"

Page 4, line 28, after "school" insert ", which"

Page 5, line 1, before "Each" insert "The state board of education shall promulgate rules under the provisions of Minnesota Statutes, Chapter 15, requiring that in"

Page 5, line 3, strike "commissioner of education, directly or through the"

Page 5, line 4, strike the comma

Page 5, line 11, after "and" insert "January 1 of"

Page 5, line 16, strike "or the state"

Page 5, line 20, after the period insert "The commissioner shall allot to the school districts or intermediary service areas"

Page 5, line 22, after "school" insert ", which"

Page 6, line 3, after "school" insert "whenever possible"

Page 6, line 12, strike "kindergarten" and insert "9"

Page 6, line 12, strike "8" and insert "12"

Page 6, line 13, strike "grades 9" and insert "kindergarten"

Page 6, line 13, strike "12" and insert "grade 8,"

Page 6, after line 14, insert:

"Sec. 6. In every event the commissioner shall make such payments to school districts or intermediary service areas pursuant to this act as are needed to meet contractual obligations incurred for the provision of benefits to nonpublic school students pursuant to section 3, 4 or 5 of this act."

Renumber succeeding sections accordingly

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. 1043: A bill for an act relating to taxation; providing for redemption of forfeited property under certain conditions.

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

Strike everything after the enacting clause and insert:

"Section 1. Subdivision 1. For the purposes of this act, unless the language or context clearly indicates that a different meaning is intended, the following terms and phrases shall be given the meanings ascribed to them.

Subd. 2. "Person" includes individuals, fiduciaries, estates, trusts, partnerships, corporations, or associations.

Subd. 3. "Delinquent taxes" means special assessments, required to be paid to the county treasurer pursuant to Minnesota Statutes, Chapter 276, and which are unpaid on the first Monday in January of the year next following the year in which the taxes are due and payable.

Subd. 4. "Special assessments" means local assessments made or levied by any city, town, or other political subdivision of the state, hereinafter called special assessment district, for local improvements pursuant to Minnesota Statutes, Chapters 429 to 435, and subsequently certified to the county treasurer by the appropriate authority against any specific district or parcel of land.

Subd. 5. "Special state redemption account property" means the combined property owned or controlled by any corporation, located in a special assessment district of the state where special assessments levied by the special assessment district against the property equal or exceed \$1,000,000, and represent at least 50 percent of the total special assessments due and owing to the special assessment district, as of the effective date of this act, without regard to whether the levies are required to be satisfied by a single payment or by a series of payments over a designated period of time, and there are delinquent taxes against the property.

Sec. 2. The county auditor, upon a petition of the appropriate authority of a special assessment district wherein is located special state redemption account property which has forfeited to the state shall prepare notices directed to the commissioner of finance and to the person or persons under whose name or control such property is assessed, specifying each separately assessed parcel, the amount of delinquent taxes on each such parcel, the amount required to redeem the same and stating that the redemption period will expire at the expiration of a period of two years beginning with the date of the notice. No petition by the appropriate local authority may be presented to the county auditor prior to the second Monday in May of the year in which the county treasurer is required to return the tax lists in his hands to the county auditor pursuant to Minnesota Statutes, Section 279.02. The auditor shall deliver the notice directed to the person or persons under whose name or control the property is assessed to such appropriate local authority, who shall deliver it to the sheriff or other competent law enforcement official of the county for service. Within 10 days after its receipt by him, the sheriff or such other designated official shall serve such notice upon the persons to whom it is directed, if they be found in his county, in the manner prescribed for serving a summons in a civil action; if not so found, then upon the person in possession of the land, and making return thereof to the auditor. In the case of such land held in the name of a corporation, the notice may be served upon an officer of such corporation or upon the secretary of state if an officer cannot be located, or if such corporation is a foreign corporation, under Minnesota Statutes, Chapter 303. In the case of land held in joint tenancy, the notice shall be served upon each joint tenant. If one or more of the persons to whom the notice is directed cannot be found in the county and there is no one in possession of the land, the return of the sheriff or other designated official shall so specify and shall be prima facie evidence of such facts, service shall be made upon those persons that can be found and by three weeks published notice. Proof of publication shall be filed with the auditor.

When the records in the office of the register of deeds show that any lot or tract of land is encumbered by an unsatisfied mortgage or other lien, and show the post office address of the mortgagee or lienee, or if the same has been assigned, the post office address of the assignee, the appropriate local authorities which requested the petition shall serve a copy of such notice upon such mortgagee, lienee, or assignee by registered mail addressed to such mortgagee,

lienee, or assignee as disclosed by the records in the office of the register of deeds within 60 days after the date of the notice.

Such notice shall be sufficient if substantially in the form as set forth in section 281.23, subdivision 2. As soon as practicable after notice has been prepared by the county auditor, he shall cause to be published for three successive weeks in the official newspaper of the county a notice in substantially the form provided by section 281.23, subdivision 3. Proof of publication shall be substantially in the manner prescribed by section 281.23, subdivision 4, and the cost of giving such notice shall be paid by the county.

The period of redemption herein specified shall be absolute and final, notwithstanding the provisions of any law of this state to the contrary, and such land thereafter may be sold only in accordance with the provisions of chapter 282, relating to tax forfeited land sales.

Sec. 3. Each separately assessed parcel constituting a part of the accelerated redemption period property may be redeemed separately and independently of any other parcel and shall not require the redemption of any other parcel. Any parcel on which the taxes are delinquent pursuant to section 1, subdivision 3, and which delinquent taxes have been paid prior to May 12, 1975, shall not be subject to the provisions of this act.

Sec. 4. Upon certification by the county auditor that the provisions of section 2 have been complied with, the auditor may apply to the commissioner of finance for payment from the special state redemption account of an amount equal to the special assessments on special state redemption fund property which have been levied but are unpaid for the previous taxable year. If the commissioner is satisfied that the provisions of section 2 have been complied with and that the application for payment is correct, he shall pay to the county auditor the amount requested.

Sec. 5. Except as otherwise expressly provided in this act, the provisions of Minnesota Statutes 1974 relating to delinquent real estate taxes, tax judgment sales, redemption, and tax-forfeited land sales shall apply to special state redemption account property. However, upon the sale or redemption of any special state redemption account property, a sum sufficient to repay the special state redemption account the amount paid to the county auditor, together with ten percent interest per year on that amount, shall be paid to the commissioner of finance within 30 days of the sale or redemption and credited to the special state redemption account to any other apportionment of the proceeds as may otherwise be provided by law.

Sec. 6. There is hereby created the special state redemption account.

Sec. 7. There is hereby appropriated for the biennium ending June 30, 1977, from the general fund of the state treasury to the special state redemption account \$825,000 to make the payments provided for in section 4.

Sec. 8. This act shall be effective the day following its final enactment."

Further amend the title as follows:

Page 1, line 3, after "conditions" insert "; creating a special state redemption account; 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. 704: A bill for an act relating to the Minnesota zoological garden; enabling the state zoological board to acquire lands; authorizing the director to add to and promote the operation; establishing the Minnesota zoological garden operating receipts investment account; authorizing the investment of its assets; assigning income to the Minnesota zoological garden general account; defining "matching funds"; amending Minnesota Statutes 1974, Chapter 11, by adding a section; Sections 85A.02, Subdivision 12, and by adding subdivisions; 85A.03, Subdivisions 4, 4a, and by adding a subdivision; 85A.04, Subdivisions 1 and 2, and by adding subdivisions; and 85A.05, Subdivisions 4 and 6.

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

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Chapter 11, is amended by adding a section to read:

[11.28] [MINNESOTA ZOOLOGICAL GARDEN OPERATING RECEIPTS INVESTMENT ACCOUNT.] *Subdivision 1. The Minnesota zoological garden operating receipts investment account shall be administered by the state board of investment. The assets of the account shall be invested in those securities authorized in section 11.10, subdivision 1.*

Subd. 2. When the Minnesota zoological garden board certifies that any funds so invested are needed for current purposes, the state board of investment shall order the sale or conversion into cash of investments to the amount so certified, and transfer the funds to the Minnesota zoological garden general account.

Subd. 3. All interest and profit accruing from the investments shall be credited to, and be a part of, the Minnesota zoological garden general account, and any loss incurred in the principal of the investment shall be borne by the Minnesota zoological garden general account.

Sec. 2. Minnesota Statutes 1974, Section 85A.02, Subdivision 2, is amended to read:

Subd. 2. The board shall acquire, construct, equip, operate and maintain the Minnesota zoological garden at a site to be selected by the board but which must be located within the area comprised

of the counties of Anoka, Carver, in Dakota ; Hennepin, Ramsey, Scott and Washington county legally described in section 12 . Prior to selection of the site the board shall prepare a comprehensive plan for site location and development which shall be submitted to the metropolitan council for consideration under provisions in section 173B.06, subdivision 6. Any of the above named counties may acquire by gift, purchase, or condemnation a site for the Minnesota zoological garden if the site has been designated by the board as the site for the Minnesota zoological garden, after review by the appropriate legislative committee, and shall convey, without consideration any such site to the state of Minnesota for zoological garden purposes. The zoological garden shall consist of adequate facilities and structures for the collection, habitation, preservation, care, exhibition, examination or study of wild and domestic animals, including, but not limited to mammals, birds, fish, amphibians, reptiles, crustaceans and mollusks. The board may provide such lands, buildings and equipment as it deems necessary for parking, transportation, entertainment, education or instruction of the public in connection with such zoological garden.

Sec. 3. Minnesota Statutes 1974, Section 85A.02, is amended by adding subdivisions to read:

Subd. 13. The board may acquire by gift, purchase, or condemnation any real estate, not previously acquired and conveyed to the state by the county of Dakota, necessary to complete the zoo site as described in section 12 or to meet United States department of agriculture certification requirements. Funds from the Minnesota zoological garden building account may be expended for the acquisitions.

Subd. 14. The board may sell or exchange animals determined by it to be superfluous to zoo operations, subject to all state and federal regulations.

Subd. 15. The board may provide for promotional and advertising programs which may be developed and implemented either by zoological garden personnel or by contract with outside personnel and which shall be paid for out of funds other than bond revenues.

Sec. 4. Minnesota Statutes 1974, Section 85A.03, Subdivision 4, is amended to read:

Subd. 4. As directed by the board, the director may :

(a) Establish a schedule of charges for admission to or the use of the Minnesota zoological garden or any related facility ; .

(b) Provide for the purchase, reproduction, and sale of gifts, souvenirs, publications, informational materials, food and beverages, and grant concessions for the sale of such items. Revenues received from the sale of gifts, souvenirs, publications, informational materials, food and beverages shall be deposited to the credit of the Minnesota zoological garden general account. The purchase of materials and commodities for resale and the granting of any concession relative to food, beverages, and transit shall not be

subject to the competitive bidding procedures of sections 16.06, 16.07, and 16.28 but shall remain subject to all other provisions of chapter 16. In other areas of concessions the commissioner of administration may determine that it is not feasible and not in the public interest to award a contract for the operation of such concession to the highest responsible bidder.

Sec. 5. Minnesota Statutes 1974, Section 85A.03, Subdivision 4a, is amended to read:

Subd. 4a. In the *purchasing of such materials and commodities and the granting of such concessions*, a contract for such *purchases or concessions* shall be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the service when possible. At least 30 days before awarding a directly negotiated contract, the zoological board shall, by written published notice, request quotations for the service or *materials for resale* to be provided. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of chapter 16.

Sec. 6. Minnesota Statutes 1974, Section 85A.04, Subdivision 1, is amended to read:

85A.04 [ZOOLOGICAL GARDEN ACCOUNTS IN THE GENERAL FUND.] Subdivision 1. [MINNESOTA ZOOLOGICAL GARDEN GENERAL ACCOUNT.] A Minnesota zoological garden general account is created in the general fund. All receipts from the operation of the Minnesota zoological garden shall be deposited to the credit of such account and are hereby appropriated annually to the state zoological board to carry out the terms and provisions of this chapter. Money in this account may be expended for operation, capital improvements, and equipment of the Minnesota zoological garden, *including lease rentals* and for acquisition of wild and domestic animals therefor and for payment of the principal of and interest on Minnesota state zoological garden bonds. ~~From and after the completion of the Minnesota zoological garden and related facilities, the balance, if any, on hand in this account on November 1 in each year, in excess of the amount determined by the board to be needed for the maintenance of an adequate working capital and for compliance with the terms of any gifts of money then in the account, shall be transferred to the state zoological garden bond account in the state bond fund, to the amount required for compliance with section 85A.06, subdivision 4.~~

Sec. 7. Minnesota Statutes 1974, Section 85A.04, is amended by adding a subdivision to read:

Subd. 1a. [MINNESOTA ZOOLOGICAL GARDEN OPERATING RECEIPTS INVESTMENT ACCOUNT.] A Minnesota zoological garden operating receipts investment account is created. As determined by the board, funds credited to the Minnesota zoological garden general account over and above those currently needed may be transferred to the operating receipts investment

account to be invested by the state board of investment, pursuant to section 1, and are appropriated annually for the investment. When it appears to the board that funds so transferred are needed for current purposes, the board shall so certify to the state board of investment, and the funds will be transferred back into the zoological garden general account.

Sec. 8. Minnesota Statutes 1974, Section 85A.04, is amended by adding a subdivision to read:

Subd. 1b. [TRANSFER OF EXCESS FUNDS TO MINNESOTA ZOOLOGICAL GARDEN BOND ACCOUNT.] After the completion of the Minnesota zoological garden and related facilities, the balance, if any, on hand on November 1 in each year, in both the Minnesota zoological garden general account and operating receipts investment account in excess of the amount determined by the board to be needed for the maintenance of adequate working capital and for compliance with the terms of any gifts of money then in the account, shall be transferred to the state zoological garden bond account in the state bond fund, to the extent that the transfer is necessary to meet the requirements of section 85A.05, subdivision 4. The portion of the funds to be retained in the zoological garden accounts in the general fund and determined by the board not to be needed for current purposes may remain invested in the operating receipts investment account.

Sec. 9. Minnesota Statutes 1974, Section 85A.04, Subdivision 2, is amended to read:

Subd. 2. [MINNESOTA ZOOLOGICAL GARDEN BUILDING ACCOUNT.] A Minnesota zoological garden building account is also created in the general fund, for the purpose of providing money to the state zoological board for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden; including but not limited to interest to accrue during the period of the construction thereof on money borrowed by the state for such construction. On November 1 in each year prior to the completion of the Minnesota zoological garden and related facilities the balance, if any, on hand in this account in excess of the amount determined by the board to be needed for the payment of claims then due and payable, encumbrances, and projected expenditures for necessary expenses of such completion shall be transferred to the state zoological garden bond account in the state bond fund, to the amount required for compliance with section 85A.05, subdivision 4. Proceeds of state bonds and income from investment of that money credited to this fund are appropriated for land acquisition, animal acquisition, construction, and other permanent improvement and shall be available until the purposes for which the appropriation was made have been accomplished or abandoned, and none of such money shall be canceled. Income from investment of such money shall be credited to this account in each fiscal year. When the purpose of any such appropriation has been accomplished or abandoned, the state zoological board shall so certify to the commissioner of finance. Thereupon the unexpended

balance of such appropriation, unless transferred under authority of the appropriation act to another purpose therein designated, shall be transferred and credited to the state bond fund. Amounts so transferred and credited are appropriated for the purpose of reducing the amount of tax otherwise required to be levied for the state bond fund by Article IX, Section 6, Subdivision 4 of the Constitution, or for reimbursing the bond fund for amounts previously transferred to the state zoological garden bond account so as to eliminate any prior deficiency covered by the state bond fund, the general fund in the state treasury, or through a tax levy.

Sec. 10. Minnesota Statutes 1974, Section 85A.05, Subdivision 4, is amended to read:

Subd. 4. [MINNESOTA STATE ZOOLOGICAL GARDEN BOND ACCOUNT IN THE STATE BOND FUND.] The commissioner of finance shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the state zoological garden bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota zoological garden bonds and income from the investment of such money, which income shall be credited to the account in each fiscal year. The amounts directed by section 85A.04, subdivisions 1 and 2 to be transferred annually to this bond account are appropriated thereto, and the legislature may also appropriate to the bond account any other money in the state treasury not otherwise appropriated. On November 1 of each year there shall be transferred to the bond account all of the money then available under any such appropriation or such lesser sum as will be sufficient, with all money previously transferred to the account and all income from the investment of such money, to pay all principal and interest then and theretofore due and all principal and interest to become due to and including July 1 in the second ensuing year on Minnesota zoological garden bonds. All money so transferred and all income from the investment thereof shall be available for the payment of such bonds and interest thereon, and so much thereof as may be necessary is appropriated for such payments. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Sec. 11. Minnesota Statutes 1974, Section 85A.05, Subdivision 6, is amended to read:

Subd. 6. [BOND AUTHORIZATION AND APPROPRIATIONS.] For the purpose of providing money for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the Minnesota zoological garden in accordance with the comprehensive plan of the state zoological board adopted in accordance with section 85A.02, subdivision 2, the commissioner of finance is directed to sell and issue Minnesota zoological garden bonds in the amount of \$23,025,000 in the manner and upon the conditions provided in subdivisions 1 to 5. The commissioner of finance may sell or issue an additional \$2,350,000 of bonds, but no part thereof shall be expended unless equally matched by other than

state appropriations. Any gifts, grants, or contributions accepted pursuant to section 85A.02, subdivision 5, other than contribution of lands by governmental entities, for the establishment or operation of the Minnesota zoological garden, whether in cash or in kind, shall be considered as matching funds. Non-cash items shall be tangible, real or personal property and shall be attributed as matching funds according to their fair market value at the time of receipt. The bonds may include a sum representing interest to accrue on the bonds from and after its date of issue through the anticipated period of construction and development of the zoological garden, which sum is needed for the payment and security of the interest payments during that period, but in no event shall the bonds exceed the maximum amount stated above. The bonds shall be sold, issued, and secured as provided in subdivisions 1 to 5 and in Article IX, Section 6, Subdivision 4 of the Constitution, except that none of the bonds of any series issued pursuant to this authorization shall mature earlier than one year after the date of completion of the Minnesota zoological garden and related facilities as estimated by the state zoological board at the time of the issuance of such series. The proceeds of the bonds, except premium and accrued interest, are appropriated to the Minnesota zoological garden building account in the general fund, for expenditure by the state zoological board for the purpose for which the bonds are authorized in accordance with the provisions of section 85A.04, subdivision 2. In order to reduce the amount of taxes otherwise required by the Constitution to be levied for the payment of interest and principal on the bonds, there is also appropriated annually to the Minnesota state zoological bond account in the state bond fund from the general fund a sum of money sufficient in amount, when added to the balance on hand on November 1 in each year in the bond account, to pay all principal and interest due and to become due on the bonds to and including July 1 in the second ensuing year. The money received and on hand pursuant to this annual appropriation is available in the state bond fund prior to the levy of the tax in any year required by the Constitution and by subdivision 5 and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 12. *The site of the Minnesota zoological garden is legally described as follows:*

The Northwest Quarter of Section 14, Township 115, Range 20, together with Government Lot 2, Section 11, Township 115, Range 20, together with the north one-half of the Southwest Quarter of Section 14, Township 115, Range 20, together with that part of Government Lot 1, Section 10, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, together with that part of the Northeast Quarter of section 15, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, together with that part of the north one-half of the Southeast Quarter of Section 15, Township 115, Range 20, lying easterly of the centerline of Galaxie Avenue as traveled, all in Dakota County, Minnesota and containing 478.5 acres, more or less.

Sec. 13. *This act takes effect the day following its final enactment."*

Amend the title by striking it and inserting

"A bill for an act relating to the Minnesota zoological garden; enabling the state zoological board to acquire lands; defining the zoological garden site; authorizing the board to add to and promote the operation; establishing the Minnesota zoological garden operating receipts investment account; authorizing the investment of its assets; assigning income to the Minnesota zoological garden general account; defining "matching funds"; amending Minnesota Statutes 1974, Chapter 11, by adding a section; Sections 85A.02, Subdivision 2, and by adding subdivisions; 85A.03, Subdivisions 4 and 4a; 85A.04, Subdivisions 1 and 2, and by adding subdivisions; and 85A.05, Subdivisions 4 and 6."

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. 1314: A bill for an act relating to housing; increasing range of eligibility for assistance from housing finance agency; providing for revolving loan funds and direct subsidies; appropriating money; amending Minnesota Statutes 1974, Sections 462A.03, Subdivision 13; 462A.05, Subdivisions 2, 14 and 15; 462A.07, by adding a subdivision; 462A.21, by adding subdivisions; and 462A.22, Subdivision 9.

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

Page 3, line 9, strike "Laws 1974, Chapter 441" and insert "*this chapter*"

Page 6, line 16, strike "462A.21, subdivision 4d" and insert "7 of this act"

Page 7, line 14, strike "\$45,000,000" and insert "\$35,000,000"

Page 8, line 2, strike "462A.21, subdivision 4d" and insert "7 of this act"

Page 8, strike lines 15 and 16

Page 8, line 17, strike "(e)" and insert "(d)"

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. 1550: A bill for an act relating to public welfare; authorizing payments to county welfare departments for former institutionalized persons placed in community residential and day programs; amending Minnesota Statutes 1974, Section 256.01, Subdivision 2.

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

Page 5, line 12, strike "all"

Page 5, line 28, after "246.54." insert "*The cost of care liability of relatives for any payments made under this section shall be the same as for persons in state institutions as provided in sections 246.50 to 246.55.*"

Page 5, line 22, strike "commission" and insert "commissioner"

Page 5, line 32, after "made." insert "*Payments authorized under this section shall be made to the extent of appropriations available.*"

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

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

Page 1, line 6, strike "\$100,000" and insert "\$50,000"

Page 1, line 10, strike "July 1, 1977" and insert "June 30, 1976"

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. 783: A bill for an act relating to agriculture; providing for a state farm census; appropriating money; amending Minnesota Statutes 1974, Section 17.03, Subdivision 2.

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

Page 2, line 6, strike "\$29,800" and insert "\$50,000"

Page 2, line 8, strike "fiscal" and insert "first"

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

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

Page 2, line 17, after the dollar sign insert "300,000"

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. 1411: A bill for an act relating to education; agreements when school district has insufficient funds to pay orders; increasing the maximum permissible interest rate to eight percent per year; amending Minnesota Statutes 1974, Section 124.06.

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

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

S. F. No. 275: A bill for an act relating to commerce; creating a commission on small business; describing its duties; appropriating funds for its operation.

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

Page 1, line 7, strike "commission" and insert "advisory task force"

Page 1, line 8, strike "commission" and insert "task force"

Page 1, line 10, after "any" insert "sole proprietorship, partnership, or corporation, with gross receipts of less than \$4,000,000 in the preceding calendar year."

Page 1, line 10, strike "owner-operated enterprise,"

Page 1, strike line 11

Page 1, line 12, strike "commission" and insert "task force"

Page 1, line 20, strike "commission" and insert "task force"

Page 2, line 5, strike "commission" and insert "task force"

Page 2, line 7, strike "commission" and insert "task force"

Page 2, line 11, after "replaced" insert " for the remainder of the unexpired term"

Page 2, after line 11 insert:

"Subd. 6. Members appointed by the governor may be removed at any time by the governor (1) for cause after notice and hearing or (2) after missing three consecutive-scheduled meetings. The chairman shall notify the governor of a member missing the three meetings.

The secretary shall inform a member in writing after the second consecutive missed meeting and before the next meeting that he may be removed if he misses the next meeting."

Page 2, line 12, strike "commission" and insert "task force"

Page 2, line 14, strike "\$50" and insert "\$25"

Page 2, line 15, strike "commission" and insert "task force"

Page 2, line 15, strike "actual and necessary"

Page 2, line 16, strike everything after "expenses"

Page 2, line 17, strike "to rates prevailing" and insert "in the same manner and amount as"

Page 2, line 18, strike "commission" and insert "task force"

Page 2, line 26, strike "commission" and insert "task force"

Page 2, line 31, strike "commission" and insert "task force"

Page 3, line 6, strike "commission" and insert "task force"

Page 3, line 12, strike "1975-1977" and insert "ending June 30, 1977"

Amend the title as follows:

Page 1, line 2, strike "a commission" and insert "an advisory task force"

Page 1, line 4, strike "funds" and insert "money"

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. 22: A bill for an act relating to education; the establishment of educational cooperative service units to provide educational services and programs on a regional basis; appropriating money therefor.

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

Page 4, line 19, strike "an" and insert "that"

Page 4, line 19, after "ECSU" insert "whose boundaries coincide with those of development region 11"

Page 4, line 20, strike "appoint" and insert "form"

Page 4, line 21, strike "to elect the members"

Page 4, line 22, strike "of the ECSU board of directors"

Page 4, line 22, after the period insert "The care, management, and control of that ECSU shall be vested in the representative assembly if one is formed. The representative assembly shall elect

an executive committee of not less than 6 nor more than 15 members to terms as provided in clause (b) to have those powers and to carry out those duties delegated to it by the representative assembly. In the election of its executive committee,"

Page 4, line 23, strike "may" and insert "shall"

Page 4, line 25, after the period insert "The provisions of clauses (d), (e), (f) and (g) of this subdivision shall apply to the executive committee of this ECSU."

Page 6, line 18, strike "by" and insert "of"

Page 10, line 1, after "private" insert a comma

Page 10, line 8, after "ECSU" strike the comma

Page 10, strike lines 14 through 19

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. 486: A bill for an act relating to highway traffic regulations; requiring counties to establish presentence investigation and counseling alcohol safety programs and alcohol safety enforcement programs; requiring presentence investigation reports for certain driving offenses; appropriating money; amending Minnesota Statutes 1974, Section 169.121, Subdivision 6; and Chapter 169, by adding sections.

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

Page 2, line 5, after "county" insert "up to"

Page 2, line 9, strike "in an"

Page 2, line 10, strike "amount equal" and insert "up"

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. 1638: A bill for an act relating to education; higher education coordinating commission; work-study program for post-secondary students; defining eligibility and setting guidelines for payments; amending Minnesota Statutes 1974, Sections 136A.231; 136A.232; and 136A.233.

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

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

S. F. No. 90: A bill for an act relating to corrections; providing for participation in educational programs in the community by selected inmates of state correctional institutions; providing for the payment of room and board charges by inmates; amending Minnesota Statutes 1974, Section 241.26, Subdivisions 1, 5, and 7.

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

S. F. No. 1281: A bill for an act relating to public health; establishing a dental health education program to be administered by the board of health; appropriating money.

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

Page 2, line 4, strike "each of eight school districts"

Page 2, line 5, strike "representing the eight" and insert "four"

Page 2, line 27, strike "each year of"

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. 942: A bill for an act relating to the collection, security and dissemination of data on individuals by the state and its political subdivisions; clarifying necessary definitions; changing reporting requirements; restructuring the duties of responsible authorities and the rights of subjects of data; providing for issuance of rules relating to the implementation of the act by the commissioner of administration; providing for the establishment of a privacy study commission; providing penalties; appropriating money; amending Minnesota Statutes 1974, Sections 15.162; 15.163; 15.165; 15.166; 15.167; and Chapter 15, by adding sections; repealing Minnesota Statutes 1974, Sections 15.164 and 15.168.

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

Page 11, line 31, strike "four" and insert "six"

Page 11, line 31, strike "two" and insert "three"

Page 11, line 32, strike "two" and insert "three"

Page 15, line 21, strike "\$20,000" and insert "\$25,000 for the biennium ending June 30, 1977,"

Page 15, after line 27, insert a section to read:

"Sec. 10. This act is effective the day following final enactment."

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

SECOND READING OF SENATE BILLS

S. F. Nos. 919, 1217, 1314, 1550, 1474, 783, 407, 1411, 275, 22, 486, 90, 1281 and 942 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1043, 704 and 1638 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Davies moved that the Senate do now adjourn until 9:00 o'clock a.m., Friday, May 16, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate