

FIFTY-FIFTH DAY

St. Paul, Minnesota, Friday, May 16, 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:

Arnold	Doty	Jensen	North	Schrom
Ashbach	Fitzsimons	Keefe, S.	Ogdahl	Stokowski
Borden	Gearty	Kleinbaum	Olhoft	Stumpf
Brown	Hansen, Baldy	Laufenburger	Olson, A. G.	Tennessee
Chenoweth	Hansen, Mel	Lewis	Olson, J. L.	Willet
Chmielewski	Hanson, R.	McCutcheon	Perpich, A. J.	
Coleman	Hughes	Milton	Perpich, G.	
Conzemius	Humphrey	Moe	Schmitz	

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

May 15, 1975

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. 72, An act relating to elections; permitting the use of a petition in lieu of filing fees; amending Laws 1975, Chapter 5, Section 15, by adding a subdivision.

S. F. No. 426, An act relating to foods; requiring eating places that serve meat containing meat substitutes for consumption to indicate the same on its menu or bill of fare; prescribing penalties.

S. F. No. 523, An act relating to the joint exercise of powers between governmental units; providing for the inclusion of instrumentalities of governmental units; providing for the negotiation of the costs of services or functions as part of the agreement.

S. F. No. 571, An act relating to Wright county; requiring, with certain exceptions, the approval of the county board before any lands within the county are acquired for park purposes.

S. F. No. 637, An act relating to county courts; establishing the manner of disposition of fines, fees and other moneys.

S. F. No. 665, An act relating to the town of Taylor; restoring state payments lost because of failure of county auditor to forward report.

S. F. No. 765, An act relating to insurance; defining certain unfair discriminatory practices.

S. F. No. 876, An act relating to Lincoln county; ratifying certain salary increases voted to the Lincoln county board of commissioners.

S. F. No. 923, An act relating to insurance; increasing the amount of admitted assets that may be invested in certificates of deposit.

S. F. No. 935, An act relating to conciliation courts in St. Louis county; providing that the conciliation courts of St. Louis county may conduct personal receiverships.

S. F. No. 1057, An act relating to unemployment compensation; defining the term employment; excluding certain legislative employees from coverage.

S. F. No. 1101, An act relating to acquisition of land for natural resources purposes; specifying procedure to be followed.

S. F. No. 1131, An act relating to insurance; authorizing domestic stock insurance companies to declare and pay dividends quarterly.

S. F. No. 1183, An act relating to motor vehicles; powers of the registrar of motor vehicles; providing that a county or city officer appointed as a deputy registrar need not give bond to the state.

S. F. No. 1391, An act relating to water and related land resources management.

S. F. No. 1442, An act relating to real estate; changing certain procedure involving mortgage discharges and release attachment.

S. F. No. 1451, An act relating to the counties of Pennington and Marshall and their respective interests in a certain nursing home; providing for the withdrawal of the interest of Marshall County therein.

Sincerely,
Wendell R. Anderson, Governor

May 15, 1975

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. 93, An act relating to juvenile court; providing for payment of the costs of foster care for delinquent children.

S. F. No. 307, An act relating to the practice of podiatry; allowing the board of podiatry examiners and registration to create certain registration standards by rule and regulation.

S. F. No. 605, An act relating to licensing boards and agencies; redefining health related licensing board and non-health related licensing board; providing certain uniform provisions and requirements.

Sincerely,
Wendell R. Anderson, Governor

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

The Honorable Alec G. Olson
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1975 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1975	Date Filed 1975
	11	100	May 14	May 14
	278	101	May 14	May 14
	584	102	May 14	May 14
287		103	May 14	May 14
311		104	May 14	May 14
421		105	May 14	May 14
451		106	May 14	May 14
452		107	May 14	May 14
590		108	May 14	May 14
778		109	May 14	May 14
845		110	May 14	May 14
871		111	May 14	May 14

1038	112	May 14	May 14
1088	113	May 14	May 14
1210	114	May 14	May 14
1441	115	May 14	May 14
1443	116	May 14	May 14

Sincerely,
Joan Anderson Growe
Secretary of State

Pursuant to Rule 21, Mr. Coleman 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.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. O'Neill, McCutcheon and Borden introduced—

S. F. No. 1759: A bill for an act relating to health care; requiring certain insurance policies, health care plans and group subscriber contracts to provide certain benefits for out-patient treatment of alcoholism, chemical dependency or drug addiction; amending Minnesota Statutes 1974, Section 62A.149.

Referred to the Committee on Labor and Commerce.

Messrs. Davies, O'Neill and Borden introduced—

S. F. No. 1760: A bill for an act relating to real estate; providing a comprehensive law to govern real estate transactions; amending Minnesota Statutes 1974, Sections 334.01, Subdivision 1; 334.02; 334.03; 507.08; 507.32; 513.01; 541.01; 582.01; 582.03; repealing Minnesota Statutes 1974, Sections 386.01; 386.03; 386.04; 386.30; 386.39; 507.021; 507.07; 507.09; 507.10; 507.13; 507.14; 507.16; 507.24; 507.26; 507.27; 507.28; 507.29; 507.34; 507.36; 513.04; 513.05; 514.01 to 514.17; 541.02; 541.023; 541.03; 548.09; 548.11; 557.02; 557.021; 557.022; 557.023; 559.17; 559.21; 559.213; 559.214; 581.01 to 581.11; 582.02; 582.04 to 582.10; 582.14; 582.15; and Chapters 515 and 580.

Referred to the Committee on Judiciary.

Messrs. Arnold, Laufenburger and Hanson, R. introduced—

S. F. No. 1761: A bill for an act relating to workmen's compensation insurance; renaming the Minnesota workmen's compensation rating bureau and removing certain of its functions; creating a rate control and risk investigation bureau in the insurance division of the department of commerce; prescribing its duties; amending Minnesota Statutes 1974, Sections 79.01, by adding subdivisions; 79.10; 79.11; 79.12; 79.13; 79.14; 79.15;

79.16; 79.17; 79.23; 79.24; 79.25; 79.27; 79.28; 79.29; 79.30; 79.31; 79.32; and chapter 79 by adding a section.

Referred to the Committee on Labor and Commerce.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 911, and repassed said bill in accordance with the report of the committee, so adopted.

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

House File No. 911 is herewith transmitted to the Senate.

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

Mr. Davies moved that H. F. No. 911 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H. F. Nos. 1241, 1769, 710, 943 and 787 for comparison to companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

CALENDAR OF					
GENERAL ORDERS		ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1241	1393				
1769	1715				
710	677				
943	1187				
787	798				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1241 be amended as follows:

Page 2, line 8, delete "within the metropolitan area defined in"

Page 2, delete lines 9 to 12

Page 2, line 13, delete "parks and open space commission."

Page 2, line 16, delete "and betterment"

Page 2, lines 16 and 17, delete "and local government units"

Page 2, line 24, delete "and betterment"

Page 3, line 18, after "85.32;" insert "and"

Page 3, line 23, delete "; and" and insert a period

Page 3, delete lines 24 to 30

Renumber the remaining subdivisions

Page 4, line 19, delete "and betterment"

Page 7, delete lines 30 to 32

Page 8, delete lines 1 to 4

Page 8, line 14, delete ", provided" and insert a semicolon

Page 8, delete lines 15 to 19

Page 8, delete lines 31 and 32

Page 9, delete lines 1 to 32

Page 10, delete lines 1 to 7

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, lines 5 and 6, delete "and betterment"

Page 1, line 7, delete "for which the"

Page 1, delete lines 8 to 11

Page 1, line 12, delete "council for this purpose"

Page 1, line 13, delete "requiring the approval"

Page 1, delete lines 14 and 15

Page 1, line 16, delete "proposes to acquire;"

And when so amended, H. F. No. 1241 will be identical to S. F. No. 1393 and further recommends that H. F. No. 1241 be given its second reading and substituted for S. F. No. 1393 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1769 be amended as follows:

Page 6, line 4, delete "cent" and insert "dollar"

Page 6, lines 4 and 5, delete "journeyman skilled trade classes"

Page 8, line 22, after the period insert "*Faculty employees in the community college system shall also receive the percentage adjustments prescribed by this subdivision.*"

Page 10, line 1, delete "and section 8"

Page 12, line 7, after "percent" insert "*, except for community college faculty employees who shall receive 25 percent,*"

Page 12, line 11, before "of" insert "*, except for community college faculty employees who shall receive 30 percent,*"

Page 12, lines 14 and 15, delete "*and community college system*"

Page 20, delete lines 6 to 32

Page 21, delete lines 1 to 10

Page 26, line 32, delete the underscored language

Page 27, delete line 1

Page 27, line 4, after "43.23." insert "*Seniority in length of service shall also be one of the factors in an appointment in the manner as provided by personnel rule.*"

Page 27, delete lines 8 to 32

Page 28, delete lines 1 to 4

Page 28, lines 12 and 13, delete the underscored language

Page 28, line 17, after "agency." insert "*Seniority in length of service shall also be one of the factors in an appointment in the manner as provided by personnel rule.*"

Page 29, lines 17 to 20, delete the underscored language

Page 29, lines 24 and 25, strike "*within the department and class*"

Page 36, delete lines 29 to 32

Delete pages 37 to 44 and insert

"Sec. 23. *This act is effective July 1, 1975.*"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 5, delete "providing salaries for department"

Page 1, line 6, delete "heads and certain judicial positions;"

Page 1, line 7, delete "15A.081,"

Page 1, line 8, delete "Subdivision 1; 15A.083;"

Page 1, delete lines 9 and 10, and insert "43.12,"

Page 1, line 12, delete "1, 2, and 3" and insert "1 and 2"

Page 1, line 14, delete "Subdivisions 1 and" and insert "Subdivision"

Page 1, line 17, delete "; repealing Minnesota Statutes" and insert a period

Page 1, delete lines 18 and 19

And when so amended, H. F. No. 1769 will be identical to S. F. No. 1715 and further recommends that H. F. No. 1769 be given its

second reading and substituted for S. F. No. 1715 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 710 be amended as follows:

Page 3, line 5, after "commerce" insert a comma

Page 4, line 23, delete "Minnesota Statutes,"

Page 6, line 1, delete "Minnesota Statutes," and after "3.195" delete the comma

Page 7, line 1, delete "Minnesota Statutes," and after "3.195" delete the comma

And when so amended, H. F. No. 710 will be identical to S. F. No. 677 and further recommends that H. F. No. 710 be given its second reading and substituted for S. F. No. 677 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 943 be amended as follows:

Page 1, after line 17 insert:

"Section 1. Minnesota Statutes 1974, Section 238.01, is amended to read:

238.01 [DECLARATION OF LEGISLATIVE FINDINGS AND INTENT.] Upon investigation of the public interest associated with cable communications, the legislature of the state of Minnesota has determined that while cable communications serve in part as an extension of interstate broadcasting, that their operations also involve public rights-of-way, municipal franchising, and vital business and community service, which are of state concern; that while said operations must be subject to state oversight, they also must be protected from undue restraint and regulation so as to assure development of cable systems with optimum technology and maximum penetration in this state as rapidly as economically and technically feasible; that the municipalities and the state would benefit from valuable educational and public services through cable communications systems; that the cable communications industry must provide the opportunity for minority participation and benefit which its diversity promises; that the public and the business community would benefit if served by cable channels sufficient to meet the needs of producers and distributors of program and other communication content services; that the cable communications industry is in a period of rapid growth and corporate consolidation and should proceed in accord with regional and statewide service objectives *and plans*; that these objectives should encourage area-wide service where consistent with the public interest and discourage concentration of control and ownership when not in the public interest; and that many municipalities lack the necessary resources and expertise to plan for and secure these benefits and to protect subscribers and other parties to the public interest in franchise negotiations.

There is, therefore, a need for a state agency to develop a state cable communications policy; to promote the rapid development of the cable communications industry responsive to community and public interest and consonant with policies, regulations and statutes of the federal government; to assure that cable communications companies provide adequate, economical and efficient service to their subscribers, the municipalities within which they are franchised and other parties to the public interest; to encourage the endeavors of public and private institutions, municipalities, associations and organizations in developing programming for public interest; and to provide minorities with the fullest opportunity to make effective use of the medium.

It is the intent of the legislature in the provisions of Laws 1973, Chapter 568 to vest authority in a commission to oversee development of the cable communications industry in Minnesota in accordance with the statewide service plan; to review the suitability to practices for franchising cable communications companies to protect the public interest; to set standards for cable communications systems and franchise practices; to assure channel availability for municipal services, educational television, program diversity, local expression and other program and communications content services; to assure that municipal franchising results in communication across metropolitan areas and in neighborhood communities in larger municipalities; to provide consultant services to community organizations and municipalities in franchise negotiations; and, to stimulate the development of diverse instructional, educational, community interest and public affairs programming with full access thereto by cable communications companies, educational broadcasters and public and private institutions operating closed circuit television systems and instructional television fixed services."

Page 1, line 28, restore the stricken language

Page 2, line 1, restore the stricken "of Administration"

Page 2, line 2, after the stricken "1973" insert "*until July 1, 1977*" and restore the stricken period

Page 2, after line 5 insert

"Sec. 4. Minnesota Statutes 1974, Section 238.05, Subdivision 1, is amended to read:

238.05 [DUTIES OF THE COMMISSION.] Subdivision 1. ~~The commission shall develop and maintain a statewide plan for development of cable communications services, setting forth the objectives which the commission deems to be of regional and state concern. The commission, by January 1, 1977, shall adopt, after appropriate study and such public hearings as may be necessary, a comprehensive plan for the development of cable communications services in the state. The plan shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for the orderly development and utilization of cable communication systems, public and private, of the state. The plan shall recognize and encompass the social and economic needs of~~

the state and those future developments which will have an impact on the state, including but not limited to such matters as health, education, law enforcement, transportation and governmental information. The commission shall continually assess the state of technology, encourage such research as may be necessary toward that end, and update from time to time its comprehensive plan to reflect changing needs, revising its standards, terms or conditions accordingly."

Page 2, line 16, restore the stricken language

Page 2, line 17, restore the stricken "priorities" and before the semicolon insert "*the municipality has developed to review franchise applications*"

Page 3, line 1, restore the stricken language "(c) prescribe a list of" and after the stricken "inclusion" insert "*topics to be addressed*" and restore the stricken "in"

Page 3, line 2, restore the stricken language

Page 3, line 3, restore the stricken language and delete the new language

Page 3, line 4, strike "twin cities" and after "area" insert "*as defined in Minnesota Statutes 1974, Section 473B.011, Subdivision 2,*"

Page 3, line 5, after "public" insert "*or private*"

Page 3, line 6, after "interconnection" insert "*and compatibility*"

Page 3, line 9, delete "(d)" and insert "(e)" in both places it appears

Page 3, line 10, delete "*, provided,*"

Page 3, lines 11 to 14, delete all the new language

Page 3, line 31, after "from" insert "*a municipality or*"

Page 3, line 32, strike "consultation with" and insert "*a maximum 90 day period of review and comment by*"

Page 4, line 2, before the period insert "*and if the affected planning commission is the metropolitan council, after a period of review and comment by the metropolitan council not to exceed 90 days*"

Page 4, line 8, delete "*the rulemaking provisions of*"

Page 4, line 29, delete "*the rulemaking provisions of*"

Page 6, line 4, strike "ten" and insert "15"

Page 6, after line 4 insert

"Sec. 15. Minnesota Statutes 1974, Section 238.09, Subdivision 7, is amended to read:

Subd. 7. Any renewal of a certificate of confirmation shall be

for a period of five ten years. A renewal of certificate of confirmation may be issued prior to the expiration of any existing certificate."

Page 6, line 14, delete the second "any" and insert "a"

Page 6, delete line 16

Page 6, line 17, delete "whichever condition occurs, a" and insert "every"

Page 6, line 18, delete "a" and insert "every"

Page 6, line 19, after "subsequent" insert "cable communications"

Page 6, line 20, after "rules" insert "and regulations" and delete the colon and insert "either upon"

Page 6, lines 21 and 22, delete "; the granting of a new franchise;"

Page 6, line 22, after "or" insert "upon"

Page 6, line 23, delete the comma after "5"

Page 6, line 24, delete "of this section"

Page 6, line 25, after "municipality" insert ", whichever condition first occurs"

Page 7, after line 2, insert

"Sec. 19. Minnesota Statutes 1974, Section 238.15, is amended to read:

238.15 [FINANCIAL INTEREST OF MEMBERS AND EMPLOYEES.] No member of the commission and no employee of the commission or person appointed pursuant to section 238.04, subdivision 7 shall be employed by, or shall knowingly have any financial interest in any cable communications company holding a franchise in the state, their or its subsidiaries, major equipment or programming suppliers, or in any broadcasting company holding an operating license issued by the federal communications commission; their or its subsidiaries, major equipment or programming suppliers. Members of any elected body granting franchises and employees of any franchising body who would be directly involved in the granting or administration of franchises for cable communications and who are employed by or who knowingly have any financial interest in any cable communications company holding a franchise in the state, bidding on such franchise, or the cable communications company granted the franchise, or their subsidiaries, major equipment or program suppliers shall abstain from participation in the franchising of a cable communications companies company or the administration of such franchise."

Page 7, line 3, delete "Sections" and insert "Section"

Page 7, line 4, delete "238.05, Subdivisions 8 and 16; and"

Page 7, line 5, delete "are" and insert "is"

Page 7, delete lines 6 to 32

Page 8, delete lines 1 to 10

Renumber the sections in sequence

Further amend the title as follows:

Line 1, delete "making" and insert "extending the residence of"

Line 2, delete "a permanent part of" and insert "in"

Lines 7 and 8, delete "permitting counties to establish translator systems;"

Line 9, after "Sections" insert "238.01;"

Line 10, after "Subdivisions" insert "1,"

Line 13, delete "3 and" and after "6" insert "and 7"

Line 14, delete "375.164" and insert "238.15"

Lines 15 and 16, delete "Sections 238.05, Subdivisions 8 and 16; and" and insert "Section"

And when so amended, H. F. No. 943 will be identical to S. F. No. 1187 and further recommends that H. F. No. 943 be given its second reading and substituted for S. F. No. 1187 and that the Senate File be indefinitely postponed.

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 787 be amended as follows:

Page 2, delete lines 17 and 18 and insert "*systems, legislative staff and the*"

Page 5, line 5, after "is" insert "*annually*"

Page 5, line 7, delete "*sum of \$1,200,000*" and insert "*amounts necessary*"

Page 5, line 8, delete "*Any unexpended*"

Page 5, delete line 9

Page 5, line 10, delete "*shall be available for the second year of the biennium.*"

Page 5, line 14, after "*annually.*" insert "*All provisions in this subdivision pertaining to North Dakota shall also be applied to South Dakota and all authority and conditions granted for higher education reciprocity with North Dakota are also granted for higher education reciprocity with South Dakota.*"

Page 6, line 23, restore the stricken language and delete the underscored language

Page 6, line 30, restore the stricken language and delete the underscored language

Page 9, lines 10 and 11, strike "without regard to the number of students previously enrolled"

Page 9, line 19, delete "and"

Page 9, line 20, delete "osteopathic" and after "and" insert "\$120,000 per year"

Page 9, line 20, before "loans" insert "new"

Page 9, line 21, strike ", for up to"

Page 9, strike lines 22 and 23

Page 9, line 24, strike "biennium"

Page 10, lines 10 to 13, delete the underscored language

Page 10, line 26, strike "three years" and insert "*a period of eighteen months for each initial or renewal period of the loan*"

Page 11, line 2, strike "\$6,000" and insert "\$4,000"

Page 11, line 5, strike "\$24,000" and insert "\$16,000"

And when so amended, H. F. No. 787 will be identical to S. F. No. 798 and further recommends that H. F. No. 787 be given its second reading and substituted for S. F. No. 798 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 HOUSE BILLS

H. F. Nos. 1241, 1769, 710, 943 and 787 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Lewis moved that S. F. No. 242 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Lewis moved that the Senate concur in the amendments by the House to S. F. No. 242 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 242: A bill for an act relating to corrections; defining powers and duties of the commissioner of corrections; authorizing the appointment of an employee of the department of corrections to serve as a voting member of the Minnesota Corrections Authority on a temporary basis; authorizing the purchase of parole and probation services from public and private agencies; expanding provisions for the establishment of private industry on grounds of correctional institutions; providing for the employment of inmates at certain wages; providing for the designation of community corrections planning counties; providing employment for state correctional officers; expanding the composition of corrections advisory boards; permitting prospective payment of subsidies; changing the subsidy formula; amending Minnesota Statutes 1974, Sections 241.01, Subdivision 5a, and by adding a subdivision; 241.045, Sub-

division 7; 243.09, Subdivisions 1 and 3; 243.88, Subdivisions 1 and 2; 401.02, by adding a subdivision; 401.04; 401.08; 401.10; 401.11; 401.14; 401.15, Subdivision 1; repealing Minnesota Statutes 1974, Section 241.01, Subdivision 3.

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 6, as follows:

Those who voted in the affirmative were:

Ashbach	Fitzsimons	Knutson	Ogdahl	Sillers
Bang	Gearly	Kowalczyk	Olhoft	Spear
Bernhagen	Hansen, Mel	Larson	Olson, H. D.	Stassen
Brataas	Hanson, R.	Laufenburger	O'Neill	Stokowski
Brown	Hughes	Lewis	Patton	Stumpf
Chenoweth	Humphrey	Merriam	Perpich, G.	Tennessee
Chmielewski	Keefe, J.	Milton	Pillsbury	Ueland
Davies	Keefe, S.	Moe	Purfeerst	Wegener
Doty	Kirchner	Nelson	Renneke	Willet
Dunn	Kleinbaum	North	Schmitz	

Those who voted in the negative were:

Frederick	Jensen	Josefson	Olson, J. L.	Schrom
Hansen, Baldy				

So the bill, as amended, was repassed 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. 784, No. 53 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 784: A bill for an act relating to nursing; providing for continuing education; amending Minnesota Statutes 1974, Sections 148.191, Subdivision 2; and 148.231.

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 11, as follows:

Those who voted in the affirmative were:

Arnold	Gearly	Laufenburger	Pillsbury	Stumpf
Ashbach	Hansen, Mel	Lewis	Purfeerst	Tennessee
Bernhagen	Hanson, R.	McCutcheon	Renneke	Ueland
Borden	Hughes	Merriam	Schaaf	Wegener
Brataas	Humphrey	Milton	Schmitz	
Brown	Josefson	Nelson	Sillers	
Chenoweth	Keefe, J.	North	Solon	
Davies	Kleinbaum	Ogdahl	Spear	
Doty	Knutson	O'Neill	Stassen	
Frederick	Kowalczyk	Perpich, G.	Stokowski	

Those who voted in the negative were:

Bang	Dunn	Hansen, Baldy	Larson	Schrom
Berg	Fitzsimons	Jensen	Olson, J. L.	Willet
Chmielewski				

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. 210, No. 91 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

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

Mr. Lewis moved to amend H. F. No. 210 as follows:

Page 2, line 4, strike "age"

Page 4, line 24, after "shall" insert "the"

The motion prevailed. So the amendment was adopted.

H. F. No. 210 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

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

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

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that S. F. No. 243, No. 86 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

S. F. No. 243: A bill for an act relating to corrections; providing for the retention of funds received for use of facilities and provision of services to juvenile courts; amending Minnesota Statutes 1974, Section 241.01, Subdivision 7; and 260.161, 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kirchner	O'Neill	Solon
Bang	Hansen, Baldy	Kleinbaum	Patton	Spear
Berg	Hansen, Mel	Kowalczyk	Perpich, G.	Stassen
Bernhagen	Hanson, R.	Laufenburger	Pillsbury	Stokowski
Brown	Hughes	Lewis	Purfeerst	Stumpf
Chmielewski	Humphrey	Merriam	Renneke	Tennessen
Davies	Jensen	Milton	Schaaf	Ueland
Doty	Josefson	North	Schmitz	Wegener
Dunn	Keefe, J.	Ogdahl	Schrom	
Fitzsimons	Keefe, S.	Olson, H. D.	Sillers	

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. 483, No. 94 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	North	Schrom
Arnold	Dunn	Kirchner	Ogdahl	Sillers
Ashbach	Fitzsimons	Kleinbaum	O'Neill	Solon
Bang	Gearty	Knutson	Patton	Spear
Berg	Hansen, Baldy	Kowalczyk	Perpich, G.	Stassen
Bernhagen	Hansen, Mel	Lewis	Pillsbury	Stokowski
Brataas	Hanson, R.	Merriam	Purfeerst	Stumpf
Brown	Hughes	Milton	Renneke	Tennessen
Chmielewski	Jensen	Moe	Schaaf	Ueland
Davies	Keefe, J.	Nelson	Schmitz	Wegener

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. 1722, No. 4 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1722: 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.

Mr. Purfeerst moved to amend H. F. No. 1722, as amended pursuant to Rule 49, adopted by the Senate May 15, 1975, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [SUPPLEMENTAL PUBLIC TRANSIT AID PROGRAM.] *There is appropriated to the state planning agency from the general fund the sum of \$8,000,000 for the purpose of carrying out the supplemental public transit aid program provided for in Laws 1974, Chapter 534, Section 4. Six million dollars of the appropriated funds shall be used by the metropolitan transit commission established by Minnesota Statutes, Chapter 473A, for operating assistance. An eligible recipient shall treat any financial assistance received from any agency of the federal government for the operation of a public transit system as revenue for the purposes of determining its total operating deficit. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 2. [PUBLIC TRANSIT DEMONSTRATION PROGRAM.] *There is hereby appropriated to the state planning agency from the general fund the sum of \$1,000,000 for the purpose of carrying out the public transit demonstration program provided for in Laws 1974, Chapter 534, Section 5. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 3. [ADMINISTRATION.] *There is hereby appropriated to the state planning agency the sum of \$85,000 from the general fund for the purposes of administering the supplemental public transit aid program and the public transit demonstration program as provided in Laws 1974, Chapter 534, Sections 1 to 7. None of the moneys hereby appropriated shall cancel but shall be available until expended.*

Sec. 4. *During the second year of the biennium, funds remaining unobligated under the supplemental public transit aid program and the public transit demonstration program described in sections 1 and 2 of this act, may be allocated by the commissioner of administration for either of the purposes described in sections 1 and 2.*

Sec. 5. 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. 6. [EFFECTIVE DATE.] *Sections 1 to 4 of this act are effective July 1, 1975. Section 5 of this act is effective June 1, 1975. The increase in gasoline tax imposed by section 5 applies to all gasoline and special fuels as defined in section 296.01, subdivision 6, in distributor storage on June 1, 1975."*

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

"A bill for an act relating to transportation; providing for public transportation improvements and public transit demonstration projects; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Minnesota Statutes 1974, Section 296.02, Subdivision 1."

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

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

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

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

Mr. Frederick moved to amend H. F. No. 1722 as follows:

Strike the Purfeerst amendment in its entirety and insert:

"Section 1. [ADDITIONAL EXCISE TAX IMPOSED.] *There is hereby imposed an excise tax of one cent per gallon, in addition to the excise tax imposed by Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1, on all gasoline and special fuel 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 the persons specified in Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1.*

Sec. 2. [EFFECTIVE DATE.] *Collection of the tax imposed by section 1 shall commence on July 1, 1975.*

Sec. 3. [ADDITIONAL EXCISE TAX IMPOSED.] *There is hereby imposed an excise tax of one cent per gallon, in addition to the excise tax imposed by Minnesota Statutes, Sections 296.02, Subdivisions 1, 296.025, Subdivision 1, and section 1 of this act on all gasoline and special fuel 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 the persons specified in Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1.*

Sec. 4. [EFFECTIVE DATE.] *Collection of the tax imposed by section 3 shall commence on January 1, 1977.*

Sec. 5. [SOURCE OF NEW REVENUE FOR HIGHWAY CONSTRUCTION.] *Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Section 297B.09 fifty percent of the proceeds of the excise tax imposed on motor vehicles by Minnesota Statutes, Section 297B.02 are hereby appropriated annually as follows:*

- (1) 62 percent to the trunk highway fund;*
- (2) 29 percent to the county state aid highway fund;*
- (3) 9 percent to the municipal state aid street fund.*

Sec. 6. *Section 5 is effective for revenues collected on and after July 1, 1975.*

Sec. 7. *There is hereby appropriated from the general fund to the metropolitan transit commission the sum of \$9,000,000. The payment of this appropriation shall be made prior to June 30, 1975.*

Sec. 8. *There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000.00 for the purposes specified in Laws 1974, Chapter 534. No money appropriated by this section shall be expended in the area of the state under the jurisdiction of the metropolitan council. The payment of this appropriation shall be made prior to June 30, 1975.*

Sec. 9. *There is hereby appropriated from the general fund to the metropolitan transit commission the sum of \$20,000,000. The appropriation shall be used to finance pilot mass transit projects developed by the metropolitan transit commission subject to the review and approval of the metropolitan council. The appropriation shall be paid only upon the order of the Governor who shall prior to issuing such an order consult with and receive the written approval of a majority of the members of the legislative advisory committee meeting as a committee subject to the provisions of Minnesota Statutes 1974, Section 471.705.*

Sec. 10. *Minnesota Statutes 1974, Section 162.08, Subdivision 3, is amended to read:*

Subd. 3. [AID TO TOWNS AND UNORGANIZED TERRITORY.] *Any Notwithstanding subdivision 1, each county having within its boundaries organized town governments except those counties in which less than 25 percent of the land area is composed of towns or unorganized territory may shall, by resolution, allocate to the towns and unorganized territory within its boundaries so*

much one-fiftieth of the money apportioned to it under the provisions of sections 162.01 to 162.19, that it deems necessary to aid the ~~townships~~ towns or unorganized territory in the construction or maintenance of town roads. The resolution shall set forth the amount of money or the percentage of its apportionment that the county has allocated to the towns or unorganized territory. A certified copy of the resolution shall be forwarded to the commissioner on or before the second Tuesday of January of each year. Upon receipt of such resolution and as soon as he has determined the amount of money to be apportioned to the county, the commissioner shall certify to the state auditor the amount of money, as set forth in the resolution, that is to be paid out of the county's apportionment for distribution to the towns or unorganized territory. The state auditor shall thereupon issue a warrant in that amount payable to the county treasurer; and . The proceeds thereof shall be distributed by the county to the towns and to a special account each county having unorganized territory shall establish solely for funds distributed to the county pursuant to this section for construction and maintenance of roads in unorganized territory. All money so allocated and distributed shall be used by the towns solely for the construction of town roads under the supervision of organized towns or for roads in unorganized territory that are not a part of the county state-aid highway system. Each county board so allocating such funds may In determining the amount to be allocated to the towns and the unorganized territory road account the board shall devise a formula taking into account each town's levy for road and bridge purposes, its the mileage of town roads and , roads in unorganized territory not a part of the county state-aid highway system, population outside the corporate limits of all villages within the township, of towns or unorganized territory and such other factors as the county board shall deem advisable as a means of dividing the allocation among the several towns in order that such division among the towns be as equitable as possible , except the levy for road and bridge purposes in order that an equitable distribution may be made. No part of the money allocated for expenditure solely within cities, villages and boroughs having a population of less than 5,000 shall be allocated or distributed to the towns. The commissioner of highways shall maintain a permanent record of the allocations of county state-aid highway funds to the townships in each county. In making the annual apportionments of county state-aid highway funds, he shall reduce the money needs of said counties in the amounts necessary to equalize their status with these counties not making such township allotments.

Sec. 11. *Except as provided in sections 2, 4 and 6, the provisions of this act are effective the day following final enactment."*

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

"A bill for an act relating to the organization and operation of state government; taxation for highways and bridges; appropriating money for highways, bridges and mass transit; amending Minnesota Statutes 1974, Section 162.01, Subdivision 3."

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

And the roll being called, there were yeas 28 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Josefson	Nelson	Renneke
Bang	Dunn	Keefe, J.	Ogdahl	Sillers
Berg	Fitzsimons	Kirchner	Olson, J. L.	Stassen
Bernhagen	Frederick	Knutson	O'Neill	Ueland
Blatz	Hansen, Mel	Larson	Patton	
Brataas	Hanson, R.	McCutcheon	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, H. D.	Spear
Arnold	Gearthy	Lewis	Perpich, A. J.	Stokowski
Borden	Hansen, Baldy	Merriam	Perpich, G.	Stumpf
Chenoweth	Hughes	Milton	Purfeerst	Tennessen
Chmielewski	Humphrey	Moe	Schaaf	Wegener
Coleman	Jensen	North	Schmitz	Willet
Conzemius	Keefe, S.	Olhoft	Schrom	
Davies	Kleinbaum	Olson, A. G.	Solon	

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

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

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

Mr. Hansen, Mel moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

After Section 5, insert:

"Sec. 6. Minnesota Statutes 1974, Section 473A.111, Subdivision 4, is amended to read:

Subd. 4. [USE OF PROCEEDS.] (1) A portion of the proceeds of the tax described in this section shall be used to provide transit services, at no cost, between the hours of 9:00 AM and 3:30 PM, and from 6:30 PM until the last bus on Monday through Friday of each week, and all day Saturday and Sunday to all those persons 65 years of age or over holding a medicare card or a special golden age identification card issued by the commission, and *at specific hours and at a reduced fare as established by the commissioner*, to all those persons under the age of 18.

(2) Establish an express bus system to those areas within the transit taxing district at the earliest practicable time over existing highways and streets in conjunction with the federal highway administration, the urban mass transportation administration, the Minnesota highway department, the metropolitan council, and other highway agencies."

Renumber the sections in sequence

Amend the title amendment as follows:

Fourth line of the title amendment, after the semicolon, insert "providing for a reduced transit fare at specific hours for persons under 18;"

Fifth line, strike "Section" and insert "Sections"

Fifth line, before the period, insert "; and 473A.111, Subdivision 4"

The question being taken on the adoption of the amendment,

Mr. Hansen, Mel moved that those not voting be excused from voting. The motion did not prevail.

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

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

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

And the roll being called, there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Hanson, R.	Nelson	Schrom
Bang	Dunn	Jensen	Ogdahl	Sillers
Berg	Fitzsimons	Josefson	Olson, J. L.	Stassen
Bernhagen	Frederick	Knutson	O'Neill	Tennessen
Blatz	Gearty	Kowalczyk	Patton	Ueland
Brataas	Hansen, Baldy	Larson	Pillsbury	
Brown	Hansen, Mel	McCutcheon	Renneke	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, A. G.	Solon
Arnold	Hughes	Lewis	Olson, H. D.	Spear
Borden	Humphrey	Merriam	Perpich, A. J.	Stokowski
Chenoweth	Keefe, J.	Milton	Perpich, G.	Stumpf
Coleman	Keefe, S.	Moe	Purfeerst	Wegener
Conzemius	Kirchner	North	Schaaf	Willet
Davies	Kleinbaum	Olhoft	Schmitz	

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

Mr. Schaaf moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

After section 5, insert:

"Sec. 6. The following amendment to the Minnesota Constitution, Article XIV, is proposed to the people of the state. If the amendment is adopted, the Article shall read:

ARTICLE XIV PUBLIC HIGHWAY SYSTEM

Section 1. The state may construct, improve and maintain public highways, may assist political subdivisions in this work and by law

may authorize any political subdivision to aid in highway work within its boundaries.

Sec. 2. There is hereby created a trunk highway system which shall be constructed, improved and maintained as public highways by the state. The highways shall extend as nearly as possible along the routes number 1 through 70 described in the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or hereafter makes a route a part of the trunk highway system.

The legislature may add by law new routes to the trunk highway system. The trunk highway system may not exceed 12,200 miles in extent, except the legislature may add trunk highways in excess of the mileage limitation as necessary or expedient to take advantage of any federal aid made available by the United States to the state of Minnesota.

Any route added by the legislature to the trunk highway system may be relocated or removed from the system as provided by law. The definite location of trunk highways numbered 1 through 70 may be relocated as provided by law but no relocation shall cause a deviation from the starting points or terminals nor cause any deviation from the various villages and cities through which the routes are to pass under the constitutional amendment adopted November 2, 1920. The location of routes may be determined by boards, officers or tribunals in the manner prescribed by law.

Sec. 3. A county state-aid highway system shall be constructed, improved and maintained by the counties as public highways in the manner provided by law. The system shall include streets in municipalities of less than 5,000 population where necessary to provide an integrated and coordinated highway system and may include similar streets in larger municipalities.

Sec. 4. A municipal state-aid street system shall be constructed, improved and maintained as public highways by municipalities having a population of 5,000 or more in the manner provided by law.

Sec. 5. There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article *up to an amount derived as a result of tax rates in effect on November 2, 1976.* ~~The net proceeds of the taxes~~ *highway user tax distribution fund* shall be apportioned: 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. Five percent of the net proceeds of the highway user tax distribution fund may be set aside and apportioned by law to one or more of the three foregoing funds. The balance of the highway user tax distribution fund shall be transferred to the trunk highway fund, the county state-aid highway fund, and the municipal state-aid street fund in accordance with the percentages set forth in this section. No change in the apportionment of the five percent may be made within six years of the last previous change.

Sec. 6. There is hereby created a trunk highway fund which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds issued under the authority of section 11 of this article and any bonds issued for trunk highway purposes prior to July 1, 1957. All payments of principal and interest on bonds issued shall be a first charge on money coming into this fund during the year in which the principal or interest is payable.

Sec. 7. There is hereby created a county state-aid highway fund. The county state-aid highway fund shall be apportioned among the counties as provided by law. The funds apportioned shall be used by the counties as provided by law for aid in the construction, improvement and maintenance of county state-aid highways. The legislature may authorize the counties by law to use a part of the funds apportioned to them to aid in the construction, improvement and maintenance of other county highways, township roads, municipal streets and any other public highways, including but not limited to trunk highways and municipal state-aid streets within the respective counties.

Sec. 8. There is hereby created a municipal state-aid street fund to be apportioned as provided by law among municipalities having a population of 5,000 or more. The fund shall be used by municipalities as provided by law for the construction, improvement and maintenance of municipal state-aid streets. The legislature may authorize municipalities to use a part of the fund in the construction, improvement and maintenance of other municipal streets, trunk highways, and county state-aid highways within the counties in which the municipality is located.

Sec. 9. The legislature by law may tax motor vehicles using the public streets and highways on a more onerous basis than other personal property. Any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes. The legislature may impose this tax on motor vehicles of companies paying taxes under the gross earnings system of taxation notwithstanding that earnings from the vehicles may be included in the earnings on which gross earnings taxes are computed. The proceeds of the tax shall be paid into the ~~highway user tax distribution fund~~ *state treasury in accordance with section 5 of this article and other law*. The law may exempt from taxation any motor vehicle by a nonresident of the state properly licensed in another state and transiently or temporarily using the streets and highways of the state.

Sec. 10. The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways of this state or on the business of selling it. The proceeds of the tax shall be paid into the ~~highway user tax distribution fund~~ *state treasury in accordance with section 5 of this article and other law*.

Sec. 11. The legislature may provide by law for the sale of bonds to carry out the provisions of section 2. ~~Bonds issued and unpaid~~

shall not at any time exceed \$150,000,000 par value. The proceeds shall be paid into the trunk highway fund. Any bonds shall mature serially over a term not exceeding 20 years, shall not be sold for less than par and accrued interest and shall not bear interest at a greater rate than five percent per annum. If the trunk highway fund is not adequate to pay principal and interest of these bonds when due, the legislature may levy on all taxable property of the state in an amount sufficient to meet the deficiency or it may appropriate to the fund money in the state treasury not otherwise appropriated.

Sec. 5. The proposed amendment shall be submitted to the people at the 1976 general election. The question proposed shall read:

"Shall Article XIV of the Constitution of the State of Minnesota be amended to permit proceeds resulting from future increases in highway user taxes to be deposited in the state treasury without limitation and to remove restrictions on the total outstanding value, maturity term and interest on highway bonds?"

Yes _____

No _____ " "

Renumber the remaining sections

Amend the title amendment as follows:

Fourth line of the title amendment, after the semicolon, insert "proposing an amendment to the Minnesota Constitution, Article XIV to permit proceeds from future increases in highway user taxes to be deposited in the state treasury without limitation and to remove restrictions on the total outstanding value, maturity term and interest on highway bonds;"

The question being taken on the adoption of the Schaaf amendment to the Purfeerst amendment,

And the roll being called, there were yeas 15 and nays 41 as follows:

Those who voted in the affirmative were:

Chenoweth	Humphrey	Milton	O'Neill	Stassen
Gearty	Keefe, S.	North	Purfeerst	Stokowski
Hughes	Merriam	Ogdahl	Schaaf	Stumpf

Those who voted in the negative were:

Arnold	Chmielewski	Josefson	Olson, J. L.	Solon
Ashbach	Davies	Keefe, J.	Patton	Spear
Bang	Doty	Kowalczyk	Perpich, A. J.	Tennesen
Berg	Dunn	Larson	Perpich, G.	Ueland
Bernhagen	Fitzsimons	Laufenburger	Pillsbury	Willet
Blatz	Hansen, Baldy	Moe	Renneke	
Borden	Hansen, Mel	Olhoft	Schmitz	
Brataas	Hanson, R.	Olson, A. G.	Schrom	
Brown	Jensen	Olson, H. D.	Sillers	

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

Mr. Chmielewski moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

After section 5, insert:

"Sec. 6. 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. 7. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

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

Amend the title amendment as follows:

Fourth line, after the semicolon, insert "reapportioning five percent of the highway user tax; allocating part of the tax proceeds for bridge uses;"

Fifth line strike "Section" and insert "Sections 161.081; 161.082, by adding a subdivision; and"

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

Mr. Schaaf moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

Strike Sections 1 to 4 of the amendment and insert:

"Sec. 4. Laws 1974, Chapter 534, Section 4, Subdivision 4, is amended to read:

Subd. 4. [ORGANIZATION.] The state planning agency shall administer this supplemental public transit aid program ~~in areas other than the metropolitan transit area~~ and shall have all the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Receive applications for aid under this section and prescribe the form and nature and extent of the information which shall be contained in the application.

(c) Make and execute contracts with any eligible recipients to insure the continuance and improvement of public transit service at reasonable fares. Payments under such contracts to eligible recipients shall not exceed two-thirds *nor be less than one half* of the total operating deficit of the public transit system involved. In allocating these funds, the state planning agency may consider population, transit ridership, relative need for public transit, new developments and other factors. *Grants to the metropolitan transit commission under this section prior to December 31, 1975, shall not exceed \$3,190,000.*

(d) Determine the operating deficit of any public transit system in accordance with the general accepted accounting principles and practices. In determining such total operating deficits, the agency shall consider all increases and expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow portions or all or any such increase or reductions. Where legislatively established public transit authorities or commissions do not exist, and if more than one county or municipality contributes assistance to the operation of a public transit system, the aid distributable under this section shall be allocated among contributors in proportion to their contribution.

(e) Apply for, receive and accept federal funds made available for the purpose of this section, if requested, on behalf of eligible recipients.

Sec. 5. Laws 1974, Chapter 534, Section 5, Subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the public transit demonstration program include counties, municipalities, legislatively established public transit authorities or commissions, or combinations of such units ~~in areas other than the metropolitan transit area defined in Minnesota Statutes, Chapter 473A.~~ Applications for financial assistance shall be made through the regional development commissions or the metropolitan council.

Sec. 6. *Beginning with the levy in 1975 payable in 1976, the levy for the metropolitan transit commission for the purposes of Laws 1975, Chapter 13, Section 71, Subdivision 1, Paragraph (a), shall be limited to an amount not to exceed 1.44 mills times the assessed value of all taxable property within the metropolitan transit taxing district.*

Sec. 7. [APPROPRIATION.] Subdivision 1. *There is hereby appropriated from the general fund the sum of \$29,000,000 to the state planning agency for the purposes of carrying out the provisions of section 4 of this act.*

Subd. 2. There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000 for the purposes of carrying out the provisions of section 5.

Subd. 3. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 7. [REPEALER.] *Laws 1974, Chapter 534, Section 5, Subdivision 4, is repealed."*

Renumber the sections in sequence

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

"A bill for an act relating to transportation; providing for public transportation improvements and assistance throughout the state and providing for public transit demonstration projects; setting tax levies authorized for the metropolitan transit commission; appropriating money; increasing the excise tax on gasoline used in motor vehicles using public highways; amending Laws 1974, Chapter 534, Sections 4, Subdivision 4, and 5, Subdivision 3; and Minnesota Statutes 1974, Section 296.02, Subdivision 1; repealing Laws 1974, Chapter 534, Section 5, Subdivision 4."

The question being taken on the adoption of the Schaaf amendment to the Purfeerst amendment,

And the roll being called, there were yeas 19 and nays 35, as follows:

Those who voted in the affirmative were:

Chenoweth	Humphrey	Merriam	O'Neill	Stokowski
Davies	Keefe, S.	Milton	Schaaf	Stumpf
Gearty	Kleinbaum	North	Spear	Wegener
Hughes	Lewis	Ogdahl	Stassen	

Those who voted in the negative were:

Anderson	Brown	Hanson, R.	Moe	Pillsbury
Bang	Chmielewski	Jensen	Olhoft	Purfeerst
Berg	Doty	Josefson	Olson, H. D.	Schmitz
Bernhagen	Dunn	Knutson	Olson, J. L.	Schrom
Blatz	Fitzsimons	Kowalczyk	Patton	Solon
Borden	Frederick	Larson	Perpich, A. J.	Ueland
Brataas	Hansen, Baldy	Laufenburger	Perpich, G.	Willet

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

Mr. Stassen moved to amend the Purfeerst amendment to H. F. No. 1722, adopted by the Senate May 16, 1975, as follows:

After Section 4, insert the following:

"Sec. 5. Subdivision 1. Notwithstanding any law to the contrary, any person engaged in transportation for hire of tangible personal property by motor vehicle, limited to (1) a person possessing a certificate or permit authorizing for hire transportation of property from the interstate commerce commission or the Minnesota public service commission; or (2) any person transporting commodities defined as

"exempt" in for hire transportation; or (3) any person who pursuant to a contract with a person described in Clauses (1) or (2) above transports tangible personal property is entitled to a refund of any excise tax in excess of seven cents per gallon on gasoline or special fuels that he has paid on such gasoline and special fuels actually consumed in for hire transportation of tangible personal property, pursuant to Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1. Applications for refunds and refunds therefor as provided in this section shall be governed by the applicable provisions of Minnesota Statutes, Section 296.18, Subdivision 1.

Subd. 2. There is appropriated to the persons entitled to such refund under this section, from the fund or account in the state treasury to which the money was credited, an amount sufficient to make the refund and payment."

Renumber the sections in sequence

Amend the title amendment as follows:

Fourth line, after the semicolon, insert "providing a refund of excise tax in certain cases for persons engaged in transportation for hire; appropriating money;"

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

And the roll being called, there were yeas 8 and nays 45, as follows:

Those who voted in the affirmative were:

Brataas	Josefson	Larson	Stassen	Ueland
Frederick	Knutson	O'Neill		

Those who voted in the negative were:

Anderson	Coleman	Humphrey	Moe	Purfeerst
Arnold	Davies	Jensen	Nelson	Schaaf
Bang	Doty	Keefe, J.	North	Schrom
Berg	Dunn	Keefe, S.	Olson, A. G.	Solon
Bernhagen	Fitzsimons	Kowalczyk	Olson, H. D.	Spear
Blatz	Gearty	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Baldy	Lewis	Perpich, A. J.	Stumpf
Chenoweth	Hanson, R.	Merriam	Perpich, G.	Wegener
Chmielewski	Hughes	Milton	Pillsbury	Willet

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

RECESS

Mr. Coleman moved that the Senate do now recess until 1:20 o'clock p.m. The motion prevailed.

The hour of 1:20 o'clock p.m. having arrived, the President called the Senate to order.

The question recured on H. F. No. 1722.

H. F. No. 1722 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. Schaaf moved that those not voting be excused from voting. The motion did not prevail.

And the roll being called, there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

Arnold	Hanson, R.	Larson	Olson, J. L.	Solon
Berg	Hughes	Laufenburger	Patton	Tennessen
Borden	Jensen	Merriam	Perpich, A. J.	Ueland
Chmielewski	Josefson	Moe	Perpich, G.	Wegener
Coleman	Keefe, S.	Olhoft	Purfeerst	
Conzemius	Kirchner	Olson, A. G.	Schmitz	
Fitzsimons	Kleinbaum	Olson, H. D.	Schrom	

Those who voted in the negative were:

Anderson	Chenoweth	Hansen, Mel	Milton	Schaaf
Ashbach	Davies	Humphrey	Nelson	Sillers
Bang	Doty	Keefe, J.	North	Spear
Bernhagen	Dunn	Knutson	Ogdahl	Stassen
Blatz	Frederick	Kowalczyk	O'Neill	Stokowski
Brataas	Gearty	Lewis	Pillsbury	Stumpf
Brown	Hansen, Baldy	McCutcheon	Renneke	Willet

So the bill failed to pass.

RECESS

Mr. Coleman moved that the Senate do now recess until 2:30 o'clock p.m. The motion prevailed.

The hour of 2:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Stassen was excused from today's Session at 3:00 o'clock p.m.

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	Doty	Humphrey	Merriam	Schaaf
Arnold	Dunn	Keefe, S.	Milton	Schmitz
Ashbach	Frederick	Kleinbaum	Moe	Spear
Borden	Gearty	Larson	Olhoft	Stassen
Chmielewski	Hansen, Mel	Laufenburger	Patton	Stumpf
Coleman	Hanson, R.	Lewis	Perpich, G.	Tennessen
Davies	Hughes	McCutcheon	Pillsbury	Wegener

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

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

REPORTS OF COMMITTEES

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred H. F. No. 914 for comparison to companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

GENERAL ORDERS		CALENDAR OF ORDINARY MATTERS		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
914	1217				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 914 be amended as follows:

Page 3, line 2, delete "gifted,"

Page 3, line 2, delete "and exceptional"

Page 5, line 28, after "school" insert a comma

Page 6, line 3, after "date" insert "by"

Page 6, line 23, delete "any" and insert "every"

Page 6, line 27, delete "sections" and insert "section"

Page 6, after line 28, insert

"Sec. 7. The provisions of this act shall be severable, and if any provision thereof, or the application of any such provision under any circumstances is held invalid, it shall not affect any other provision of this act or the application of any provision thereof under different circumstances."

Renumber the sections in sequence

And when so amended, H. F. No. 914 will be identical to S. F. No. 1217 and further recommends that H. F. No. 914 be given its second reading and substituted for S. F. No. 1217 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. Amendment adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 914 was read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Arnold moved that S. F. No. 1466 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

Mr. Arnold moved that the recommendations and Conference Committee Report as printed in the Journal May 15, 1975, on S. F. No. 1466 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

So the recommendations and Conference Committee Report were adopted.

S. F. 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.

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

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

And the roll being called, there were yeas 36 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kleinbaum	Olson, J. L.	Spear
Arnold	Gearly	Kowalczyk	Perpich, A. J.	Tennessen
Berg	Hanson, R.	Lewis	Perpich, G.	Wegener
Bernhagen	Hughes	Merriam	Pillsbury	Willet
Borden	Humphrey	Milton	Schaaf	
Brown	Jensen	Moe	Schmitz	
Chmielewski	Keefe, J.	North	Schrom	
Coleman	Keefe, S.	Olson, A. G.	Sillers	

Messrs. Doty and Stumpf voted in the negative.

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 916, No. 92 on the General Orders Calendar, a Special Order to be heard immediately.

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

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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brataas	Fitzsimons	Jensen	Knutson
Arnold	Brown	Gearly	Josefson	Kowalczyk
Berg	Chenoweth	Hansen, Baldy	Keefe, J.	Larson
Bernhagen	Chmielewski	Hanson, R.	Keefe, S.	Lewis
Blatz	Doty	Hughes	Kirchner	McCutcheon
Borden	Dunn	Humphrey	Kleinbaum	Merriam

Milton	Olson, J. L.	Pillsbury	Schrom	Stokowski
North	Patton	Renneke	Sillers	Stumpf
Olson, A. G.	Perpich, A. J.	Schaaf	Spear	Willet
Olson, H. D.	Perpich G.	Schmitz	Stassen	

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. 1379, No. 90 on the General Orders Calendar, a Special Order to be heard immediately.

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

Mr. Perpich, A. J. moved to amend S. F. No. 1379 as follows:

Page 2, line 18, strike "\$50,000" and insert "\$20,000"

The motion prevailed. So the amendment was adopted.

S. F. No. 1379 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 48 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	North	Schmitz
Bang	Frederick	Kirchner	Olhoft	Schrom
Berg	Gerty	Kleinbaum	Olson, A. G.	Sillers
Bernhagen	Hansen, Baldy	Knutson	Olson, J. L.	Spear
Blatz	Hanson, R.	Kowalczyk	O'Neill	Stassen
Brown	Hughes	Larson	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Lewis	Perpich, G.	Stumpf
Chmielewski	Jensen	Merriam	Pillsbury	Willet
Doty	Josefson	Milton	Renneke	
Dunn	Keefe, J.	Moe	Schaaf	

Messrs. Coleman and McCutcheon 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. 1474, No. 119 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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:

Anderson	Fitzsimons	Kleinbaum	Olson, A. G.	Schaaf
Arnold	Frederick	Knutson	Olson, J. L.	Schmitz
Berg	Gearty	Lewis	O'Neill	Sillers
Bernhagen	Hansen, Baldy	McCutcheon	Patton	Solon
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Spear
Brown	Hughes	Milton	Perpich, G.	Stassen
Chmielewski	Humphrey	Moe	Pillsbury	Stumpf
Doty	Jensen	Nelson	Purfeerst	Wegener
Dunn	Kirchner	Olhoft	Renneke	Willet

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. 1035, No. 97 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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 4, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Knutson	Olson, A. G.	Spear
Arnold	Gearty	Kowalczyk	O'Neill	Stokowski
Bang	Hansen, Baldy	Laufenburger	Patton	Stumpf
Berg	Hanson, R.	Lewis	Perpich, A. J.	Ueland
Bernhagen	Hughes	Merriam	Perpich, G.	Wegener
Blatz	Humphrey	Milton	Pillsbury	Willet
Brown	Jensen	Moe	Purfeerst	
Chmielewski	Keefe, J.	Nelson	Schaaf	
Doty	Kirchner	North	Schmitz	
Dunn	Kleinbaum	Olhoft	Sillers	

Messrs. Frederick; Josefson; Olson, J. L. and Renneke voted in the negative.

So the bill passed and its title was agreed to.

Mr. Hansen, Baldy moved that S. F. No. 1437 be stricken from General Orders and re-referred to the Committee on Rules and Administration. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated S. F. No. 783, No. 120 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 52 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Kirchner	Olhoft	Schrom
Arnold	Dunn	Kleinbaum	Olson, A. G.	Sillers
Bang	Gearty	Knutson	Olson, J. L.	Spear
Berg	Hansen, Baldy	Larson	O'Neill	Stokowski
Bernhagen	Hanson, R.	Laufenburger	Patton	Stumpf
Blatz	Hughes	Lewis	Perpich, A. J.	Ueland
Brataas	Humphrey	Merriam	Perpich, G.	Wegener
Brown	Jensen	Milton	Pillsbury	Willet
Chenoweth	Josefson	Moe	Renneke	
Chmielewski	Keefe, J.	Nelson	Schaaf	
Coleman	Keefe, S.	North	Schmitz	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Anderson moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1241 and that the rules of the Senate be so far suspended as to give H. F. No. 1241, now on General Orders, its third reading and and place it on its final passage. The motion prevailed.

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 of public lands and interests in land needed for natural resource programs; appropriating money from the fund for this purpose; appropriating money from the general fund for payment of bonds.

Mr. Dunn moved to amend H. F. No. 1241, as amended pursuant to Rule 49, adopted by the Senate May 16, 1975, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [APPROPRIATION FOR LAND ACQUISITION.]
Subdivision 1. There is appropriated from the general fund in the state treasury to the commissioner of natural resources, except as otherwise indicated, the sums of money set forth in this section, for the acquisition of outdoor recreation lands and other purposes as more specifically described in subdivisions 2 to 11, to be available for the biennium ending June 30, 1977.

All acquisition shall be in accordance with the policies established in the outdoor recreation act of 1975, if enacted. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law.

[TOTAL APPROPRIATED: \$24,132,060]

Subd. 2. State parks and recreation areas, as listed and described in sections 85.012 and 85.013 \$ 9,000,000

First priority for acquisition shall be given to land within existing statutory boundaries where the property is needed for immediate development in order to accomplish the purposes for which the unit is authorized, or where the anticipated use of the property is incompatible with the purposes for which the unit is authorized, or where the market value of comparable property in the vicinity of the property to be acquired has risen more than ten percent in each of the previous two years.

Subd. 3. State trails, as listed and described in section 85.015 1,750,000

Subd. 4. State scientific and natural areas, acquired pursuant to section 84.033 1,000,000

Subd. 5. State forests, as listed and described in section 85.021 2,000,000

Priority shall first be given to acquiring the remaining lands in Sand Dunes state forest and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public.

Subd. 6. Fishing management lands, comprising lands and riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, subdivisions 8, 11 and 15. 1,000,000

Subd. 7. State wildlife management areas, acquired pursuant to section 97.48, subdivision 13; and 97.481 5,000,000

Acquisition shall be limited to wildlife lands and waters that are of high priority because they are critical to the functioning of a unit already in public ownership, or are threatened with development that is incompatible with preservation of the area for wildlife management, or the market value of comparable property in the vicinity of the property to be acquired has

risen more than ten percent in each of the previous two years, and that can be acquired from a willing seller.

None of this appropriation shall be encumbered or expended for the purchase of wildlife management areas until 60 days after the commissioner of natural resources has submitted to the legislature in the manner provided in section 3.195 a long-range plan of acquisition of wildlife management areas. The plan shall list each parcel proposed for acquisition, showing its general location, its approximate acreage, and the estimated cost of acquisition. The list shall be ranked in order of priority and shall be divided into parcels that are (1) critical, (2) highly desirable but not critical, and (3) those eventually to be acquired. The division shall be made so that approximately one-third of the total estimated cost of acquisition is allocated to each category.

This appropriation shall be available to acquire only those parcels included in the "critical" category.

Subd. 8. Wetlands outside of designated wildlife management areas

1,250,000

This appropriation is available primarily for the acquisition of conservation restrictions, perpetual easements, and long-term leases. No more than half may be spent for acquisition of fee title. First priority shall be given to acquisition of wetland areas for which an application for a permit to drain pursuant to section 105.42 has been denied.

Subd. 9. Wild, scenic, and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32

500,000

Subd. 10. State historic sites, as listed and described in sections 138.53 to 138.585

500,000

This appropriation is to the Minnesota historical society.

Subd. 11. Preparation of recommendations for reclassification of units of the outdoor recreation system and preparing master plans for authorized units as required by the outdoor recreation act of 1975, if enacted

- a. By the commissioner of natural resources
 - State parks, recreation areas, monuments, and waysides
 - Wildlife management areas

1,019,560
962,500

- b. By the Minnesota historical society
 - State historic sites

150,000

These appropriations are to the Minnesota resources commission.

Subd. 12. Of the amounts appropriated by this act, not more than \$3,000,000 may be expended by the commissioners of administration and natural resources for professional services.

Sec. 2. Minnesota Statutes 1974, Section 297.02, Subdivision 1, is amended to read:

297.02. [TAX ON CIGARETTES.] Subdivision 1. [RATES.] A tax is hereby imposed upon the sale of cigarettes in this state or having cigarettes in possession in this state with intent to sell and upon any person engaged in business as a distributor thereof, at the following rates, subject to the discount provided in section 297.03:

(1) On cigarettes weighing not more than three pounds per thousand, ~~nine~~ 10.5 mills on each such cigarette;

(2) On cigarettes weighing more than three pounds per thousand, ~~18~~ 21 mills on each such cigarette.

Sec. 3. *This act is effective July 1, 1975."*

Strike the title and insert:

"A bill for an act relating to outdoor recreation; appropriating money for acquisition of parks, trails, wildlife lands and other outdoor recreation lands and for other purposes; increasing the tax on cigarettes; amending Minnesota Statutes 1974, Section 297.02, Subdivision 1."

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Kirchner	Olson, J. L.	Stassen
Berg	Fitzsimons	Knutson	O'Neill	Ueland
Bernhagen	Frederick	Kowalczyk	Patton	
Blatz	Hanson, R.	Larson	Pillsbury	
Brataas	Josefson	Nelson	Renneke	
Brown	Keefe, J.	Ogdahl	Sillers	

Those who voted in the negative were:

Anderson	Doty	Laufenburger	Olson, A. G.	Schrom
Arnold	Gearty	Lewis	Olson, H. D.	Solon
Borden	Hansen, Baldy	McCutcheon	Perpich, A. J.	Spear
Chenoweth	Hughes	Merriam	Perpich, G.	Stokowski
Chmielewski	Humphrey	Milton	Purfeerst	Stumpf
Coleman	Keefe, S.	Moe	Schaaf	Wegener
Conzemius	Kleinbaum	Olhoft	Schmitz	Willet

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

H. F. No. 1241 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 28, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Laufenburger	Olhoft	Spear
Arnold	Gearty	Lewis	Olson, A. G.	Stokowski
Borden	Hansen, Baldy	McCutcheon	Olson, H. D.	Stumpf
Chenoweth	Hughes	Merriam	Olson, J. L.	Tennessee
Chmielewski	Humphrey	Milton	Purfeerst	Wegener
Coleman	Keefe, S.	Moe	Schmitz	Willet
Conzemius	Kleinbaum	North	Schrom	
Davies	Larson	Ogdahl	Solon	

Those who voted in the negative were:

Ashbach	Brown	Jensen	Nelson	Renneke
Bang	Dunn	Josefson	O'Neill	Sillers
Berg	Fitzsimons	Keefe, J.	Patton	Stassen
Bernhagen	Frederick	Kirchner	Perpich, A. J.	Ueland
Blatz	Hansen, Mel	Knutson	Perpich, G.	
Brataas	Hanson, R.	Kowalczyk	Pillsbury	

So the bill failed to pass.

Pursuant to Rule 21, Mr. Borden 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.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 398, No. 81 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 398: A bill for an act relating to the pollution control agency; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1974, Section 116.18, Subdivisions 1 and 4.

Mr. Kirchner moved to amend H. F. No. 398 as follows:

Page 3, line 4, after "fund" insert *"to be used as matching funds with the recently released federal moneys appropriated to implement the Federal Water Pollution Control Act, as amended, for"*

Page 3, line 4, strike "through"

Page 3, strike line 8

Page 3, line 9, strike "fund for this purpose,"

Page 3, line 12, strike "\$142,000,000" and insert "\$96,000,000"

Page 3, line 24, after the period insert *"All moneys appropriated and credited to the Minnesota state water pollution control fund after June 30, 1977, shall be from the general fund."*

Sec. 3. Minnesota Statutes 1974, Section 116.18 is amended by adding a subdivision to read:

"Subd. 7. [APPROPRIATION FROM GENERAL FUND; REIMBURSEMENT.] The sum of \$46,000,000, or so much thereof as may be necessary, is appropriated from the general fund to the Minnesota state water pollution control fund, for the purpose of providing money appropriated in subdivision 1 for expenditure from that fund for the purpose therein stated, provided that no amount shall be credited at any time to the water pollution control fund, pursuant to this appropriation, which would cause the balance then on hand in the fund to exceed the aggregate amount of grants approved and not theretofore disbursed by the pollution control agency, as certified by its director."

Amend the title on line 5 after "4" by inserting ", and by adding a subdivision"

Pursuant to Rule 21, Mr. Stokowski moved that the following members be excused for a Conference Committee on S. F. No. 469:

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

The question being taken on the adoption of the Kirchner amendment to H. F. No. 398,

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

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

And the roll being called, there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Jensen	Nelson	Renneke
Bang	Dunn	Josefson	Ogdahl	Sillers
Berg	Fitzsimons	Keefe, J.	Olson, J. L.	Stassen
Bernhagen	Frederick	Kirchner	O'Neill	Ueland
Blatz	Hansen, Baldy	Knutson	Patton	
Brataas	Hansen, Mel	Kowalczyk	Perpich, G.	
Brown	Hanson, R.	Larson	Pillsbury	

Those who voted in the negative were:

Anderson	Doty	Lewis	Olson, A. G.	Solon
Arnold	Gearty	McCutcheon	Olson, H. D.	Spear
Borden	Hughes	Merriam	Perpich, A. J.	Stokowski
Chenoweth	Humphrey	Milton	Purfeerst	Stumpf
Chmielewski	Keefe, S.	Moe	Schaaf	Wegener
Coleman	Kleinbaum	North	Schmitz	Willet
Conzemius	Laufenburger	Olhoff	Schrom	

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

H. F. No. 398 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

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

And the roll being called, there were yeas 32 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lewis	Olson, H. D.	Spear
Arnold	Hughes	McCutcheon	Perpich, A. J.	Stumpf
Borden	Humphrey	Merriam	Purfeerst	Wegener
Chmielewski	Keefe, J.	Moe	Schaaf	Willet
Coleman	Keefe, S.	North	Schmitz	
Conzemius	Kleinbaum	Olhoff	Schrom	
Doty	Laufenburger	Olson, A. G.	Solon	

Those who voted in the negative were:

Ashbach	Davies	Jensen	Ogdahl	Sillers
Bang	Dunn	Josefson	Olson, J. L.	Stassen
Berg	Fitzsimons	Kirchner	O'Neill	Ueland
Bernhagen	Frederick	Knutson	Patton	
Blatz	Hansen, Baldy	Kowalczyk	Perpich, G.	
Brataas	Hansen, Mel	Larson	Pillsbury	
Brown	Hanson, R.	Nelson	Renneke	

So the bill failed to pass.

Without objection, the Senate reverted to the Order of Business of Messages from the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1456:

H. F. No. 1456: A bill for an act relating to courts and particularly 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; and 508.74, Subdivision 2; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.

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. 1456 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 16, 1975

Mr. Hughes moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1456, and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 460, and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 460: A bill for an act relating to pollution; prohibiting sale of beverage containers having detachable parts; providing a penalty.

Senate File No. 460 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 16, 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. 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.

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

Faricy, Moe and Hanson.

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 16, 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 five members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 1026: A bill for an act relating to agricultural lands; regulating the ownership of such lands by certain corporations;

exempting lands acquired for growing asparagus; amending Minnesota Statutes 1974, Section 500.24, Subdivision 2.

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

Mann; Biersdorf; Stanton; Anderson, G. and Menning.

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

Edward A. Burdick, Chief Clerk, House of Representatives
Returned May 16, 1975

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 1313.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 16, 1975

FIRST READING OF HOUSE BILLS

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

H. F. No. 1313: A bill for an act relating to retirement; miscellaneous amendments to the judges retirement act; declaring legislative policy and intent; appropriating money; amending Minnesota Statutes 1974, Chapter 490, by adding a section; and Section 490.124, Subdivisions 2 and 9.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Frederick moved that S. F. No. 1446 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. 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.

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. 1446 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment.

We request adoption of this report and repassage of the bill.
Senate Conferees: (Signed) Mel Frederick, Nancy Brataas, H. H. Humphrey III.

House Conferees: (Signed) Donald Friedrich, Richard Lemke, Neil Dieterich.

Mr. Perpich, G. moved that S. F. No. 66 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. 66

A bill for an act relating to game and fish; authorizing certain handicapped hunters to transport uncased but unloaded firearms; providing permanent permits for handicapped hunters; amending Minnesota Statutes 1974, Section 98.48, Subdivision 12.

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. 66 report that we have agreed upon the items in dispute and recommend as follows:

That the house recede from its amendment and that S. F. No. 66 be further amended as follows:

Page 1, lines 11 to 13, delete the underscored language

Page 1, line 13, reinstate "licensed hunters who"

Page 1, line 13, after "who" insert "are"

Page 1, line 15, delete "*persons*"

Page 1, line 16, before the semicolon insert "*because of a permanent disability*"

Further amend the title as follows:

Page 1, line 2, delete "authorizing certain"

Page 1, delete line 3

Page 1, line 4, delete "unloaded firearms;"

We request adoption of this report and repassage of the bill.
Senate Conferees: (Signed) George F. Perpich, Roger D. Moe, John M. Patton.

House Conferees: (Signed) Bob McEachern, Joseph R. Begich, John S. Biersdorf.

Mr. Wegener moved that S. F. No. 211 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. 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.

May 16, 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. 211 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 211 be further amended as follows:

Pages 3 and 4, strike all of Section 3

Page 15, line 10, strike "15" and insert "14"

Page 15, line 19, strike "17" and insert "16"

Renumber the sections in sequence

Further, amend the title as follows:

Page 1, line 4, strike "123.56,"

Page 1, line 5, strike "Subdivision 9;"

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

Senate Conferees: (Signed) Myrton O. Wegener, Alec G. Olson.

House Conferees: (Signed) Claudia Meier, Bob McEachern.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Messrs. Chmielewski and Keefe, J. were excused from this evening's Session. Messrs. Pillsbury and Nelson were excused from the early part of this evening's Session.

CALL OF THE SENATE

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

Anderson	Chmielewski	Josefson	Olson, J. L.	Schrom
Arnold	Coleman	Kirchner	Patton	Spear
Ashbach	Davies	Kowalczyk	Perpich, A. J.	Stassen
Berg	Gearty	Laufenburger	Perpich, G.	Stumpf
Bernhagen	Hansen, Baldy	Lewis	Pillsbury	Tennessen
Blatz	Hansen, Mel	Merriam	Purfeerst	Wegener
Borden	Hanson, R.	Moe	Renneke	
Brown	Hughes	North	Schmitz	

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

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

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

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

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

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

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

RECESS

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

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Arnold, Chairman of the Committee on Finance, designated H. F. No. 2, No. 87 on the General Orders Calendar, a Special Order to be heard immediately.

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

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Olson, J. L.	Spear
Ashbach	Gearty	Kowalczyk	Patton	Stassen
Berg	Hansen, Baldy	Larson	Perpich, A. J.	Stokowski
Bernhagen	Hansen, Mel	McCutcheon	Perpich, G.	Stumpf
Brataas	Hanson, R.	Merriam	Pillsbury	Tennessee
Brown	Humphrey	Milton	Purfeerst	Wegener
Coleman	Jensen	Moe	Renneke	
Conzemius	Keefe, S.	Olhoff	Schmitz	
Davies	Kirchner	Olson, A. G.	Sillers	
Doty	Kleinbaum	Olson, H. D.	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 H. F. No. 1199, No. 88 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 1199: A bill for an act relating to treatment for alcohol and drug abuse; providing for programs of intervention and treatment for employees, 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.

Mr. Moe moved to amend H. F. No. 1199, as amended pursuant to Rule 49, adopted by the Senate May 15, 1975, as follows:

Page 3, line 6, strike "or" and insert "of"

Page 5, line 21, after the comma insert "and"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. moved to amend H. F. No. 1199, as amended pursuant to Rule 49, adopted by the Senate May 15, 1975, as follows:

Page 2, line 28, before "The" insert "Subdivision 1."

Page 2, line 31, strike "and aftercare"

Page 2, line 32, after "education," insert "after care,"

Page 3, line 7, after "and the" insert "Native American Advisory Council, and the"

Page 3, after line 8, insert:

"Subd. 2. For purposes of the consultation and review required by subdivision 1, the commissioner shall designate the Native American Council to:

(a) Assist in the formulation of policies and guidelines in the implementation of the commissioner's responsibilities under subdivision 1 of this section;

(b) Advise the commissioner on policies, goals, and the operation

of alcohol and drug abuse programs and services for Native Americans in the state; and

(c) Make recommendations to the commissioner regarding contracts and agreements entered into under the provisions of subdivision 1 of this section."

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

H. F. No. 1199 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 44, and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Olhoff	Sillers
Bang	Gearty	Kleinbaum	Olson, H. D.	Solon
Berg	Hansen, Baldy	Knutson	Patton	Spear
Bernhagen	Hansen, Mel	Larson	Pillsbury	Stassen
Brataas	Hanson, R.	McCutcheon	Purfeerst	Stokowski
Brown	Hughes	Merriam	Renneke	Stumpf
Davies	Humphrey	Milton	Schaaf	Tennessen
Doty	Jensen	Moe	Schmitz	Wegener
Dunn	Keefe, S.	North	Schrom	

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. 1530, No. 93 on the General Orders Calendar, a Special Order to be heard immediately.

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.

Mr. Bernhagen moved to amend S. F. No. 1530 as follows:

Page 4, line 3, reinstate "be entitled to"

Page 4, line 4, strike "collect" and insert "retain"

Page 4, line 14, strike "In addition to the basic"

Page 4, line 15, strike "license fee"

Page 4, line 15, reinstate "be entitled to"

Page 4, line 17, strike "collect" and insert "retain"

The question being taken on the adoption of the amendment,
And the roll being called, there were yeas 16 and nays 25, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Jensen	Olson, J. L.	Renneke
Bang	Frederick	Knutson	O'Neill	Sillers
Berg	Hansen, Baldy	Larson	Patton	Ueland
Bernhagen				

Those who voted in the negative were:

Anderson	Humphrey	Merriam	Olson, H. D.	Spear
Davies	Keefe, S.	Milton	Perpich, G.	Stokowski
Gearty	Kleinbaum	Moe	Schmitz	Stumpf
Hanson, R.	Laufenburger	North	Schrom	Tennessen
Hughes	McCutcheon	Olhoft	Solon	Wegener

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

S. F. No. 1530 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 10, as follows:

Those who voted in the affirmative were:

Anderson	Hansen, Baldy	Kleinbaum	Olhoft	Schrom
Ashbach	Hansen, Mel	Knutson	Olson, H. D.	Solon
Bang	Hanson, R.	Kowalczyk	Olson, J. L.	Spear
Borden	Hughes	Larson	O'Neill	Stokowski
Brataas	Humphrey	Laufenburger	Patton	Stumpf
Davies	Jensen	Milton	Purfeerst	Tennessen
Dunn	Keefe, S.	Moe	Renneke	Wegener
Gearty	Kirchner	North	Schmitz	

Those who voted in the negative were:

Berg	Brown	Frederick	Merriam	Sillers
Bernhagen	Doty	McCutcheon	Pillsbury	Ueland

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. 685, No. 89 on the General Orders Calendar, a Special Order to be heard immediately.

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

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:

Anderson	Frederick	Kirchner	Olson, H. D.	Sillers
Arnold	Gearty	Kleinbaum	Olson, J. L.	Solon
Ashbach	Hansen, Baldy	Knutson	O'Neill	Spear
Bang	Hansen, Mel	McCutcheon	Patton	Stassen
Bernhagen	Hanson, R.	Merriam	Pillsbury	Stokowski
Brataas	Hughes	Milton	Purfeerst	Stumpf
Davies	Humphrey	Moe	Renneke	Tennessen
Doty	Jensen	North	Schmitz	Ueland
Dunn	Keefe, S.	Olhoft	Schrom	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 S. F. No. 806, No. 96 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 43 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, S.	Olson, J. L.	Sillers
Arnold	Frederick	Kirchner	O'Neill	Solon
Bang	Gearty	Kleinbaum	Patton	Spear
Berg	Hansen, Baldy	Laufenburger	Pillsbury	Stumpf
Bernhagen	Hansen, Mel	Merriam	Purfeerst	Tennessen
Brataas	Hanson, R.	Moe	Renneke	Ueland
Brown	Hughes	North	Schaaf	Wegener
Doty	Humphrey	Olhoft	Schmitz	
Dunn	Jensen	Olson, H. D.	Schrom	

Mr. Davies 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. 1281, No. 128 on the General Orders Calendar, a Special Order to be heard immediately.

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.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Kirchner	O'Neill	Sillers
Arnold	Gearty	Kleinbaum	Patton	Solon
Bernhagen	Hansen, Baldy	Laufenburger	Pillsbury	Spear
Brataas	Hansen, Mel	Merriam	Purfeerst	Stumpf
Brown	Hanson, R.	North	Renneke	Tennessee
Davies	Hughes	Olhoft	Schaaf	Wegener
Doty	Humphrey	Olson, H. D.	Schmitz	
Dunn	Jensen	Olson, J. L.	Schrom	

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Schaaf moved that the vote whereby H. F. No. 1722 failed to pass the Senate on May 16, 1975, be now reconsidered. The motion prevailed.

H. F. No. 1722: 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.

Mr. Laufenburger moved to amend the Purfeerst amendment to H. F. No. 1722 adopted by the Senate on May 16, 1975 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Laws 1974, Chapter 534, Section 4, Subdivision 4, is amended to read:

Subd. 4. [ORGANIZATION.] The state planning agency shall administer this supplemental public transit aid program in areas other than the metropolitan transit area and shall have all the powers necessary and convenient to implement the program, including the following:

(a) Adopt rules and regulations necessary to carry out the purpose of this section.

(b) Receive applications for aid under this section and prescribe the form and nature and extent of the information which shall be contained in the application.

(c) Make and execute contracts with any eligible recipients to insure the continuance and improvement of public transit service at reasonable fares. Payments under such contracts to

eligible recipients shall not exceed two-thirds of the total operating deficit of the public transit system involved be based upon the proportion of the operating expenses of the recipient to the total operating expenses of all eligible recipients in the state. In allocating these funds, the state planning agency may consider population, transit ridership, relative need for public transit, new developments and other factors. Grants to the metropolitan transit commission under this section prior to December 31, 1975, shall not exceed \$3,190,000.

(d) Determine the operating deficit expenses of any public transit system in accordance with the general accepted accounting principles and practices. In determining such total operating deficits, expenses the agency shall consider all increases and expenses and reductions in revenue in the public transit system after the effective date of this section and may disallow portions or all or any such increase or reductions. Where legislatively established public transit authorities or commissions do not exist, and if more than one county or municipality contributes assistance to the operation of a public transit system, the aid distributable under this section shall be allocated among contributors in proportion to their contribution.

(e) Apply for, receive and accept federal funds made available for the purpose of this section, if requested, on behalf of eligible recipients.

Sec. 2. Laws 1974, Chapter 534, Section 5, Subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY.] Eligible recipients of the financial assistance through the public transit demonstration program include counties, municipalities, legislatively established public transit authorities or commissions, or combinations of such units in areas other than the metropolitan transit area defined in Minnesota Statutes, Chapter 473A. Applications for financial assistance shall be made through the regional development commissions or the metropolitan council.

Sec. 3. Beginning with the levy in 1975 payable in 1976, the levy for the metropolitan transit commission for the purposes of Laws 1975, Chapter 13, Section 71, Subdivision 1, Paragraph (a), shall be limited to an amount not to exceed 2.33 mills times the assessed value of all taxable property within the metropolitan transit taxing district.

Sec. 4. [APPROPRIATION.] Subdivision 1. There is hereby appropriated from the general fund the sum of \$19,000,000 to the state planning agency for the purposes of carrying out the provisions of section 1 of this act.

Subd. 2. There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000 for the purposes of carrying out the provisions of section 2.

Subd. 3. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 5. 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. 6. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

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

Sec. 7. 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 ~~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. 8. The following amendment to the Minnesota Constitution, Article XIV, is proposed to the people of the state. If the amendment is adopted, the Article shall read:

ARTICLE XIV PUBLIC HIGHWAY SYSTEM

Section 1. The state may construct, improve and maintain public highways, may assist political subdivisions in this work and by law may authorize any political subdivision to aid in highway work within its boundaries.

Sec. 2. There is hereby created a trunk highway system which shall be constructed, improved and maintained as public highways by the state. The highways shall extend as nearly as possible along the routes number 1 through 70 described in the constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or hereafter makes a route a part of the trunk highway system.

The legislature may add by law new routes to the trunk highway system. The trunk highway system may not exceed 12,200 miles in extent, except the legislature may add trunk highways in excess of the mileage limitation as necessary or expedient to take advantage of any federal aid made available by the United States to the state of Minnesota.

Any route added by the legislature to the trunk highway system may be relocated or removed from the system as provided by law. The definite location of trunk highways numbered 1 through 70 may be relocated as provided by law but no relocation shall cause a deviation from the starting points or terminals nor cause any deviation from the various villages and cities through which the routes are to pass under the constitutional amendment adopted November 2, 1920. The location of routes may be determined by boards, officers or tribunals in the manner prescribed by law.

Sec. 3. A county state-aid highway system shall be constructed, improved and maintained by the counties as public highways in the manner provided by law. The system shall include streets in municipalities of less than 5,000 population where necessary to provide an integrated and coordinated highway system and may include similar streets in larger municipalities.

Sec. 4. A municipal state-aid street system shall be constructed, improved and maintained as public highways by municipalities having a population of 5,000 or more in the manner provided by law.

Sec. 5. There is hereby created a highway user tax distribution fund to be used solely for highway purposes as specified in this article. The fund consists of the proceeds of any taxes authorized by sections 9 and 10 of this article *up to an amount derived as a result of tax rates in effect on November 2, 1976.* The ~~net proceeds of the taxes~~ *highway user tax distribution fund* shall be apportioned: 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. Five percent of the net proceeds of the highway user tax distribution fund may be set aside and apportioned by law to one or more of the three foregoing funds. The balance of the highway user tax distribution fund shall be transferred to the trunk highway fund, the county state-aid highway fund, and the municipal state-aid street fund in accordance with the percentages set forth in this section. No change in the apportionment of the five percent may be made within six years of the last previous change.

Sec. 6. There is hereby created a trunk highway fund which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds issued under the authority of section 11 of this article and any bonds issued for trunk highway purposes prior to July 1, 1957. All payments of principal and interest on bonds issued shall be a first charge on money coming into this fund during the year in which the principal or interest is payable.

Sec. 7. There is hereby created a county state-aid highway fund. The county state-aid highway fund shall be apportioned among the counties as provided by law. The funds apportioned shall be used by the counties as provided by law for aid in the construction, improvement and maintenance of county state-aid highways. The legislature may authorize the counties by law to use a part of the funds apportioned to them to aid in the construction, improvement and maintenance of other county highways, township roads, municipal streets and any other public highways, including but not limited to trunk highways and municipal state-aid streets within the respective counties.

Sec. 8. There is hereby created a municipal state-aid street fund to be apportioned as provided by law among municipalities having a population of 5,000 or more. The fund shall be used by municipalities as provided by law for the construction, improvement and maintenance of municipal state-aid streets. The legislature may authorize municipalities to use a part of the fund in the construction, improvement and maintenance of other municipal streets, trunk highways, and county state-aid highways within the counties in which the municipality is located.

Sec. 9. The legislature by law may tax motor vehicles using the public streets and highways on a more onerous basis than other personal property. Any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes. The legislature may impose this tax on motor vehicles of companies paying taxes under the gross earnings system of taxation notwithstanding that earnings from the vehicles may be included in the earnings on which gross earnings taxes are computed. The proceeds of the tax shall be paid into the ~~highway user tax distribution fund state treasury in accordance with section 5~~. The law may exempt from taxation any motor vehicle owned by a nonresident of the state properly licensed in another state and transiently or temporarily using the streets and highways of the state.

Sec. 10. The legislature may levy an excise tax on any means or substance used for propelling vehicles on the public highways of this state or on the business of selling it. The proceeds of the tax shall be paid into the ~~highway user tax distribution fund state treasury in accordance with section 5~~.

Sec. 11. The legislature may provide by law for the sale of bonds to carry out the provisions of section 2. ~~Bonds issued and unpaid shall not at any time exceed \$150,000,000 par value. The proceeds shall be paid into the trunk highway fund. Any bonds shall mature serially over a term not exceeding 20 years, shall not be sold for less than par and accrued interest and shall not bear interest at a greater rate than five percent per annum. If the trunk highway fund is not adequate to pay principal and interest of these bonds when due, the legislature may levy on all taxable property of the state in an amount sufficient to meet the deficiency or it may appropriate to the fund money in the state treasury not otherwise appropriated.~~

Sec. 9. The proposed amendment shall be submitted to the people at the 1976 general election. The question proposed shall read:

"Shall Article XIV of the Constitution of the State of Minnesota be amended to permit proceeds resulting from future increases in highway user taxes to be deposited in the state treasury without limitation and to remove restrictions on the total outstanding value, maturity term and interest on highway bonds?"

Yes _____

No _____ " "

Sec. 10. *Laws 1974, Chapter 534, Section 5, Subdivision 4, is repealed.*

Sec. 11. [EFFECTIVE DATE.] *Sections 1 to 4 of this act are effective July 1, 1975. Section 7 of this act is effective June 1, 1975. The increase in gasoline tax imposed by section 7 applies to all gasoline and special fuels as defined in section 296.01, subdivision 6, in distributor storage on June 1, 1975."*

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

"A bill for an act relating to transportation; providing for public transportation improvements and assistance throughout the state and providing for public transit demonstration projects, reapportioning five percent of the highway user tax; allocating part of the tax proceeds for bridge uses; increasing the excise tax on gasoline and fuels; proposing an amendment to the Minnesota Constitution, Article XIV to permit proceeds from future increases in highway user taxes to be deposited in the state treasury without limitation; removing certain restrictions on highway bonds; appropriating money; amending Laws 1974, Chapter 534, Sections 4, Subdivision 4; and 5, Subdivision 3; Minnesota Statutes 1974, Sections 161.081, 161.082, 296.02, Subdivision 1; repealing Laws 1974, Chapter 534, Section 5, Subdivision 4."

The motion prevailed. So amendment was adopted.

Mr. Frederick moved to amend H. F. No. 1722, as amended, as follows:

Strike all of pages 4, 5 and 6

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

"A bill for an act relating to transportation; providing for public transportation improvements and assistance throughout the state and providing for public transit demonstration projects; reapportioning five percent of the highway user tax; allocating part of the tax proceeds for bridge uses; increasing the excise tax on gasoline and fuels; appropriating money; amending Laws 1974, Chapter 534, Sections 4, Subdivision 4; 5, Subdivision 3; and Minnesota Statutes 1974, Sections 161.081; 161.082, by adding a subdivision; and 296.02, Subdivision 1."

The question being taken on the adoption of the amendment,

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

And the roll being called, there were yeas 24, and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Hanson, R.	Larson	Renneke
Bang	Brown	Jensen	Nelson	Sillers
Berg	Dunn	Josefson	Olson, J. L.	Stassen
Bernhagen	Fitzsimons	Knutson	Patton	Ueland
Blatz	Frederick	Kowalczyk	Pillsbury	

Those who voted in the negative were:

Anderson	Hughes	Merriam	O'Neill	Spear
Chenoweth	Humphrey	Milton	Perpich, A. J.	Stokowski
Coleman	Keefe, S.	Moe	Perpich, G.	Stumpf
Conzemius	Kirchner	North	Purfeerst	Tennessen
Doty	Kleinbaum	Ogdahl	Schaaf	Wegener
Gearty	Laufenburger	Olhoff	Schmitz	
Hansen, Baldy	Lewis	Olson, A. G.	Schrom	
Hansen, Mel	McCutcheon	Olson, H. D.	Solon	

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

Mr. Frederick then moved to amend H. F. No. 1722, as amended, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [ADDITIONAL EXCISE TAX IMPOSED.] There is hereby imposed an excise tax of one cent per gallon, in addition to the excise tax imposed by Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1, on all gasoline and special fuel 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 the persons specified in Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1.

Sec. 2. [EFFECTIVE DATE.] Collection of the tax imposed by section 1 shall commence on July 1, 1975.

Sec. 3. [ADDITIONAL EXCISE TAX IMPOSED.] There is hereby imposed an excise tax on one cent per gallon, in addition to the excise tax imposed by Minnesota Statutes, Sections 296.02, Subdivision 1, 296.025, Subdivision 1, and section 1 of this act on all gasoline and special fuel 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 the persons specified in Minnesota Statutes, Sections 296.02, Subdivision 1, and 296.025, Subdivision 1.

Sec. 4. [EFFECTIVE DATE.] Collection of the tax imposed by section 3 shall commence on January 1, 1977.

Sec. 5. [SOURCE OF NEW REVENUE FOR HIGHWAY CONSTRUCTION.] Subdivision 1. There is hereby appropriated

from the general fund \$20,000,000 per year to the highway user tax distribution fund. Funds appropriated under the provisions of this section shall be distributed annually as follows:

- (1) 62 percent to the trunk highway fund;
- (2) 29 percent to the county state aid highway fund;
- (3) 9 percent to the municipal state aid street fund.

Sec. 6. There is hereby appropriated from the general fund to the metropolitan transit commission the sum of \$19,000,000. The payment of this appropriation shall be made prior to June 30, 1975.

Sec. 7. [PUBLIC TRANSIT DEMONSTRATION PROGRAM.] There is hereby appropriated to the state planning agency from the general fund the sum of \$1,000,000 for the purpose of carrying out the public transit demonstration program provided for in Laws 1974, Chapter 534, Section 5. None of the moneys hereby appropriated shall cancel but shall be available until expended.

Sec. 8. There is hereby appropriated from the general fund to the state planning agency the sum of \$2,000,000 for the purposes specified in Laws 1974, Chapter 534. No money appropriated by this section shall be expended in the area of the state under the jurisdiction of the metropolitan council. The payment of this appropriation shall be made prior to June 30, 1975.

Sec. 9. 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. 10. Minnesota Statutes 1974, Section 161.082, is amended by adding a subdivision to read:

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

Sec. 11. Except as provided in sections 2, 4 and 6, the provisions of this act are effective the day following final enactment."

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

"A bill for an act relating to the organization and operation of state government; taxation for highways and bridges, appropriating money for highways, bridges and mass transit; amending Minnesota Statutes 1974, Sections 161.081; and 161.082, by adding a subdivision."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 27 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Brown	Jensen	Ogdahl	Sillers
Bang	Dunn	Josefson	Olson, J. L.	Stassen
Berg	Fitzsimons	Kirchner	O'Neill	Ueland
Bernhagen	Frederick	Knutson	Patton	
Blatz	Hansen, Mel	Larson	Pillsbury	
Brataas	Hanson, R.	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Hansen, Baldy	McCutcheon	Perpich, A. J.	Stokowski
Arnold	Hughes	Merriam	Perpich, G.	Stumpf
Chenoweth	Humphrey	Milton	Purfeerst	Tennessen
Conzemius	Keefe, S.	Moe	Schaaf	Wegener
Davies	Kleinbaum	North	Schmitz	
Doty	Laufenburger	Olhoft	Solon	
Gearty	Lewis	Olson, H. D.	Spear	

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

H. F. No. 1722 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. Laufenburger moved that those not voting be excused from voting. The motion prevailed.

And the roll being called, there were yeas 46 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Olson, J. L.	Spear
Arnold	Hanson, R.	Lewis	Patton	Stassen
Borden	Hughes	McCutcheon	Perpich, A. J.	Stokowski
Brataas	Humphrey	Merriam	Perpich, G.	Stumpf
Chenoweth	Jensen	Milton	Purfeerst	Tennessen
Chmielewski	Josefson	Moe	Renneke	Wegener
Coleman	Keefe, S.	North	Schaaf	
Conzemius	Kirchner	Ogdahl	Schmitz	
Davies	Kleinbaum	Olson, A. G.	Schrom	
Doty	Larson	Olson, H. D.	Solon	

Those who voted in the negative were:

Ashbach	Brown	Hansen, Baldy	Nelson	Ueland
Bang	Dunn	Hansen, Mel	O'Neill	Willet
Bernhagen	Fitzsimons	Knutson	Pillsbury	
Blatz	Frederick	Kowalczyk	Sillers	

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

RECONSIDERATION

Mr. Coleman moved that the vote whereby H. F. No. 679 failed to pass the Senate on May 15, 1975, be now reconsidered. The motion prevailed.

H. F. No. 679: A bill for an act relating to crimes; 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 by Rule 49, as follows:

Strike everything after the enacting clause and insert:

"Section 1. [DECLARATION OF POLICY.] 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 costs 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. 2. [DEFINITIONS.] Subdivision 1. As used in sections 1 to 7, 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. "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.

Subd. 5. "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. 3. [CERTAIN PERSONS NOT TO HAVE PISTOLS.] Subdivision 1. The following persons shall not be entitled to possess a pistol:

(a) A person under the age of 18 years except that a person under 18 may carry or possess 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 named in subdivision 1, clause (b) of this section who possesses a pistol is guilty of a felony. A person named in any other clause of subdivision 1 of this section who possesses a pistol is guilty of a gross misdemeanor.

Sec. 4. [CARRYING OF 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 3 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 authority 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 one year 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 3, 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.] 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.

Subd. 11. [NO LIMIT ON NUMBER OF PISTOLS.] A person shall not be restricted as to the number of pistols he may carry.

Subd. 12. [HEARING UPON DENIAL.] Any person aggrieved 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. 5. [EXEMPTIONS; ANTIQUES AND ORNAMENTS.] Sections 3 and 4 shall not apply to antique firearms which are carried or possessed as curiosities or for their historical significance or value.

Sec. 6. [SATURDAY NIGHT SPECIALS PROHIBITED.] Any federally licensed firearms dealer who sells 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.

Sec. 7. [LOCAL REGULATION.] Sections 1 to 6 shall be construed to supersede municipal or county regulation of the carrying or possessing of pistols and the regulation of Saturday Night Special Pistols except more restrictive regulation in cities of the first class.

Sec. 8. 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 609.135, 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."

Further amend the title as follows:

Strike the title in its entirety and insert:

"A bill for an act relating to crimes; regulating the possession and carrying of pistols; requiring permits to carry pistols; providing penalties; amending Minnesota Statutes 1974, Section 609.11, Subdivision 1."

The motion prevailed. So the amendment was adopted.

Mr. Kirchner moved to amend the Coleman amendment to H. F. No. 679, adopted by the Senate May 16, 1975, as follows:

Sec. 4. Subd. 9, Clause (e) of the amendment, line 3, strike "*and kept in some area*" and insert a period

Sec. 4. Subd. 9, Clause (e) strike line 4 through the period

Sec. 4. Subd. 9, Clause (e) line 6, strike "*other than the driver or passenger area*"

The motion prevailed. So the amendment to the Coleman amendment was 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,

And the roll being called, there were yeas 34 and nays 32, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Laufenburger	Ogdahl	Sillers
Brataas	Hansen, Mel	Lewis	Olhoff	Spear
Chenoweth	Hughes	McCutcheon	Olson, A. G.	Stassen
Coleman	Humphrey	Merriam	O'Neill	Stokowski
Conzemius	Keefe, J.	Milton	Pillsbury	Stumpf
Davies	Keefe, S.	Moe	Purfeerst	Tennessee
Doty	Kirchner	North	Schaaf	

Those who voted in the negative were:

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

So the bill, as amended, 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 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. 1308: A bill for an act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public use; requiring a substantial beneficial public use to be served in order to classify waters as public; establishing an accelerated program of inventorying, classifying, and designating state waters; prescribing the powers and duties of the commissioner of natural resources and counties in connection therewith; prescribing interim rules and regulations; specifying certain restrictions on drainage; eliminating the duty of the commissioner of natural resources to promulgate certain criteria relating to drainage systems; clarifying the criteria which county boards or district courts must consider concerning drainage systems; appropriating money; amending Minnesota Statutes 1974, Sections 97.481; 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections.

Senate File No. 1308 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 16, 1975

Mr. Olson, H. D. moved that the Senate do not concur in the amendments by the House to S. F. No. 1308 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 that the House refuses to concur in the Senate amendments to House File No. 511:

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

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

Brinkman, Heinitz, George, Suss and McCauley have been appointed as such committee on the part of the House.

House File No. 511 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 16, 1975

Mr. Borden moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 511, 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 the passage by the House of the following Senate File, herewith returned: S. F. No. 867.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 16, 1975

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 533:

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.

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

St. Onge, Samuelson and Anderson, I. have been appointed as such committee on the part of the House.

House File No. 533 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 16, 1975

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 533, 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. 638:

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.

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

Sieben, H.; Biersdorf and Reding have been appointed as such committee on the part of the House.

House File No. 638 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 16, 1975

Mr. Stokowski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 638, 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 the passage by the House of the

following House Files, herewith transmitted: H. F. No. 175, 382, 1137, 1014, 1293 and 1810.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted May 16, 1975

FIRST READING OF HOUSE BILLS

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

H. F. No. 175: A bill for an act relating to commerce; creating an advisory task force on small business; describing its duties; appropriating funds for its operation.

Referred to the Committee on Rules and Administration.

H. F. No. 382: 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.

Referred to the Committee on Rules and Administration.

H. F. No. 1293: A bill for an act relating to educational television; providing grants for instructional television stations serving Minnesota; providing for local supervision of grant expenditures.

Referred to the Committee on Rules and Administration.

H. F. No. 1137: 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 and 14; 462A.07, by adding a subdivision; 462A.19, Subdivision 1; 462A.-21, by adding subdivisions; and 462A.22, Subdivision 9.

Referred to the Committee on Rules and Administration.

H. F. No. 1014: 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.

Referred to the Committee on Rules and Administration.

H. F. No. 1810: A bill for an act relating to public improvements; authorizing issuance of state building bonds for construction and equipping of a law school building at the university of Minnesota for the construction or alteration of school buildings related to desegregation and for the acquisition and preparation of land for the expansion of metropolitan community college; creating the vocational-technical building fund and authorizing the issuance of state bonds to provide money for appropriation therefrom for grants to school districts for the acquisition and betterment of public land, buildings, and capital improvements needed for the area vocational-technical education program; appropriating money from the general fund for payment of the bonds; providing for the acquisition of certain property by St. Cloud state college; appropriating money.

Mr. Tennesen moved that H. F. No. 1810 be laid on the table. The motion prevailed.

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. 1253: A bill for an act relating to public improvements; authorizing issuance of state building bonds for construction and equipping of a law school building at the university of Minnesota; appropriating money.

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

Page 1, line 18, strike "\$12,500,000" and insert "\$12,880,000"

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. 100: A bill for an act relating to cities and towns; providing for negotiation of contracts between cities, towns, and state departments and agencies for provision of fire and police protection services for state institutions, land and other property.

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

Page 4, after line 7, insert a section to read:

"Sec. 3. [APPROPRIATION.] There is appropriated to the

commissioner of administration the sum of \$25,000 for the biennium ending June 30, 1977, to carry out the provisions of this act for purposes of planning only."

Amend the title as follows:

Page 1, line 6, after "property" insert "; and 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. 525: A bill for an act relating to state government; creating a department of transportation; prescribing its duties and responsibilities; transferring the functions of some state departments; appropriating money; amending Minnesota Statutes 1974, Sections 43.09, Subdivision 2a; and 360.017, Subdivision 1; repealing Minnesota Statutes 1974, Sections 4.20; 161.03; and 360.014.

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

Strike everything after the enacting clause and insert:

"Section 1. [DEPARTMENT OF TRANSPORTATION; POLICY.] *In order to provide a transportation system, which includes aeronautics, highways, ports, public transit, railroads and pipelines, a department of transportation is created. The department shall be the principal agency of the state for development, implementation, administration, consolidation, and coordination of state transportation policies, plans and programs.*

Sec. 2. [COMMISSIONER OF TRANSPORTATION; POWERS; DUTIES.] *Subdivision 1. [APPOINTMENT.] The department is under the supervision and control of the commissioner of transportation, who shall be appointed by the governor with the advice and consent of the senate, for a four year term which shall coincide with the term of the governor and until his successor is appointed and qualified.*

Subd. 2. [UNCLASSIFIED POSITIONS.] The commissioner may establish four positions in the unclassified service. Such positions shall be limited to the deputy and assistant commissioner or director levels.

Subd. 3. [DEPARTMENTAL ORGANIZATION.] The commissioner shall organize the department, giving full consideration to all modes of transportation, and employ employees as he deems necessary to discharge the functions of the department.

Subd. 4. [APPEARANCES IN PUBLIC TRANSPORTATION MATTERS.] The commissioner may appear as a party on behalf of the public in any proceeding or matter before the public service commission, the interstate commerce commission, the civil aeronautics board or any other agency or instrumentality of government

which regulates public services and rates to be charged concerning transportation and other matters related to the powers and responsibilities of the commissioner as defined in this act.

Subd. 5. [COOPERATION.] To facilitate the development of a unified and coordinated intrastate and interstate transportation system:

(a) The commissioner shall maintain close liaison, coordination and cooperation with the private sectors of transportation, the upper great lakes seaway development commission corporation, and any multi-state organization involved in transportation issues affecting the state;

(b) The commissioner shall participate in the planning, regulation and development of the port authorities of the state; and

(c) The commissioner or his designee shall be a nonvoting, ex officio member of the metropolitan airports commission, as organized and established under Laws 1975, Chapter 13, Sections 94 to 125.

Sec. 3. [DEPARTMENT OF TRANSPORTATION; DUTIES.]
Subdivision 1. [DUTIES.] The commissioner shall:

(a) In cooperation with the metropolitan council, regional development commissions and local units of government, develop, revise and monitor a state comprehensive multi-modal transportation plan giving full consideration to all relevant factors including existing and planned transportation systems, transportation safety, existing and planned land use, transportation funding and the social, economic and environmental effects of these factors;

(b) Develop statewide transportation priorities;

(c) Program authorized capital improvement and other authorized transportation expenditures, based upon priorities established in subdivision 1 (b);

(d) Construct and maintain transportation facilities as authorized;

(e) Cooperate with, and may provide technical and financial assistance to, the metropolitan council and regional development commissions in the regional transportation planning process in accordance with mutually agreed upon terms and conditions;

(f) Provide planning and technical assistance upon the request of any political subdivision or other governmental agency in accordance with mutually agreed upon terms and conditions; and

(g) Report to the governor and the legislature on January 1, 1977, with recommendations concerning the advisability of a state financial aid program designed to preserve railroad service. If a state financial aid program is recommended, an implementation process shall be included.

Subd. 2. [REGIONAL TRANSPORTATION PLANNING.]
The metropolitan council, pursuant to Laws 1975, Chapter 13, Section 9, and the regional development commissions shall develop

regional long-range comprehensive transportation policy plans in cooperation with the commissioner and local units of government.

Subd. 3. [ECONOMIC, SOCIAL, AND ENVIRONMENTAL EFFECTS.] *The department shall, in the performance of its responsibilities, consider the social, economic and environmental effects resulting from existing and proposed transportation facilities and make continuing efforts to mitigate any adverse effects. The commissioner shall utilize a systematic, interdisciplinary approach which shall insure the integrated use of the natural, social and physical sciences and the environmental design arts in plans and decisions which may affect the environment.*

Subd. 4. [ENERGY CONSERVATION.] *The commissioner, in cooperation with the energy agency, shall evaluate all modes of transportation in terms of their levels of energy consumption. The results of this evaluation shall receive appropriate consideration in the design and implementation of transportation plans and priorities.*

Subd. 5. [SALARIES AND EXPENSES.] *The department shall pay salaries and expenses of the department relating to highway purposes from moneys available in the trunk highway fund. The funds provided in Minnesota Statutes, Sections 360.011 to 360.076 and 360.301 to 360.91 shall be expended by the commissioner of transportation in accordance with the purposes prescribed in those sections. The funds appropriated pursuant to the authority of any constitutional article shall be expended in conformity with the purposes and uses authorized thereby.*

Sec. 4. [FEDERAL ASSISTANCE; APPLICATION; DISBURSEMENT.] **Subdivision 1. [APPROVAL OF APPLICATION.]** *A regional development commission, metropolitan council, public transit commission, airport commission, port authority or other political subdivision of the state submitting an application for financial assistance for transportation planning, capital expenditures or operations to any federal transportation agency, shall first submit the application to the commissioner for review and comment, to assure conformity with the transportation priorities pursuant to section 3, subdivision 1.*

Subd. 2. [DESIGNATED AGENT.] *A regional development commission, metropolitan council, public transit commission, airport commission, port authority, or any other political subdivision of the state may designate the commissioner as its agent to receive and disburse the funds as described in subdivision 1 by entering into an agreement with the commissioner prescribing the terms and conditions of the receipt and expenditure of the funds in accordance with federal laws and regulations and applicable state laws.*

Subd. 3. *The provisions of this section shall not be construed as altering or amending in any way the provisions of Minnesota Statutes, Sections 360.016, 360.0161 or 161.36.*

Sec. 5. [POLLUTION CONTROL AGENCY; REGULATIONS AND STANDARDS.] **Subdivision 1. [NOTIFICATION BY POLLUTION CONTROL AGENCY.]** *The director of the pollution control agency shall inform the commissioner of all activities*

of the pollution control agency which relate to the adoption, revision or repeal of any standards or rules concerning transportation, pursuant to Minnesota Statutes, Section 116.07. Upon notification the commissioner shall participate in those activities. Participation may include, but is not limited to, access to all pertinent information collected or compiled by the pollution control agency and the provision to the director of the pollution control agency of information and expert opinions concerning the ability of affected modes of transportation to accomplish the desired objectives and the impact that alternative methods of attaining those objectives would have on present or planned transportation systems in the state.

Subd. 2. [COMMISSIONER TO SUBMIT REVIEW OF PROPOSED RULES.] Prior to public hearings on any rule concerning transportation proposed by the pollution control agency, the commissioner shall submit a written review of those rules, including an analysis of their impact upon the state's transportation systems, and may propose alternative regulations or standards. This report shall be made part of the record of the hearing.

Subd. 3. [REPORT BY POLLUTION CONTROL AGENCY.] Upon the adoption, revision or repeal of a rule concerning transportation the director of the pollution control agency shall publish a written report of the manner in which the adopted rule reflects consideration of the factors required by Minnesota Statutes, Section 116.07, Subdivision 6, and the specific issues raised in the commissioner's report.

Sec. 6. [TRANSFER OF POWERS.] Subdivision 1. [DEPARTMENT OF HIGHWAYS.] All powers, duties and functions now vested in or imposed upon the commissioner of highways or the department of highways by Minnesota Statutes, Chapters 160, 161, 162, 163, 164, 165, 167, 169, 173, and Laws 1975, Chapter 13, Sections 52 to 75 and any other laws relating to the duties and powers of the commissioner of highways are transferred to, vested in, and imposed upon the commissioner of transportation. The position of the commissioner of highways and the department of highways as heretofore constituted are abolished.

Subd. 2. [DEPARTMENT OF AERONAUTICS.] All powers, duties, and functions now vested in or imposed upon the commissioner of aeronautics or the department of aeronautics by Minnesota Statutes, Sections 360.011 to 360.076 and 360.301 to 360.73 and 360.81 to 360.91 and any other laws relating to the duties and powers of the commissioner of aeronautics are transferred to, vested in, and imposed upon the commissioner of transportation. The position of the commissioner of aeronautics and the department of aeronautics as heretofore constituted are abolished.

Subd. 3. [DEPARTMENT OF PUBLIC SERVICE.] All powers, duties and functions now vested in or imposed upon the department of public service, the public service commission or the director of the department of public service by Minnesota Statutes, Sections 216A.10 to 216A.13 are transferred to, vested in, and imposed upon the commissioner of transportation.

Subd. 4. [STATE PUBLIC TRANSIT FINANCIAL ASSIST-

ANCE.] All duties and responsibilities assigned to the state planning agency under Laws 1974, Chapter 534, are transferred to the department of transportation.

Subd. 5. [TRANSFER APPROVAL OF COMMISSIONER OF ADMINISTRATION.] Any and all transfers of departments of public service personnel, records and funds to the department of transportation, pursuant to the provisions of this act, shall be subject to the approval of the commissioner of administration.

Subd. 6. [EFFECT OF TRANSFERS TO THE DEPARTMENT OF TRANSPORTATION.] (a) The department of transportation shall be deemed a continuation of the former department or agency as to matters within the jurisdiction of the former department or agency, which are assigned or transferred to the department by this act, with the same force and effect as though the functions, powers and duties had not been assigned or transferred, and shall not be held to constitute a new authority for the purpose of succession to all rights, powers, duties and obligations of the former department or agency, as constituted at the time of the assignment or transfer.

(b) Any proceeding, court action, prosecution, or other business or matter undertaken or commenced prior to, and pending at the time of, the passage of this act by a department or agency, whose functions, powers and duties are transferred to the department of transportation by this act, may be conducted and completed by the department of transportation in the same manner, under the same terms and conditions, and with the same effect as though it were undertaken or commenced and conducted or completed by the former department or agency prior to the transfer.

(c) Except as otherwise provided in this act, the head of a department or agency whose functions, powers and duties are transferred to the department of transportation by this act shall transfer all contracts, books, maps, plans, papers, records, and property of every description within his jurisdiction or control to the commissioner of transportation. The commissioner shall receive from the public service department all documents, records and papers necessary to perform his duties. The interdepartmental task force of transportation shall also be governed by this provision.

(d) All unexpended funds appropriated to any department, or agency for the purposes of any of its functions, powers, or duties which are transferred by this act to the department of transportation are hereby transferred to the department of transportation. When the functions, powers and duties that are affected by this act are the responsibility of the department of transportation and another department or agency, the commissioner of administration shall allocate any unexpended appropriation to the department or agency between the department of transportation and the other departments or agencies affected.

(e) Except as otherwise provided in this act, all persons employed in the classified service by a department or agency to perform any of the functions, powers or duties, which are transferred by this act to the department of transportation, are transferred to the de-

partment. The positions of all persons who are employed in the unclassified service by a department or agency to perform any of the functions, powers or duties, which are transferred by this act to the department, are abolished. Any person in the unclassified civil service whose employment position is abolished by this act and who is not appointed to an unclassified position authorized by this act may be otherwise continued in the unclassified service in the department of transportation, but for a period not to exceed 12 months from the date on which the department commences operation. Any unclassified position created for such purpose shall not be included in those authorized by section 2, subdivision 2, or section 8 of this act.

Sec. 7. [REVISOR OF STATUTES; TERMINOLOGY CHANGES.] *In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make the necessary changes in terminology to record the transfers of functions, powers and duties which are provided by this act from a department or agency to the department of transportation.*

Sec. 8. Minnesota Statutes 1974, Section 43.09, Subdivision 2a, is amended to read:

Subd. 2a. [ADDITIONAL UNCLASSIFIED POSITIONS.] Notwithstanding any other law to the contrary, the personnel board, upon the request of the governor, is hereby authorized to establish permanent unclassified positions, or to unclassify previously classified positions, provided that:

(1) Positions so established involve only deputy or assistant heads of departments or agencies, or director level positions which are not specifically established by law, and who are appointed by and report directly to a head of a department or agency who is required by law to be appointed by the governor, or by a gubernatorially appointed board; as well as one position for a personal secretary of any head of a department or agency listed in clause (3).

(2) Classified incumbents of such positions, if any, are not removed from that position for a period of one year except under applicable provisions of rules and laws governing classified state employees.

(3) If an employee in the classified civil service accepts a newly created unclassified position, he shall retain an inactive civil service status and, upon his request, the commissioner of personnel shall reappoint him to his previous classified position, or to a comparable position.

(4) Positions so established are limited in number to six in the departments of administration, corrections, finance, highways, natural resources, public safety, public welfare, and revenue; to five in the departments of commerce, education, health, labor and industry, and personnel; to four in the departments of agriculture, economic development, transportation, and employment services; to three in the departments department of aeronautics, public service, and the planning agency, and pollution control agency; and to two in the departments of human rights and veterans affairs. Departments or agencies not enumerated in

this clause shall not be authorized to establish additional unclassified positions under the provisions of this subdivision.

(5) Funds are available.

Sec. 9. Minnesota Statutes 1974, Section 360.017, Subdivision 1, is amended to read:

360.017 [STATE AIRPORTS FUND.] Subdivision 1. [CREATION.] There is hereby created a fund to be known as the state airports fund. Such fund shall consist of all moneys appropriated to it, or directed to be paid into it, by the legislature. The state airports fund shall be paid out on authorization of the commissioner and shall be used to acquire, construct, improve, maintain, and operate airports and other air navigation facilities and to assist municipalities in the acquisition, construction, improvement, and maintenance of airports and other air navigation facilities. *The state airports fund shall also be used to pay salaries and expenses in the department of transportation related to aeronautic planning, administration and operation.*

Sec. 10. [TEMPORARY PROVISIONS.] *By January 1, 1976, the commissioner of transportation, the public service commission and the director of the administrative division of the department of public service shall prepare and submit to the legislature a report recommending which, if any, of the current powers of the commission or director should be transferred to the commissioner of transportation in order to accomplish the policy as stated in section 1 of this act. The report shall include specific suggestions relating to amendments of Minnesota Statutes necessary in order to accomplish the transfers recommended in the report.*

Sec. 11. [APPROPRIATION.] *There is hereby appropriated \$150,000 from the general fund to the commissioner of transportation to be available to him upon appointment to organize the department and to initiate the study as defined in section 3, subdivision 1 (g). This appropriation shall not cancel at the end of the first year but is reappropriated for the next fiscal year.*

Sec. 12. [REPEAL.] *Minnesota Statutes 1974, Sections 4.20; 161.02; 161.03; and 360.014 are repealed.*

Sec. 13. [EFFECTIVE DATE.] *Section 2, subdivision 1, of this act is effective July 1, 1975. The remaining provisions of this act, except as provided in this section, are effective upon the appointment of the commissioner. Former departments or agencies shall continue to exercise their functions, powers and duties which are transferred by this act until the commissioner notifies the commissioner of administration that the department of transportation is ready to commence operation. In the initial organization of the department the commissioner shall designate an organizational steering committee consisting of representatives from the departments of administration, aeronautics, highways, public service and the state planning agency to assist him in the initial organization of the department."*

Further amend the title as follows:

Page 1, line 8, after "4.20;" insert "161.02;"

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. 369: A bill for an act relating to the legislature; providing for the filing of state documents with the legislature; establishing duties of legislative reference library; amending Minnesota Statutes 1974, Sections 3.195; and 3.302, Subdivision 3.

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

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

S. F. No. 540: A bill for an act relating to health; community health services; authorizing a state subsidy to local units of government for providing community health services; prescribing the powers of the state board of health; appropriating money.

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

Strike everything after the enacting clause and insert:

"Section 1. [PURPOSE; CITATION.] Subdivision 1. [PURPOSE.] The purpose of this act is to develop and maintain an integrated system of community health services under local administration with a system of state guidelines and standards.

Subd. 2. [CITATION.] Sections 1 through 12 of this act may be cited as the "community health services act".

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

Subd. 2. "Human services" means correctional, educational, employment, health, mental health, and social services.

Subd. 3. "Health services" means those personal health services provided to individuals by licensed health professionals engaged in private practice, institutional health services and community health services.

Subd. 4. "Institutional health services" means the services provided in hospitals, nursing homes and other licensed health facilities.

Subd. 5. "Community health services" means those services designed to protect and improve the people's health within a geographically defined community by emphasizing services to prevent illness, disease, and disability, by promoting effective coordination and use of community resources, and by extending health services into the community. These services include community

nursing services, home health services, disease prevention and control services, family planning services, nutritional services, dental public health services, emergency medical services, health education, and environmental health services.

Subd. 6. "Community nursing services" means public health nursing services that emphasize prevention by providing family centered nursing, including prenatal, well child, crippled child, school health, family planning, and nutritional services as well as individual and family health appraisal, screening, follow up, and referral for personal health services.

Subd. 7. "Home health services" means home nursing, physical therapy, nutrition, occupational therapy, homemakers, and home health aide services, which are provided under medical supervision.

Subd. 8. "Disease prevention and control services" means epidemiology, immunization, case finding and follow up, continuing surveillance, detection, and prevention of communicable diseases and chronic diseases including referrals for personal health services.

Subd. 9. "Family planning services" means birth control and infertility services which include education, counseling, and medical appraisal.

Subd. 10. "Nutritional services" means those activities designed to provide information about food substances which will alleviate dietary deficiencies and resulting health complications.

Subd. 11. "Dental public health services" means those organized community activities that are intended to prevent dental disease and promote dental health, including information, education and demonstration of actions that individuals and families can take to prevent dental disease and maintain dental health.

Subd. 12. "Emergency medical services" means those services which provide rapid and effective medical treatment to persons beset by a life threatening situation, at the scene of the emergency, enroute to a treatment center, and in the emergency department of that treatment center.

Subd. 13. "Health education" means those activities which develop each individual's awareness and sense of responsibility for for his own health, the health of the family, and the health of the community, including basic information concerning the availability of health services in the community.

Subd. 14. "Environmental health services" means those services designed to achieve an environment conducive to man's health, comfort, safety, and well being. These services include food protection, hazardous substances and product safety, water supply sanitation, septic tank and soil absorption type sewage disposal, water pollution control, occupational health and safety, radiation control, air pollution control, noise pollution control, vector control, institutional sanitation, recreational sanitation in-

cluding swimming pool sanitation and safety, housing code enforcement for health and safety purposes, and general nuisance control.

Subd. 15. "Population" means the total resident population as enumerated during the most recent federal census or, the annual population estimate prepared by the state planning agency in cooperation with the bureau of the census shall be used in order to have the most current data available.

Subd. 16. "Taxable value" means the adjusted assessed valuation of a county which shall be certified annually to the state board of health by the equalized assessment review committee.

Subd. 17. "Local expenditure" means the total annual expenditures financed from all sources by counties and other local units of government within a county for community health services. The county auditor shall annually certify to the state board of health the total amount of such community health services expenditures on forms and in such detail as may be prescribed by the state board of health.

Subd. 18. "Per capita income" means the average income of the residents of a particular jurisdiction as calculated by the most recent federal census.

Subd. 19. "County board" means a county board of commissioners.

Subd. 20. "Board of health" means a local board of health organized under the provisions of section 3.

Sec. 3. [LOCAL BOARD OF HEALTH; ORGANIZATION.]

Subdivision 1. [COUNTIES.] A county may by resolution organize a board of health under the provisions of this section exercising one of the following options, and assign the responsibilities of this act accordingly:

(a) Human Services Board—The county board of a county that has or hereafter establishes an operational human services board pursuant to Minnesota Statutes, Chapter 402 or Laws 1974, Chapter 293 shall assign the responsibilities of this act to the human services board.

(b) County Board—The county board may assume the responsibilities of the board of health pursuant to this act.

(c) Board of Health—The county board may assign the responsibilities of a board of health under this act to the board of health of said county organized under Minnesota Statutes, Section 145.47 to 145.55, or Laws 1969, Chapter 235.

(d) Board of Health—The county board may organize a board of health and assign the responsibilities of this act to such board of health. The board of health for a single county shall consist of five members appointed by the county board. When two or more counties combine to form a board of health, each county board shall appoint two members to the board of health.

except that the county board having the largest population shall appoint three such members. At least two members of the board of health shall be providers of health services. The remaining members shall be laymen representative of the people in the community and shall include at least one person who is not a member of the county board. Continuity of membership shall be assured by having approximately one third of the members terms expire each year. First appointments may be for less than three years, thereafter all terms shall be three years. No member shall serve more than three consecutive terms. The board shall elect a chairman and vice-chairman with terms of one year.

Subd. 2. [CITIES.] A city, located in a county with a population of 300,000 or more persons, or any city which is located in three counties, may by resolution organize a board of health under the provisions of this section exercising one of the following options, and assign the responsibilities of this act accordingly:

(a) City Council—The city council may assume the responsibilities of the board of health pursuant to this act.

(b) Board of Health—The city council may assign the responsibilities of the board to the board of health of said city organized under Minnesota Statutes, Section 145.01.

(c) Board of Health—The city council may organize a board of health and assign the responsibilities of this act to such board of health. The board of health for a single city shall consist of five members appointed by the city council. When two or more cities combine to form a board of health, each city council shall appoint two members to the board of health, except that the city council of the city having the largest population shall appoint three such members. At least two members of the board of health shall be providers of health services. The remaining members shall be laymen representative of the people in the community and shall include at least one person who is not a member of the city council. Continuity of membership shall be assured by having approximately one-third of the members' terms expire each year. First appointments may be for less than three years, thereafter all terms shall be three years. No member shall serve more than three consecutive terms. The board shall elect a chairman and a vice-chairman with terms of one year.

Subd. 3. [ADVISORY COMMITTEE.] In each case where a board of health has been assigned the responsibilities of this act a local community health services advisory committee shall be established by the respective county board or city council to advise, consult with, or make recommendations to the board of health on matters relating to the development, maintenance, funding, and evaluation of community health services. The committee shall consist of not less than nine members and no more than twenty-one members, all appointed by the governing body of the respective jurisdiction. The membership of the advisory committee shall be as follows: at least one-third providers of health services, including at least one physician, one registered

nurse, and one dentist; and at least one-third consumers selected to represent consumers organizations or constituencies within the community, provided, however, that the advisory committee to a county board of health for a county with 300,000 or more persons shall be as follows: at least 51 percent local government officials and the remainder divided equally between providers of health services and consumers. Continuity of membership of each advisory committee shall be assured by having an approximately equal number of terms expire each year. First appointments may be for less than two years, thereafter all terms shall be two years and no member shall serve more than three consecutive terms. Notwithstanding any law to the contrary, members may receive a per diem and be reimbursed for travel and other necessary expenses while engaged in their official duties, as determined by the appointing authority. The committee shall elect officers including a chairman and vice-chairman with terms of one year. The committee shall meet at least six times a year and at the call of the chairman or a majority of the members.

Sec. 4. [LOCAL BOARD OF HEALTH; AUTHORITY.] Subdivision 1. [GENERAL DUTIES.] The board of health shall have general authority and responsibility for the development and maintenance of an integrated system of community health services.

Subd. 2. [POWERS.] In addition to any other powers assigned to a board of health by sections 1 to 11, the board of health for a county shall possess all the powers and duties now assigned by law to local boards of health pursuant to Minnesota Statutes, Section 145.01 and to public health nursing and home health services agencies pursuant to Minnesota Statutes, Sections 145.08 to 145.125, provided, however, that this subdivision shall not remove or otherwise change the powers and duties of any city or township eligible for the subsidy under the provisions of section 7 of this act, or of any city of the first or second class with an existing program of community health services located within a county with a population of 300,000 or more persons until the city council of said city shall take action to allow the county to pre-empt the powers and duties of said city. Not later than 365 days after the approval of the community health services plan by the state board of health, any county or city board, committee or commission having authorities or duties in any area designated in sections 1 to 11 other than the board of health designated and acting pursuant to sections 1 to 11, shall cease its operation and no per diem or reimbursement of expenses shall be paid to any member of the board, committee, or commission.

Subd. 3. [EMPLOYEES.] The board of health may employ administrators, officers, employees, and agents as necessary to carry out the provisions of this act. Employees of the board of health shall be subject to any personnel administration rules adopted by the county board or boards or the city council or councils unless by law the employees or a class of employees shall be within the scope of a statewide personnel administration

system. All persons employed by a county, city or the state, whose functions and duties are assumed by the board of health shall become employees of the board of health without loss in benefits, salaries or rights.

Subd. 4. The board of health by any lawful means, including gifts, purchase, lease, or transfer of custodial control, may acquire and hold in the name of the county or city the lands, buildings, and equipment necessary and incident to the accomplishment of the purposes of this act and accept gifts, grants, and subsidies from any lawful source, apply for and accept state and federal funds, request and accept local tax funds, establish and collect reasonable fees for community health services provided.

Subd. 5. The board of health may contract for services from private firms, non-profit corporations, primary and secondary schools, state and local governmental agencies, or other community agencies to avoid unnecessary duplication of services and realize cost advantages. The contracts shall be employed to improve efficiency and the quality and effectiveness of services and shall give preferential consideration to existing municipal programs. Contracts shall be awarded on the basis of cost benefit comparisons and considerations.

Subd. 6. The board of health shall coordinate community health services with the delivery of personal health services, institutional health services, and related human services in the community; ensure responsible medical consultation and direction by employing a public health physician or by contracting with a local practicing physician; and coordinate community health services with health related environmental control services in the community. The board of health shall coordinate local, state, and federal services and funding for community health services.

Subd. 7. The board of health shall evaluate the effectiveness and efficiency of community health services systems and programs and as a condition of qualifying for the community health services subsidy, prepare the annual community health services plan and budget, as provided in section 10.

Subd. 8. The board of health shall identify community health needs and set priorities among the needs for the broad range of community health services including the health needs of minorities and nonresidents, including tourists and migrants, and ensure that services are accessible to all persons on the basis of need and that no one is denied services because of race, color, sex, age, language, religion, nationality, economic status, political persuasion or place of residence.

Subd. 9. The board of health shall recommend appropriate local legislation pertaining to community health services to the county board or city council and shall advise the state board of health on matters relating to public health that require assistance from the state, or that may be of more than local interest.

Subd. 10. The board of health shall publish for distribution an annual report of the activities of the board of health.

Subd. 11. When the board of health determines that there is an acute shortage of medical or other health manpower, or that there is a significant problem in providing access to health care in the area, the board of health shall address itself to the resolution of those problems. The solution may involve providing assistance to recruit medical or other health personnel to the area, or the development of suitable linkages between area medical and allied health personnel that will make more effective use of existing private, non-profit and community resources and extend health care into the community.

Sec. 5. [DUTIES OF COUNTY BOARD.] Subdivision 1. A county board of any county having a board of health organized under this act shall review and approve the community health services plan prior to the submission of the plan to the state board of health. The plan submitted by the county board shall incorporate the plans developed by any city organized under the provisions of section 3 that has established eligibility under the provisions of section 7. Upon receipt of the community health services plan, or any proposed revision, from a city, the county board shall review and act on the plan or the proposed revision within 30 days. The county board may approve the plan as written or refer the plan back to the city with comments and instructions for further consideration. The city or the county may appeal to the state board of health for resolution of differences regarding the community health services plan. A failure to act within the specified time shall constitute approval of the plan.

Subd. 2. A county board of any county having a board of health organized under this act may by ordinance adopt and enforce reasonable regulations related to the implementation and administration of sections 1 to 11, provided, however, that no county regulations shall conflict with state legislation or with higher standards established either by regulation of an agency of state government or by the provisions of the charter or ordinances of any city organized under the provisions of this act.

Sec. 6. [BUDGET; FUNDS.] Subdivision 1. On or before July 1 of each year the board of health, if other than the county board, or the joint board of two or more county boards, or the city council or councils, shall submit to the county board or boards or the city council or councils an estimate of the amount needed by the board of health to perform its duties including costs of administration for the ensuing year. The proposed plan and budget shall set forth the expected source and amounts of funds which are expected to be available to the board of health and its proposed plan of expenditures to perform its duties and responsibilities. The county board or boards or the city council or councils shall consider the estimates of income and the plan for expenditures and as the estimates and plan are approved or approved as modified, shall levy a tax within the levy limits provided by law for the purpose.

If two or more counties or cities have agreed as provided in Minnesota Statutes, Section 471.59 to a joint or multi-county

or multi-city or multi-city-county activity, the county boards or city councils party to the agreement shall determine the proportional financial responsibility of each county or city to support the programs and services of the board of health if the agreement had not provided for the division of costs or other arrangements pursuant to the agreement.

Sec. 7. [ELIGIBILITY; WITHDRAWAL.] Subdivision 1. [ELIGIBILITY OF COUNTIES.] A county or two or more contiguous counties combined under the provisions of Minnesota Statutes, Section 471.59, shall be eligible for the community health services subsidy provided in section 11 under the following conditions:

(a) There shall be an aggregate population of 30,000 or more persons in the county or multi-county area located within a region designated pursuant to Minnesota Statutes, Sections 462.381 to 462.396, or Chapter 473B. However, when three or more counties combine for the purposes of this act, the 30,000 minimum population shall not be required. When two or more counties combine for the purposes of this act, the state board of health with the approval of the regional development commissions directly involved, may waive the requirements that all counties be within a single development region; provided however, that if a single county has received an exemption for formation of a human services board pursuant to Minnesota Statutes, Section 402.01 the population base of 30,000 is waived and such county shall be eligible for participation in this act;

(b) There shall be a board of health organized under the provisions of section 3;

(c) There shall be substantial compliance with the requirements of the state board of health established under the provisions of section 8;

(d) There shall be local matching funds provided to support the community health services as provided in section 11;

(e) The plan developed under the provisions of section 10 shall be approved by both the county board and the state board of health.

Failure of a county or group of counties to elect to come within the provisions of sections 1 to 11 shall not affect their eligibility for any other state subsidy.

Subd. 2. [ELIGIBILITY OF CITIES.] A city having a city health department organized under the provisions of Chapter 145 and located in a county having a population of 300,000 or more persons, or two or more contiguous cities combined under the provisions of section 471.59, having an aggregate population of 65,000 or more persons and located in a county having a population of 300,000 or more persons, shall be eligible for the community health services subsidy under the provisions of this act if:

(a) There is a board of health organized under the provisions of section 3, subdivision 2;

(b) There is substantial compliance with the requirements established by the state board of health under the provisions of section 8;

(c) There are local matching funds provided to support the community health services as provided in section 11;

(d) The plan developed under the provisions of section 10 shall be consistent with the plan developed by the county and shall be approved by both the city council and the county board.

The city's proportionate share of the community health services subsidy shall be determined by calculating the proportion of local expenditures for community health services within the county that were expended by the city. In a county which has, or hereafter establishes, an operational human services board pursuant to section 3, subdivision 1, the subsidy payment shall be made to the human services board pursuant to Minnesota Statutes, Section 402.02, Subdivision 4. The human services board shall enter into a purchase of service contract to provide a proportional share of the subsidy to those cities that establish eligibility under the provisions of this subdivision.

Subd. 3. [ELIGIBILITY OF CITIES.] A city located within three or more counties and any contiguous political subdivision or subdivisions shall have the authority to combine, for the purposes of this act, under the provisions of Minnesota Statutes, Section 471.59, and shall be eligible for a proportional share of the subsidy provided in section 11 for the counties under the following conditions:

(a) There shall be an aggregate population of 40,000 or more persons;

(b) There is a board of health organized under the provisions of section 3;

(c) There is substantial compliance with the requirements established by the state board of health under the provisions of section 8;

(d) There are local matching funds provided to support the community health services as provided in section 11;

(e) The plan developed under the provisions of section 10 shall be approved by the city council and the governing bodies of each of the political subdivisions and by the state board of health.

The proportionate share of the subsidy for the city and any contiguous political subdivision combined with such city shall be determined by calculating the proportion of total county population that live in the city and the contiguous political subdivisions. When all three counties within which the city is located have combined under the provisions of this act, the subsidy payment shall be made to the multi-county board of health. The multi-county

board of health shall enter into a purchase of service contract to provide a proportional share of the subsidy to the city and any contiguous political subdivisions that establish eligibility under the provisions of this subdivision.

Subd. 4. [WITHDRAWAL.] Any participating county or city, may by resolution of its governing body, indicate its intention to withdraw from the subsidy program established by this act. Notification shall be given to the state board of health and to each county or city in any multi-county or multi-city combination, at least one year before the beginning of the fiscal year in which it takes effect. When two or more counties or cities have combined for the purposes of sections 1 to 11, the withdrawal provision shall not be applicable during the first two years following the adoption of the initial agreement to combine. The withdrawal of a county or city from a group of two or more counties or cities combined for the purposes of sections 1 to 11 shall not affect the eligibility for the community health services subsidy of the remaining counties or cities for at least one year following the withdrawal.

Sec. 8. [DUTIES OF THE STATE BOARD OF HEALTH.]
Subdivision 1. The state board of health shall:

(a) Provide consultation and technical training to communities to assist them in the development and provisions of services, encouraging multi-county configurations to ensure that a county will not be isolated geographically and thereby ineligible for the subsidy.

(b) Develop guidelines and recommended administrative procedures through a planning program with representation from local health boards. Adoption of these guidelines and administrative procedures by the board of health shall not be a prerequisite for plan approval.

(c) Promulgate regulations in accordance with Minnesota Statutes, Chapter 15, for the purposes of establishing standards for:

(1) Training, credentialing, and experience requirements for key personnel to ensure expertise in administration, planning, and in each services program included in the community health services plan;

(2) A uniform reporting system that will permit an assessment of the efficiency and effectiveness of service delivery programs; and

(3) A planning process that will encourage full community participation in the development of the community health services plan.

(d) Review and act on the community health services plan and any proposed revision within 60 days after receiving the plan or revision. The state board of health may approve the plan as written or refer the plan back to the applicant with comments

and instructions for further consideration. A failure to act within the specified time shall constitute approval of the plan.

(e) Provide application forms and instructions for preparation and submission of applications for the community health services subsidy, in accordance with the provisions of section 10.

Subd. 2. The state board of health may enter into an agreement as prescribed in Minnesota Statutes, Section 145.55, with any county or city or group of counties or cities organized under the provisions of section 3 to perform all or part of the licensing, inspection, and enforcement duties authorized under the provisions of Minnesota Statutes, Sections 144.075 and 144.12 and Chapter 157.

Sec. 9. [SPECIAL GRANTS.] Subdivision 1. The board may make special grants to a city, a county, or group of cities or counties to establish, operate or subsidize clinic facilities and services, including mobile clinics, to furnish community health services for migrant agricultural workers and their families in areas of the state in which significant numbers of migrant workers are located. The community health services plan submitted by the local board must contain a proposal for the delivery of such services and documentation of input by affected segments of the community to the plan in order to qualify for a grant under this section.

Subd. 2. The board may make special grants to a city, a county, or group of cities or counties to establish, operate, or subsidize clinic facilities and services to furnish community health services for native Americans who have no established county of residence. The community health services plan submitted by the local board must contain a proposal for the delivery of such services and documentation of input by affected segments of the community to the plan in order to qualify for a grant under this section.

Sec. 10. [COMMUNITY HEALTH SERVICES ADVISORY COMMITTEE.] An advisory committee is established to advise, consult with, and make recommendations to the state board of health on matters relating to the development, maintenance, funding and evaluation of community health services. Each board of health, meeting the eligibility requirements of section 7 of this act, may appoint a member to serve on the committee. The terms shall be two years and no member shall serve more than three consecutive terms. Continuity of membership shall be assured by having an approximately equal number of terms expire each year. Members may receive a per diem and shall be reimbursed for travel and other necessary expenses while engaged in their official duties. The committee shall meet at least quarterly and special meetings may be called by the chairman or a majority of the members.

Sec. 11. [COMMUNITY HEALTH SERVICES PLAN.] Subdivision 1. [PLAN CONTENT.] The community health services plan shall be a written plan for the development, implementation,

coordination, and operation of community health services that meet the priority needs of the community. Financial constraints and differing priorities may result in variations in levels of effort for different services. The plan shall include the following:

(a) A description of the process used to encourage full community participation in the development of the plan;

(b) An explanation of the extent to which the planning and service delivery systems have been integrated with the delivery of personal health services, institutional health services, health related environmental programs and services, and with related human services in the community. The plan shall include a statement of the priority needs of the community and an inventory of existing health related services in the community;

(c) Descriptions of each service program including each of the following: community nursing services, home health services, disease prevention and control services including immunization, emergency medical services, health education, and environmental health services;

(d) The projected amount and sources of funding for carrying out the plan;

(e) A report and evaluation of the two preceding years community health service programs.

Subd. 2. [PLAN SUBMISSION.] The application for a community health services subsidy and the plan and any proposed revision of the plan shall be submitted to the appropriate regional development commission or to the metropolitan council and to the state board of health. The regional development commission or the metropolitan council shall review the plan to determine conformance with regional plans developed by the health systems agency under the provisions of the National Health Planning and Resource Development Act of 1974, and submit their findings and other comments and recommendations to the state board of health within 40 days after receiving the plan.

Sec. 12. [COMMUNITY HEALTH SERVICES SUBSIDY.]
Subdivision 1. [PAYMENT.] When a city, county, or group of cities or counties meets the requirements prescribed in section 7, the state board of health shall pay the amount of subsidy to the city or county in accordance with applicable rules and regulations from the funds appropriated for the purpose. The state board of health may make an advancement of funds on a quarterly basis.

Subd. 2. [FORMULA.] To determine the amount to be paid participating cities and counties, the state board of health shall apply the following formula using the most current data available:

(a) All counties will be ranked in accordance with a formula involving three factors:

(1) Per capita income;

(2) Per capita taxable value, and;

(3) Per capita local expenditure per 1,000 population for community health services.

(b) Each county is then ranked as follows:

(1) On the basis of per capita income the ranking is from the lowest to the highest;

(2) Per capita taxable value is ranged from lowest to highest;

(3) Per capita expenditure is ranged from highest to lowest.

(c) The ranking given each county on each of the foregoing three factors is then totaled and the counties ranked in numerical order according to score.

(d) The total score for each county thus determined is then divided into a median total score. The quotient thus obtained is then multiplied by \$2.25 times the county population. The resulting product is the amount of subsidy to which the county is eligible under this formula, provided that no city or county shall receive less than \$1.75 or more than \$2.75 per capita.

Subd. 3. [LOCAL MATCH.] The amount of local matching funds required to receive the full subsidy shall be determined by multiplying the population by \$4.50 and subtracting the community health services subsidy allocated under the provisions of this section. The local matching funds may include local tax levies, gifts, fees for services and revenues from contracts. When the amount of local matching funds is less than the amount specified, the state formula subsidy shall be reduced proportionally. When a participating city or county fails to expend the full amount of the subsidy to which it would be entitled in any one year under the provisions of this act, the state board of health may, at its discretion, retain the surplus, subject to disbursement in the following year to the city or county if it can demonstrate a need for and ability to expend the surplus for the purposes provided in section 8. A city organized under the provisions of this act that levies a tax for provision of community health services shall be exempted from any county levy for the same services to the extent of the levy imposed by the city.

Sec. 13. [APPROPRIATION TRANSFER.] The commissioner of finance is authorized to transfer funds from any appropriation made to the state board of health to the appropriation provided in section 14 of this act. Such transfer shall occur after a request by the commissioner of health identifying the specific amounts from each appropriation, and the programs effected by the requested transfer. The commissioner of health shall furnish copies of each request to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 14. [APPROPRIATION.] Subdivision 1. The sum of \$1,500,000 is appropriated from the general fund to the state board of health for the fiscal year beginning July 1, 1976 and

ending June 30, 1977 for the purposes specified in sections 9 and 11."

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. 559: A bill for an act relating to public health; providing state aid for purification of municipal water supplies; appropriating money.

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 Minnesota state board of health is directed to establish a grant program for the construction of water filtration and purification systems for those communities using Lake Superior as a drinking water source. This program shall include the disbursement of funds hereinafter described for the construction of such facilities, the creation of guidelines designed to assure that such funds will be disbursed in accord with the purposes of this act, the continued surveillance of the effectiveness of constructed facilities in cooperation with other related state agencies, and such other duties of administration as may be necessary to accomplish the purposes of this act.

Sec. 2. A Lake Superior water filtration and purification fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of monies appropriated to the account and disbursements of money appropriated from the account to municipalities for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the prevention, control and abatement of water pollution.

Sec. 3. Definitions for the purposes of this act are as follows:

(1) "Agency" means the Minnesota state board of health.

(2) "Municipality" means any city or any other governmental subdivision having the power or duty to provide drinking water to cities of this state and using Lake Superior as the source of such drinking water.

(3) "Eligible cost" as used by this act shall include all costs incurred by a municipality including acquisition of necessary real and personal property, engineering, system cleaning, construction, alteration, improvements, inspection, supervision of construction and all other costs related to the construction and establishment of a permanent water filtration or purification system. Such costs shall be eligible even if incurred prior to the effective date of this act.

(4) "Municipal water purification system" shall include all properties, real or personal, determined by a municipality and

the state to be necessary for the elimination of polluting or potentially injurious substances from water used for municipal water supply purposes.

Sec. 4. The sum of \$2,500,000 is appropriated from the state treasury general fund to the account created in section 2 of this act to be granted and disbursed to municipalities in accordance with the purposes of this act. Grants shall be made in accordance with the guidelines created under authority of section 1 of this act and shall not exceed 33 percent of the eligible project cost as hereinbefore defined. However, these grants shall not be made until matching funds are available.

Sec. 5. Any recipient of financial assistance shall pursue its remedies under the permits granted to the discharges or subrogate to the state those remedies for purposes of obtaining reimbursement of the state funds expended for the purposes of this act. The board of health shall at the time of any disbursement of funds under this act enter into necessary agreements for such reimbursement. This agreement shall insure that the state receives reimbursement for expenditures under this act prior to any distribution to a plaintiff community, except that legal expenses incurred by the community shall precede any distribution to the state.

Sec. 6. The Minnesota state board of health is hereby authorized to expend up to 2 percent of the amount appropriated in section 5 to administer grant programs created under the provisions of this law.

Sec. 7. This act is effective upon final enactment."

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. 1798: A bill for an act relating to the organization and operations of state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.

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

Strike everything after the enacting clause and insert:

"Section 1. The sums hereinafter set forth and designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury or any other fund herein designated, to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures "1975", "1976" and "1977" wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1975, June 30, 1976, and June 30, 1977, respectively.

		APPROPRIATIONS Available for the Year Ending June 30,	
		1976	1977
Sec. 2 LEGAL DIVISION		\$	\$
Subdivision 1. Salaries		400,000	400,000
Subd. 2. Supplies and Expense		18,000	18,000
Sec. 3. ADMINISTRATIVE OPERATIONS			
Subdivision 1. Salaries		2,700,000	2,700,000
Subd. 2. Supplies and Expense		1,700,000	1,700,000
Subd. 3. Port of Entry Study		10,000	
<p>The department of highways, in cooperation with the department of public safety, shall develop a plan for a Port of Entry system. Such plan shall include, but not be limited to: proper locations, cost for development, costs of operations, amount of truck traffic, anticipated revenues resulting from a Port of Entry system, plan of operating and enforcing such system, and anticipated problems or difficulties. Information from other states having Port of Entry systems shall be utilized in developing this plan. The department of highways shall submit the plan on or before November 15, 1975.</p>			
Sec. 4. MAINTENANCE, SALARIES, SUPPLIES AND EXPENSE		52,687,166	51,922,446
Sec. 5. HIGHWAY DEVELOPMENT SUPPORT, SALARIES, SUPPLIES AND EXPENSE		35,000,000	35,000,000
Sec. 6. RESEARCH AND STANDARDS, SALARIES, SUPPLIES AND EXPENSE		1,000,000	1,000,000
Sec. 7. STATE AID ADMINISTRATION, SALARIES, SUPPLIES AND EXPENSE		237,916	237,916
Sec. 8. PLANNING AND PROGRAMMING SALARIES, SUPPLIES AND EXPENSE		2,600,000	2,600,000

APPROPRIATIONS
Available for the Year
Ending June 30,
1976 1977

	\$	\$
Sec. 9. EQUIPMENT	4,253,120	5,290,811
Sec. 10. BUILDINGS AND IMPROVEMENTS	1,759,830	
<p>This includes funds for the construction of equipment storage buildings at Nopeming, Hibbing, Bagley, Karlstad, St. Peter, Cannon Falls and Wells; plus various remodeling and improvements.</p>		
Sec. 11. INTERSTATE SAFETY REST AREAS	299,805	

Sec. 12. FEDERAL/STATE SAFETY ACCOUNT. The commissioner of highways may continue the Federal/State Safety Account established by Laws 1973, Chapter 718, Section 14, within the trunk highway fund, and he may transfer unobligated appropriation balances from the appropriations in sections 3 through 8 to said account if needed to advance state funds for approved federal highway safety projects; and may receive funds from state or local government agencies to be used for projects under the Federal Highway Safety Program. All federal reimbursements shall be deposited in the state treasury and are hereby appropriated to the Federal/State Account and will be available until June 30, 1977.

Sec. 13. TRANSFER OF FUNDS. Authority is hereby granted to the commissioner of highways to transfer unobligated appropriation balances between the various accounts and appropriations in sections 3 through 11.

Sec. 14. Notwithstanding any provisions of Minnesota Statutes, Section 161.50, to the contrary, the standing appropriation authority for maintenance of trunk highways, for construction operations, research, standards, state aid and planning and programming are hereby suspended and made inoperative. This section has no application to moneys for the actual construction or reconstruction of highways and for the actual payment to landowners for lands acquired for highway right of way and other costs necessary to construction and acquisition such as payments to leases, interest subsidies and relocation expenses.

Sec. 15. APPROPRIATION CANCELLATIONS. The commissioner of highways may at any time cancel back to the trunk highway fund any unobligated balance of the appropriations made in sections 3 through 11 for the purpose of providing funds for highway land purchase and road and bridge construction.

Sec. 16. CONTINGENCY ACCOUNT. If any of the appropriations made in sections 3 through 8 are insufficient, the commissioner of highways, with the approval of the Governor, may expend any of the moneys in the trunk highway fund standing appropriation for purposes enumerated in these sections after consultation with the legislative advisory committee in the manner provided in Minnesota Statutes, Section 3.30.

Sec. 17. UNOBLIGATED BALANCES ON HAND, CANCELED INTO TRUNK HIGHWAY FUND. Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby shall cancel into the trunk highway fund as of June 30 of any fiscal year.

Sec. 18. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Sec. 19. Minnesota Statutes 1974, Section 161.35, is amended to read:

161.35 [EMPLOYMENT OF CONSULTANTS.] Until July 1, 1975, The commissioner, *with prior approval of the commissioner of personnel*, is authorized to employ and engage the services of registered professional engineers, engineering firms, and registered land surveyors, to act as consultants in connection with and to prepare plans and specifications or to perform aerial photography and survey work preliminary to the preparation of plans and specifications themselves or by their organizations and employees for the construction of trunk highways, and the commissioner is authorized to negotiate for and agree upon the terms and compensation for such employment and services. If the commissioner employs and engages an engineering firm, the person or persons in responsible charge of the work or service to be performed shall be registered professional engineers or land surveyors.

Provided, however, that the commissioner shall make available to the legislature a list of such consultants, the tasks for which they were hired, and the amount of compensation which they received.

Sec. 20. Minnesota Statutes 1974, Section 161.39, Subdivision 5a is amended to read:

Subd. 5a. The trunk highway fund shall be reimbursed for moneys expended by the highway department in performing services for the public service commission. The reimbursement shall not exceed \$25,500 each year from the general fund, and \$21,100 each year from the Minnesota highway safety account, section 210.401.

Sec. 21. PERSONNEL POLICY. The policy objective of this section is to develop improved productivity in the department of highways thereby reducing the number of full-time employees.

The appropriations in sections 2 through 8 are based upon a reduction of full-time employees during the period commencing with the department of highways' hiring freeze initiated on April 4, 1975, and ending June 30, 1977. During this period the commissioner of highways shall set staffing levels for each organizational unit of the department as the work program requires, identify surplus positions and schedule personnel reductions, first making use of reduction through transfers to other departments and normal attrition, and then shall use mandatory layoff procedure under the provisions of the department of personnel rules and regulations of the collective bargaining agreement, as applicable, in order to meet this objective. The commissioner shall report quarterly to the Governor and Legislative Advisory Committee on progress towards achieving this policy objective.

Sec. 22. Minnesota Statutes 1974, Section 161.355, Subdivision 2, is repealed."

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

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

S. F. No. 1220: A bill for an act relating to highways; directing the department of highways to utilize a certain corridor in Washington county for the construction of interstate highway marked No. I 94.

Reports the same back with the recommendation that the report from the Committee on Metropolitan and Urban Affairs shown in the Journal for May 9, 1975 that "the bill do pass" be adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 1253, 100, 540, 1220 and 559 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. Nos. 525, 369 and 1798 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Saturday, May 17, 1975. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate