

NINETY-NINTH DAY

St. Paul, Minnesota, Friday, March 26, 1976

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

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

Anderson	Fitzsimons	Keefe, S.	Olson, J. L.	Spear
Arnold	Gearty	Kleinbaum	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Patton	Stumpf
Borden	Hansen, Mel	Laufenburger	Perpich, G.	Tennessen
Chmielewski	Hanson, R.	Milton	Pillsbury	Ueland
Coleman	Hughes	Moe	Purfeerst	Wegener
Davies	Jensen	North	Schmitz	Willet
Dunn	Josefson	Olson, A. G.	Sillers	

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

Prayer was offered by the Chaplain, Rev. Terrance W. Berntson.

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

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

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. McCutcheon was excused from the Session of today. Mr. Conzemius was excused from the Session of today until 11:00 o'clock a.m. Messrs. Ashbach, Fitzsimons, Larson, and Olson, A. G.

were excused from the Session of today at 3:30 o'clock p.m. Mr. Hanson, R. was excused from the Session of today at 3:45 o'clock p.m. Messrs. Berg and Olson, J. L. were excused from the Session of today at 4:00 o'clock p.m. Mr. Tennessen was excused from the Session of today from 10:15 o'clock a.m. until 2:15 o'clock p.m.

Pursuant to Rule 21, Mr. Coleman moved that the following members be excused for a Conference Committee on H. F. No. 2072:

Messrs. Perpich, A. J.; Coleman; Larson; Lewis and Blatz. The motion prevailed.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 24, 1976

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. 1862, An act relating to motor vehicles; registration and taxation; removing certain requirements for notarization; amending Minnesota Statutes, 1975 Supplement, Section 168.10, Subdivision 1.

S. F. No. 1967, An act relating to trusts; administration of express trusts by cities; amending Minnesota Statutes 1974, Section 501.11.

S. F. No. 2057, An act relating to the city of Duluth; liquor license for the arena-auditorium complex; amending Laws 1967, Chapter 406, Section 1, Subdivision 1.

Sincerely,

Wendell R. Anderson, Governor

March 25, 1976

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 File:

S. F. No. 1866, An act relating to Blue Earth county; welfare board; authorizing the welfare board to maintain certain contingency funds.

Sincerely,

Wendell R. Anderson, Governor

March 25, 1976

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. 345, An act relating to insurance; providing for indemnification and subrogation in certain cases; amending Minnesota Statutes 1974, Section 65B.53; repealing Minnesota Statutes 1974, Section 65B.62.

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

S. F. No. 612, An act relating to retirement; withdrawal of share values by members of the unclassified employees retirement program; amending Minnesota Statutes, 1975 Supplement, Section 352D.05, Subdivision 3.

S. F. No. 1120, An act relating to flood plain management; providing for a program of grants to local government units for the construction of floodwater retention and retarding structures; appropriating money; amending Minnesota Statutes 1974, Chapter 104, by adding sections.

S. F. No. 1308, An Act relating to natural resources; clarifying procedures for acquisition of wildlife lands; modifying the definition of beneficial public purpose; requiring a material beneficial public purpose 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; establishing a state water bank program for public waters; appropriating money; amending Minnesota Statutes 1974, Sections 105.37, Subdivision 6, and by adding subdivisions; 105.38; 105.42, Subdivision 1a; 106.021, Subdivisions 2 and 6; 106.031, Subdivision 1; 106.081, Subdivisions 1, 3 and 4; 106.091, Subdivisions 1 and 2; 106.101, Subdivisions 4 and 5; 106.111, Subdivision 1; 106.121, Subdivisions 1 and 4; 106.131; 106.201, Subdivisions 1 and 2; and Chapter 105, by adding sections; and Minnesota Statutes, 1975 Supplement, Section 97.481.

S. F. No. 1456, An Act relating to soil and water conservation; providing for the operation of the soil and water conservation commission; amending Minnesota Statutes, 1975 Supplement, Section 40.03, Subdivision 1; Minnesota Statutes 1974, Sections 40.03, Subdivisions 2 and 4; and 40.06, Subdivision 2.

S. F. No. 1576, An act relating to retirement; police pensions in cities of Crookston and Thief River Falls.

S. F. No. 1763, An act relating to motor vehicle sales finance companies; establishing fees and permitting refunds of fees; requiring written agreements to extend, defer or renew contracts; amending Minnesota Statutes 1974, Sections 168.67; and 168.74.

S. F. No. 1996, An act relating to counties; authorizing county boards to furnish board and certain other services to prisoners in county jails; amending Minnesota Statutes.

S. F. No. 2068, An act authorizing the conveyance by the state of a certain easement over certain lands in the county of Washington.

S. F. No. 2152, An act relating to anatomical gifts; eye enucleation; authorizing eye enucleation upon pronouncement of death by a physician; amending Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6.

S. F. No. 2355, An act relating to state employees; limiting severance allowances for certain employees; amending Minnesota Statutes, 1975 Supplement, Section 43.224.

Sincerely,
Wendell R. Anderson, Governor

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Borden introduced—

S. F. No. 2592: A bill for an act proposing an amendment to the Minnesota Constitution, adding a section to Article IV; providing for referenda.

Referred to the Committee on Judiciary.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S. F. Nos. 1928 and 2210.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 25, 1976

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. 2375: A bill for an act relating to education; right to read program; appropriating money.

Senate File No. 2375 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 25, 1976

Mr. Coleman moved that S. F. No. 2375 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 2288: A bill for an act relating to Indian affairs; renaming the board on Indian affairs; providing a change in membership for the board; creating an advisory council; changing the duties of the board; appropriating money; amending Minnesota Statutes 1974, Section 3.922, as amended.

Senate File No. 2288 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 25, 1976

Mr. Willet moved that the Senate do not concur in the amendments by the House to S. F. No. 2288 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 has adopted the recommendation and report of the Conference Committee on House File No. 943, and repassed said bill in accordance with the report of the committee so adopted.

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

House File No. 943 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 25, 1976

Mr. Merriam moved that H. F. No. 943 and the Conference Committee Report thereon be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted with the exception of the report pertaining to appointments. The motion prevailed.

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

S. F. No. 2584: A resolution urging Congress and the President to establish the Solar Energy Research Institute in Minnesota.

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

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

S. F. No. 2126: A bill for an act relating to the legislature; establishing an advisory council on the economic status of women; appropriating money.

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

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

S. F. No. 1995: A bill for an act relating to the state transportation system; creating the Minnesota state transportation fund; appropriating money therefrom for construction and reconstruction of bridges and bridge approaches; authorizing the issuance of state bonds therefor pursuant to article XI of the constitution.

Reports the same back with the recommendation that the report of the Committee on Finance shown in the Journal for March 17, 1976 that "when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Hansen, Baldy, from the Committee on Labor and Commerce, to which was referred the following appointment as reported in the Journal for March 18, 1976:

OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD

Jack Fena

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

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

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

H. F. No. 1608 for comparison to companion Senate Files, reports the following House File was found not identical with its companion Senate File as follows:

CALENDAR OF ORDINARY MATTERS					
GENERAL ORDERS		CALENDAR			
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1608	1579				

Pursuant to Rule 49 the Committee on Rules and Administration recommends that H. F. No. 1608 be amended as follows:

Page 1, line 6, delete "\$165,000" and insert "\$315,000"

Page 1, line 12, delete "\$10,000" and insert "\$100,000"

Page 1, line 14, delete "\$25,000" and insert "\$65,000"

Page 1, line 15, delete "\$40,000" and insert "\$50,000"

Page 1, line 16, delete "\$40,000" and insert "\$50,000"

An when so amended, H. F. No. 1608 will be identical to S. F. No. 1579 and further recommends that H. F. No. 1608 be given its second reading and substituted for S. F. No. 1579 and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S. F. Nos. 2584, 2126 and 1995 were read the second time.

SECOND READING OF HOUSE BILLS

H. F. No. 1608 was read the second time.

MOTIONS AND RESOLUTIONS

S. F. No. 499 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 499

A bill for an act relating to insurance; authorizing an insurer to refuse to renew an automobile insurance policy under certain circumstances; amending Minnesota Statutes 1974, Section 65B.17.

March 23, 1976

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. 499, report that we

have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 499 be further amended as follows:

Page 2, line 13, before the period, insert: "*; provided, however, that this provision for nonrenewal for failure to pay dues shall not be applicable to persons who are retired at age 62 years of age or older or who are disabled, according to Social Security standards*"

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

Senate Conferees: (Signed) Roger Laufenburger, Gene Merriam, Otto Bang, Jr.

House Conferees: (Signed) Norman Pahl, Russell Stanton

Mr. Laufenburger moved that the foregoing recommendations and Conference Committee Report on S. F. No. 499 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

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

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 37 and nays 21, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Josefson	Nelson	Spear
Bang	Dunn	Keefe, S.	North	Stassen
Berg	Fitzsimons	Kirchner	Olson, J. L.	Stokowski
Bernhagen	Gearty	Kleinbaum	Patton	Ueland
Blatz	Hansen, Baldy	Laufenburger	Renneke	Wegener
Brataas	Hansen, Mel	Lewis	Schaaf	
Chmielewski	Hanson, R.	Merriam	Schmitz	
Davies	Humphrey	Milton	Schrom	

Those who voted in the negative were:

Ashbach	Jensen	Moe	O'Neill	Purfeerst
Borden	Keefe, J.	Ogdahl	Perpich, A. J.	Sillers
Brown	Kowalczyk	Olhoft	Perpich, G.	Tennessen
Frederick	Larson	Olson, A. G.	Pillsbury	Willet
Hughes				

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Lewis moved that S. F. No. 2375 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. 2375 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2375: A bill for an act relating to education; reading program; appropriating money.

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 57 and nays 2, as follows:

Those who voted in the affirmative were:

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

Mr. Ashbach and Mrs. Brataas voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 1740 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1740

A bill for an act relating to counties; authorizing county boards to establish personnel departments; providing for county personnel administration on an integrated, merit basis.

March 24, 1976

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. 1740 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1740 be amended as follows:

Page 4, delete lines 9 to 12

Reletter the following clause in sequence

Page 6, line 2, before the period insert “; provided that no positions subject to merit systems established pursuant to Minnesota Statutes, Sections 12.22, Subdivision 3; 144.071; and 393.07, Subdivision 5, shall be removed from existing merit system coverage and placed under a personnel department established pursuant to this act, until that personnel department is certified by the United States Civil Service Commission as meeting the operating standards of a merit system”

Page 6, line 13, before “For” insert “Subdivision 1.”

Page 6, line 16 delete “179.77” and insert “179.76”

Page 6, line 26, delete the period and insert: “for all employees of the county, including employees under the jurisdiction of an appointing authority other than the county board.

Subd. 2. Any employee holding a position covered by this act shall, upon the effective date of the establishment of a county personnel administration system, retain his position without further examination and suffer no loss in wages, seniority or benefits as the result of the implementation of this act.”

Page 9, after line 15, insert:

“Sec. 15. Notwithstanding any law to the contrary, any county may receive financial assistance from agencies of the United States, and plan for, and carry out comprehensive manpower services as provided for in the Emergency Employment Act of 1971, as amended, and the Comprehensive Employment and Training Act of 1973, as amended.”

Renumber the remaining sections in order

Page 9, line 16, before “Nothing” insert “Subdivision 1.”

Page 9, line 18, after “act” insert “or prohibit recourse to any remedies provided in the Minnesota human rights act”

Page 9, after line 23, insert

“Subd. 2. Nothing in sections 1 to 14 shall be construed to affect the rights and obligations of employees and employers under the provisions of Minnesota Statutes, Sections 179.61 to 179.76, or to in any way supersede provisions regarding public employment relationships under the public employment labor relations act of 1971, as amended, or the provisions of any contracts or agreements executed pursuant thereto.”

Further, amend the title as follows:

Line 5, after “basis” insert “; authorizing counties to conduct manpower programs and services”

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

Senate Conferees: (Signed) Wayne Olhoft, Carl A. Jensen, Gerald L. Willet

House Conferees: (Signed) A. O. H. Setzepfandt, Bob McEachern, Donald Friedrich

Mr. Olhoft moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1740 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1740: A bill for an act relating to counties; authorizing county boards to establish personnel departments; providing for county personnel administration on an integrated, merit basis.

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 54 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Josefson voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Borden moved that H. F. No. 404 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H. F. NO. 404

A bill for an act relating to banks; cash reserves of banks and trust companies; recordkeeping of savings associations; amending Minnesota Statutes 1974, Sections 48.22; and 51A.19, Subdivision 4.

March 17, 1976

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 404 report that

we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 404 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 47.20, is amended to read:

47.20 [USE OF FEDERAL ACTS.] Pursuant to such regulations as the commissioner of banks finds to be necessary and proper, if any, banks, savings banks, mutual savings banks, building and loan associations, and savings and loan associations organized under the laws of this state or the United States, trust companies, trust companies acting as fiduciaries, and other banking institutions subject to the supervision of the commissioner of banks, and mortgagees or lenders approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs, are authorized:

(1) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are insured or *guaranteed* by the secretary of housing and urban development pursuant to the national housing act, as amended, or the administrator of veterans affairs pursuant to the servicemen's readjustment act of 1944, as amended, and to obtain such insurance or *guarantees* ;

(2) To make such loans secured by mortgages on real property which the secretary of housing and urban development or the administrator of veterans affairs has insured or *guaranteed* or made a commitment to insure or *guarantee* , and to obtain such insurance or *guarantees* .

Sec. 2. Minnesota Statutes 1974, Section 48.153, is amended to read:

48.153 Any bank organized under the laws of this state, or any national banking association doing business in the state, making any loan of money not exceeding \$25,000 repayable in installments, may make a charge for such loan computed at a rate not exceeding six percent per annum upon the total amount of the loan from the date thereof until the stated maturity date of the final installment thereof, which shall not exceed 12 years and thirty two days from the date of the loan, notwithstanding that such loan is required to be repaid in installments or that the loan is secured by mortgage, pledge, or other collateral or by a deposit account opened concurrently with the making of the loan and assigned as collateral security therefor, which deposit account may evidence deposits made or required to be made periodically, with or without interest, throughout the term of said loan. If the charge computed on any installment loan, single payment or demand loan shall be less than \$10, the amount so

charged may nevertheless be \$10. Any charge authorized by sections 48.153 to 48.157 may be included in the principal amount of the note or other instrument evidencing said loan and the aggregate amount thereof be payable in installments. [INSTALLMENT LOANS, FINANCE CHARGES, MINIMUM CHARGES.] Any bank organized under the laws of this state, or any national banking association doing business in this state, making any loan of money not exceeding \$25,000 repayable in installments, may make a finance charge for such loan to be computed at a rate which does not exceed 12 percent per annum upon the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral. Any savings bank organized pursuant to Minnesota Statutes, Chapter 50, and having its principal place of business in this state, may make a loan for consumer purposes to any natural person in an amount not exceeding \$7,500 repayable in installments, and may make a finance charge for the loan to be computed at a rate not exceeding 12 percent per annum on the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of five years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge or other collateral. Charges in reference to installment loans under this section shall be computed and collected only on the unpaid principal balance of the amount financed actually outstanding. One day's finance charge shall mean an amount equal to $1/365$ of the per annum rate provided for in an installment loan. If the total finance charge determined on an installment loan, single payment or demand loan shall be less than \$10 the amount charged may nevertheless be \$10.

Sec. 3. Minnesota Statutes 1974, Section 48.154, is amended to read:

48.154 The borrower may repay the entire balance of such a loan at any time, and upon such prepayment the borrower shall be entitled to a refund, computed at the rate at which the original charge was computed, upon the amount so prepaid from the date of such prepayment to the stated maturity date of the final installment, provided, that in any event the lender may retain at least \$5 of the original charge. [PREPAYMENT, EXTENSION OF TERMS.] The borrower may repay the entire balance or any portion of the balance of an installment loan in advance without penalty. An installment loan contract may provide that the parties, before or after default, may agree in writing to an extension of all or part of the unpaid installments and collect as an extension fee a finance charge not exceeding that rate agreed to in the original loan contract. No such extension shall be permitted to cause repayment of a loan to exceed those maturities set down in section 48.153. One day's finance charge shall mean an amount equal to $1/365$ of the per annum rate provided for in an installment loan.

Sec. 4. Minnesota Statutes 1974, Section 48.155, is amended to read:

48.155 [ALLOWABLE ADDITIONAL CHARGES.] No charge other than those provided for in sections 48.153 and 48.154 shall be made directly or indirectly for any such *installment* loan except that there may be charged to the borrower or included in the amount financed :

(a) In case of default, to collect a delinquency and collection charge on each installment in arrears for a period of not less than ten days in an amount not in excess of five percent of the unpaid amount of each installment or \$5, whichever is less. A delinquency charge may be collected only once on an installment however long it remains in default. No delinquency charge may be collected on an installment which is paid in full within 10 days after its scheduled installment due date even though an earlier maturing installment or a delinquency charge on an earlier installment may not have been paid in full. For purposes of this paragraph payments are applied first to current installments and then to delinquent installments;

(b) (a) Any lawful fees paid or to be paid by the lender for any abstract or to any public officer for filing, recording, or releasing in any public office or for acknowledging any instrument securing the loan;

(c) (b) Any lawful premium or charge for insurance protecting the lender against the risk of loss from not filing or recording a security agreement or financing statement and in lieu of filing thereof. Such premium or charge shall not exceed the actual premium or charge made by the insurance company to the lender and in no event in excess of the costs if the document were actually filed, recorded, or released in any public office;

(d) (c) The premium on any life, property or other insurance taken as security for the loan; provided, that the borrower has acknowledged by his signature that he has been notified in writing that he may himself, at his own cost, procure and deposit with the lender any such insurance if written by a responsible company. Such premium may be included as part of the loan.

Sec. 5. Minnesota Statutes 1974, Chapter 48, is amended by adding a section to read:

[48.185] [OPEN END LOAN ACCOUNT ARRANGEMENTS.] Subdivision 1. Any bank organized under the laws of this state, any national banking association doing business in this state, and any savings bank organized and operated pursuant to Minnesota Statutes, Chapter 50, may extend credit through an open end loan account arrangement with a debtor, pursuant to which the debtor may obtain loans from time to time by cash advances, purchase or satisfaction of the obligations of the debtor incurred pursuant to a credit card plan, or otherwise under a credit card or overdraft checking plan.

Subd. 2. No bank shall extend credit which would cause the total outstanding balance of the debtor on accounts created pursuant to the authority of this section to exceed \$7,500. No savings bank shall extend credit which would cause the outstanding balance

of the debtor to exceed \$5,000, nor shall it extend such credit for any purposes other than personal, family or household purposes, nor shall it extend such credit to any person other than a natural person.

Subd. 3. A bank or savings bank may collect a periodic rate of finance charge in connection with extensions of credit pursuant to this section, which rate does not exceed one percent per month computed on an amount no greater than the average daily balance of the account during each monthly billing cycle. If the billing cycle is other than monthly, the maximum finance charge for that billing cycle shall be that percentage which bears the same relation to one percent as the number of days in the billing cycle bears to 30.

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

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

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

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

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

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

Subd. 6. This section shall apply to all open end credit transactions of a bank or savings bank in extending credit under an open end loan account or other open end credit arrangement to persons who are residents of this state, if the bank or savings bank induces such persons to enter into such arrangements by a continuous and systematic solicitation either personally or by an agent or by mail, and retail merchants and banks or savings banks within this state are contractually bound to honor credit cards issued by the bank or savings bank, and the goods, services and loans are delivered or furnished in this state and payment is made from this state. A term of a writing or credit card device executed or signed by a person to evidence an open end credit arrangement specifying:

- (a) *that the law of another state shall apply;*
- (b) *that the person consents to the jurisdiction of another state; and*
- (c) *which fixes venue;*

is invalid with respect to open end credit transactions to which this section applies. An open end credit arrangement made in another state with a person who was a resident of that state when the open end credit arrangement was made is valid and enforceable in this state according to its terms to the extent that it is valid and enforceable under the laws of the state applicable to the transaction.

Subd. 7. Any bank or savings bank extending credit in compliance with the provisions of this section, which is injured competitively by violations of this section by another bank or savings bank, may institute a civil action in the district court of this state against that bank or savings bank for an injunction prohibiting any violation of this section. The court, upon proper proof that the defendant has engaged in any practice in violation of this section, may enjoin the future commission of that practice. Proof of monetary damage or loss of profits shall not be required. Costs and attorneys' fees may be allowed to the plaintiff, unless the court directs otherwise. The relief provided in this subdivision is in addition to remedies otherwise available against the same conduct under the common law or statutes of this state.

Service of process shall be as in any other civil suit, except that if a defendant in the action is a foreign corporation or a national banking association with its principal place of business in another state, service of process may also be made by personal service outside the state, or in the manner provided by Minnesota Statutes, Section 303.13, Subdivision 1, Clause (3), or in such manner as the court may direct. Process is valid if it satisfies the requirements of due process of law, whether or not defendant is doing business in Minnesota regularly or habitually.

Sec. 6. Minnesota Statutes 1974, Section 48.22, is amended to read:

48.22 [CASH RESERVES.] Subdivision 1. [REQUIREMENTS.] ~~It~~ *A state bank or trust company shall always keep a reserve equal to ~~12~~ seven percent of its demandable liabilities and ~~three two~~ percent of its time deposits; which shall be in cash, cash items in process of collection and balances due on demand from solvent banks in the United States or its territories. No bank or trust company shall act as reserve agent for another without the approval of the commissioner if its capital and surplus are less than \$100,000. When its reserve shall become impaired, it shall make no new loans or discounts except upon sight bills of exchange, nor declare any dividend until the same has been fully restored.*

Subd. 2. [FAILURE TO MEET REQUIREMENTS.] *If on any one day, ~~such~~ a state bank or trust company's reserve shall*

not meet requirements, it shall not constitute a violation for the purposes of section 48.22 provided that the average reserve for each biweekly period ending on the last business day of alternate calendar weeks and to include the actual number of such business days, shall equal or exceed minimum requirements as provided in subdivisions 1 and 3. The cash reserves of each bank or trust company shall be the amount available at the end of the day for which such reserve is maintained. The amount of the reserve required for such day under subdivision 1 shall be based upon the total deposits at the close of the previous business day. By appropriate action of the board of directors at any meeting, a bank or trust company, with subsequent 30 days notice to the commissioner as to the effective date, may exercise the option of adopting a biweekly period for the purpose of this subdivision which will end on Wednesday of alternate calendar weeks. At such a meeting and with the previous approval of the commissioner, a bank or trust company may establish a biweekly period other than provided herein and with such effective date as the commissioner may prescribe. For each such biweekly period in which the average reserve shall become deficient, such bank or trust company shall pay a fine of \$50 or an amount equivalent to ~~eight~~ 12 percent per annum based on the average deficiency for such period, whichever is greater. Such fine shall be payable to the commissioner on his making a request for payment.

Subd. 3. [STATE BANKS, CHANGE IN REQUIREMENTS.] Whenever the commissioner of banks shall determine that the maintenance of sound banking practices or the prevention of injurious credit expansion or contraction makes action advisable, he may ~~make an order changing the~~ by directive change his requirements as to reserves against demand or time deposits, or both, in state banks or trust companies which are not members of the Federal Reserve System. The reserve requirements established in any such ~~order directive~~ shall not be less than the requirements contained in subdivision 1, nor more than those required of member banks of the Federal Reserve System on the date that the ~~order directive~~ is ~~made~~ issued by the commissioner unless these reserve requirements are less than those contained in subdivision 1.

Subd. 4. [FEDERAL RESERVE BANK MEMBERS EXEMPT.] Any state bank or trust company which is a member of a federal reserve bank shall ~~maintain and maintains~~ such reserves with such federal reserve bank as are required by or pursuant to the federal reserve act and so long as it complies with the requirements of such federal reserve act with reference to reserves shall be exempt from the preceding provisions relating to reserve requirements.

Subd. 5. [SAVINGS CERTIFICATES, WHEN DEMANDABLE.] Savings certificates issued by state banks and trust companies on the basis of being renewed on an optional basis for a period of not to exceed ten days shall not be considered as demandable liabilities during such option periods for the purposes of this section.

Subd. 6. [INVESTMENT IN SHORT TERM FEDERAL OBLIGATIONS.] Not more than 30 percent of a ~~bank's state bank or trust company's~~ reserves may be invested in *direct* obligations of the United States Treasury which mature within one year from the date such obligations are first considered as a part of the ~~bank's bank or trust company's~~ reserve. *Obligations which constitute reserves shall be segregated on the books and records of the bank or trust company as required by directive of the commissioner of banks. Obligations which constitute reserves shall not be used to secure any municipal deposits or as collateral for any purpose while held as a part of the reserves required by this section. Reserves of a state bank or trust company shall not be invested in obligations of agencies of the United States.*

Sec. 7. Minnesota Statutes 1974, Section 51A.19, Subdivision 4, is amended to read:

Subd. 4. [BOOKS TO BE CLOSED AT LEAST ANNUALLY.] Every association shall close its books at the close of business on ~~June 30 and December 31 of each year, or more often if authorized for all associations by the commissioner if desired by the association.~~

Sec. 8. *Minnesota Statutes 1974, Sections 50.161, 50.162, 50.163, 50.164, and 50.165 are repealed.*

Sec. 9. [EFFECTIVE DATES.] *This section and sections 1 and 5 are effective the day following their final enactment. The remaining provisions of this act are effective July 1, 1976."*

Further, strike the title and insert:

"A bill for an act relating to financial institutions; allowing loans guaranteed by certain federal authorities; providing for certain installment loans and open end loan accounts; establishing certain recordkeeping and reserve requirements; providing certain remedies; amending Minnesota Statutes 1974, Sections 47.20; 48.153; 48.154; 48.155; 48.22; and 51A.19, Subdivision 4; and Chapter 48, by adding a section; repealing Minnesota Statutes 1974, Sections 50.161 to 50.165."

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

House Conferees: (Signed) Bernard J. Brinkman, B. J. Philbrook, Ronald B. Sieloff

Senate Conferees: (Signed) Winston W. Borden, Baldy Hansen, Otto T. Bang, Jr.

Mr. Borden moved that the foregoing recommendations and Conference Committee Report on H. F. No. 404 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.

H. F. No. 404: A bill for an act relating to financial institutions; allowing loans guaranteed by certain federal authorities; providing for certain installment loans and open end loan accounts; establishing certain recordkeeping and reserve requirements; providing certain remedies;

amending Minnesota Statutes 1974, Sections 47.20; 48.153; 48.154; 48.155; 48.22; and 51A.19, Subdivision 4; and Chapter 48, by adding a section; repealing Minnesota Statutes 1974, Sections 50.161 to 50.165.

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 54 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 500:

Messrs. Humphrey, Borden, Bernhagen, McCutcheon and Hanson, R. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 1383 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1383

A bill for an act relating to metropolitan government; regulating solid waste; amending Laws 1975, Chapter 13, Sections 1, by adding subdivisions; 11, Subdivision 1; 139; 140, Subdivision 1; 141; 142; 143; and 144; and by adding sections; repealing Laws 1975, Chapter 13, Section 140, Subdivision 2.

March 24, 1976

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. 1383 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that the bill be further amended by deleting everything after the enacting clause and inserting:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 473.121, Subdivision 27, is amended to read:

Subd. 27. "Solid waste" means garbage, refuse and other discarded solid materials, including solid waste materials and waste sludges resulting from industrial, commercial and agricultural operations, and from community activities, but does not include *hazardous waste, animal waste used as fertilizer*, earthen fill, boulders, broken rock, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants. *Nothing in this definition shall be construed so as to exclude hazardous waste from the definition of solid waste for the purposes of chapter 116 or 116F.*

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 473.121, Subdivision 29, is amended to read:

Subd. 29. "~~Solid Waste disposal site or facility~~" means ~~transfer stations and all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the disposal processing of solid or hazardous waste, except property for the collection of solid the waste directly from the source of generation and facilities used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, disposal sites and facilities, and resource recovery sites and facilities.~~

Sec. 3. Minnesota Statutes, 1975 Supplement, Section 473.121, Subdivision 31, is amended to read:

Subd. 31. "Transfer station" means an intermediate ~~solid waste disposal facility in which solid or hazardous waste collected from any source is temporarily deposited to await transportation to the final disposal site or facility.~~

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 473.121, is amended by adding a subdivision to read:

Subd. 31a. "*Collection*" when referring to solid or hazardous waste means the aggregation of solid or hazardous waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.

Sec. 5. Minnesota Statutes, 1975 Supplement, Section 473.121, is amended by adding a subdivision to read:

Subd. 31b. "*Processing*" when referring to solid or hazardous waste means the treatment of solid or hazardous waste after collection, and includes all activities after the time the waste is delivered to a waste facility. Processing includes but is not limited to disposal, storage, containment, separation, exchange, resource recovery, physical or chemical modification, and transfer from one waste facility to another.

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 473.121, is amended by adding a subdivision to read:

Subd. 31c. "Resource recovery" means the reclamation for sale or reuse of materials, substances, energy, or other products contained within or derived from solid or hazardous waste.

Sec. 7. Minnesota Statutes, 1975 Supplement, Section 473.149, Subdivision 1, is amended to read:

473.149 [SOLID AND HAZARDOUS WASTE POLICY PLAN.] Subdivision 1. *By July 1, 1978, the metropolitan council shall prepare and by resolution adopt as part of its development guide a comprehensive long range policy plan for the disposal collection and processing of solid waste and the management and disposal of hazardous waste in the metropolitan area for such period as the council deems proper and reasonable; and, . When adopted, such the plan shall be followed in the metropolitan area. The plan shall substantially conform to all policy statements, purposes, goals, standards, maps and plans in development guide sections and plans adopted by the council. The plan shall include goals and policies for the collection and processing of solid and hazardous waste in the metropolitan area and, to the extent appropriate, statements and information similar to that required under section 473.146. subdivision 1. The plan shall include criteria and standards for waste facilities and waste facility sites respecting the following matters: general location; capacity; operation; processing techniques; environmental impact; effect on existing, planned, or proposed collection services and waste facilities; and economic viability. For waste facilities owned or operated by public agencies or supported primarily by public funds or obligations, the plan shall include additional criteria and standards respecting financial self-sufficiency based upon competitive rates and charges. In developing the plan the council shall consider the orderly and economic development, public and private, of the metropolitan area; the preservation and best and most economical use of land and water resources in the metropolitan area . The plan shall include a statement of goals and policies for solid waste disposal and hazardous waste disposal and management; criteria for solid waste disposal sites and hazardous waste disposal sites; the general location and capacities of needed disposal sites and facilities; projections of disposal capacities required; regulations for the operation of disposal sites and facilities; a description of disposal techniques which may be used; the type or types of solid waste and hazardous waste to be disposed of at each site or facility; and such other details as the council deems appropriate ; the protection and enhancement of environmental quality; the conservation and reuse of resources and energy; the preservation and promotion of conditions conducive to efficient, low cost, competitive, and adaptable systems of waste collection and processing; and the orderly resolution of questions concerning changes in systems of waste collection and processing . Criteria for solid waste disposal sites and hazardous waste disposal sites, and regulations for the operation of disposal sites and facilities, included in the plan shall be consistent with regulations adopted by the pollution control agency pursuant to sections 115.06 and 473.823. The*

plan may be revised as often as the council deems necessary in the same manner as provided for the adoption thereof. A copy of the comprehensive plan and each revision thereof shall be delivered or mailed to the pollution control agency and the county auditor of each metropolitan county after it has been adopted. Prior to the adoption by the council of its comprehensive plan, no metropolitan county or local government unit shall acquire any solid waste disposal site or hazardous waste disposal site, or facility unless approved by the council; and after the comprehensive plan is adopted no metropolitan county, local government unit or person shall acquire, improve or operate any solid waste disposal site or hazardous waste disposal site or facility in the metropolitan area except in accordance with the plan; provided that no solid waste disposal site or hazardous waste disposal site or facility in use when the comprehensive plan is adopted shall be discontinued solely because it is not located in an area designated in the plan as acceptable for the location of such sites and facilities. Criteria and standards for solid and hazardous waste facilities shall be consistent with regulations adopted by the pollution control agency pursuant to chapter 116 and section 473.823. The hazardous waste portion of the policy plan shall be approved by the pollution control agency in accordance with its standards and regulations prior to adoption by the council.

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 473.149, is amended by adding a subdivision to read:

Subd. 2. The policy plan shall be prepared, adopted, and amended in accordance with section 473.146, subdivision 2, provided that the procedural duties and responsibilities established therein for the affected metropolitan commission shall extend to the metropolitan counties and the pollution control agency. In addition to the requirements of section 473.146, subdivision 2, the council shall send notice of any hearing to the pollution control agency and the governing body of each metropolitan county and each local governmental unit, as defined in section 473.801, wherein a waste facility is or may be located in accordance with the plan. Any comprehensive solid and hazardous waste plan adopted by the council prior to the effective date of this act shall remain in force and effect until a policy plan is prepared in accordance with subdivision 1 and adopted by the council. By October 1, 1976, the council shall adopt either interim policies or amendments to the existing comprehensive plan establishing standards and criteria for the review under section 473.823 of permit applications for waste facilities used primarily for resource recovery. For permit applications received by the council prior to October 1, 1976, the council may extend the time period provided for review under section 473.823 until 60 days after the adoption of the interim policies or amendments. No metropolitan county, local government unit, commission, or person shall acquire, construct, improve or operate any waste facility in the metropolitan area except in accordance with the council's plan and section 473.823, provided that no waste facility in use when a plan is adopted shall be discontinued solely because it is not located in an area designated in the plan as acceptable for the location of such facilities.

Sec. 9. Minnesota Statutes, 1975 Supplement, Section 473.149, is amended by adding a subdivision to read:

Subd. 3. The council shall establish an advisory committee to aid in the preparation of the policy plan and the review of county master plans and reports and applications for permits for waste facilities, under sections 473.801 to 473.823, and section 18 of this act, and other duties determined by the council. The committee shall consist of one-third citizen representatives, one-third representatives from metropolitan counties and municipalities, and one-third representatives from private waste management firms. A representative from the pollution control agency and one from the Minnesota health department shall serve as ex officio members of the committee.

Sec. 10. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.516] [HAZARDOUS WASTE FACILITIES.] *Without limiting the grant or enumeration of any of the powers conferred on the council or commission under sections 473.501 to 473.549, the commission shall have the specific power to acquire by purchase, lease, condemnation, gift or grant any real or personal property including positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain and operate hazardous waste facilities in the metropolitan area deemed to be necessary or convenient in connection with the processing of hazardous waste, and the commission may contract for the maintenance and operation of such waste facilities, subject to the bidding requirements of section 473.523. The commission may accept for processing hazardous waste derived from outside the metropolitan area in the state, as well as hazardous waste derived from within the metropolitan area, and may fix and collect fees and charges for the acceptance of hazardous waste as the commission determines to be reasonable. With respect to its activities under this section, the commission shall be subject to and comply with the applicable provisions of chapter 473. Property acquired by the commission under this section shall be subject to the provisions of section 473.545. Any site or facility owned or operated for or by the commission shall conform to the policy plan adopted by the council under section 473.149 and shall be authorized in accordance with the commission's development program and capital budget approved by the council.*

Sec. 11. Minnesota Statutes, 1975 Supplement, Section 473.801, Subdivision 2, is amended to read:

Subd. 2. "Local government unit" means any municipal corporation or governmental subdivision other than a metropolitan county located in whole or part in the metropolitan area, authorized by law to provide for the disposal processing of solid waste.

Sec. 12. Minnesota Statutes, 1975 Supplement, Section 473.801, is amended by adding a subdivision to read:

Subd. 3. "Agency" means the Minnesota pollution control agency.

Sec. 13. Minnesota Statutes, 1975 Supplement, Section 473.802, is amended to read:

473.802 [LEGISLATIVE PURPOSE AND POLICY.] The legislature determines that for the protection of the public health, safety, and welfare of the people of the metropolitan area, for the prevention, control and abatement of pollution of air and waters of the state in the metropolitan area, and for the efficient and economic ~~disposal~~ *collection and processing* of solid and hazardous waste in the metropolitan area, it is necessary to authorize the ~~pollution control~~ agency to regulate *the handling of hazardous waste and the location and operation of solid waste disposal sites and facilities in the area* ; ; to authorize the metropolitan council to carry on a continuous, long range program of planning with respect to ; *solid and hazardous waste collection and processing and regulate the location and use of solid* to establish criteria and standards and approve permits for waste disposal sites and facilities in the area ; ; and to authorize the metropolitan counties in the area if necessary to acquire, construct, operate ; and maintain solid waste facilities, to plan for and regulate solid waste disposal sites collection services and facilities , to collect data on solid and hazardous waste collection and processing systems and procedures, and to regulate the handling of hazardous waste.

The legislature declares that a public purpose is served by the recovery and utilization of resources from solid waste and hazardous waste where economically viable and compatible with source reduction. The plans, criteria, standards and regulations of the agency, council and metropolitan counties shall, to the extent practicable, encourage ownership and operation of solid waste facilities by private industry .

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 473.803, is amended to read:

473.803 [METROPOLITAN COUNTIES; PLANS AND REPORTS.] Subdivision 1. [COUNTY MASTER PLANS.] Each metropolitan county, ~~upon receipt of the council's comprehensive~~ *following adoption or revision of the council's solid and hazardous waste policy plan and in accordance with the dates specified therein, and after consultation with all affected municipalities* , shall prepare and submit to the council for its approval, a ~~report including:~~ *a description of county solid and hazardous waste master plan to implement the policy plan. The master plan shall describe county solid and hazardous waste activities, functions, and facilities; the existing system of solid and hazardous waste generation, collection, and processing within the county; existing and proposed county and municipal ordinances and license and permit requirements relating to waste facilities and hazardous and solid waste generation, collection, and processing; existing or proposed municipal, county, or private waste facilities and collection services within the county together with schedules of existing rates and charges to users and statements as to the extent to which such facilities and services will or may be used to implement the policy plan; and any solid waste disposal site or facility which the county owns or plans to acquire to implement the comprehensive plan* , construct, or improve to-

gether with statements as to the planned method, estimated cost and time of acquisition thereof; a description of any improvements which will be necessary to make the site or facility suitable for solid waste disposal; , proposed procedures for the operation and maintenance of any such site or each facility; an estimate of the annual cost of operation and maintenance of each site or facility; an estimate of the annual gross revenues which will be received from the operation of each site or facility; and a proposal for the use of each site when filled facility after it is no longer needed or useable as a waste facility. The master plan shall, to the extent practicable, encourage ownership and operation of solid waste facilities by private industry. For waste facilities owned or operated by public agencies or supported primarily by public funds or obligations, the master plan shall contain policies to ensure financial self sufficiency based upon competitive rates and charges . The report shall also include a complete survey of existing or proposed municipal or private solid waste disposal sites and facilities in the county containing information similar to that required for county facilities, and a statement of the extent to which they will or may be used to implement the comprehensive plan. The council shall approve the report if it is in accordance with its comprehensive plan. The report, when approved by the council, shall be implemented by the county. Each report not approved by the council shall be returned to the county with a statement of the reasons for the council's failure to approve it.

Subd. 2. [COUNCIL REVIEW.] Each metropolitan county, as a part of its solid waste plan, shall prepare and submit to the council for its approval, a report including: a description of the county hazardous waste ordinance, the county hazardous waste generator licensing procedures, proposed procedures for implementing the system, and an estimate of the total number of generators. Council approval or disapproval of the report shall be consistent with this section. The council shall review each master plan or revision thereof to determine whether it is consistent with the council's policy plan. If it is not consistent, the council shall return the plan with its comments to the county for revision and resubmittal. Any county solid or hazardous waste plan or report approved by the council prior to the effective date of this act shall remain in effect until a new master plan is submitted to and approved by the council in accordance with this section.

Subd. 3. [ANNUAL REPORT.] Each metropolitan county shall prepare and submit annually to the council a report containing information, as the council may prescribe in its policy plan, concerning solid and hazardous waste generation, collection, and processing within the county. The report shall include a schedule of rates and charges in effect or proposed for the use of any waste facility owned or operated by or on its behalf, together with a statement of the basis for such charges.

Sec. 15. Minnesota Statutes, 1975 Supplement, Section 473.811, is amended to read:

473.811 [METROPOLITAN COUNTIES; FACILITIES; ORDINANCES; ENFORCEMENT.] Subdivision 1. [ACQUI-

TION.] To accomplish the purpose specified in section 473.803, each metropolitan county may acquire by purchase, lease, gift or condemnation as provided by law, upon such terms and conditions as it shall determine, including contracts for deed and conditional sales contracts, solid waste disposal sites or facilities or properties for solid waste facilities which are in accordance with regulations adopted by the agency, the comprehensive policy plan adopted by the council and the county report master plan as approved by the council, and may improve or construct improvements on any site property or facility so acquired. No metropolitan city, county or town shall own or operate a hazardous waste facility. Each metropolitan county is authorized to levy a tax in anticipation of need for expenditure for the acquisition and betterment of solid waste disposal sites or facilities. If such a tax is levied in anticipation of need, the purpose must be specified in a resolution of the county directing that the levy and the proceeds of the tax may be used only for that purpose. Until so used, the proceeds shall be retained in a separate fund or invested in the same manner as surplus in a sinking fund may be invested under section 475.66. The right of condemnation shall be exercised in accordance with chapter 117. A metropolitan county may acquire property for and operate a solid waste disposal site or facility within the boundaries of any city or town in the metropolitan area, without complying with the provisions of any zoning ordinance adopted after April 15, 1969.

Subd. 2. [FINANCING.] Each metropolitan county may by resolution authorize the issuance of bonds to provide funds for the acquisition or betterment of solid waste facilities or property or property rights, buildings, structures and equipment for a solid waste disposal site or facility, or for refunding any outstanding bonds issued for any such purpose, and may pledge to the payment of such the bonds and the interest thereon, its full faith, credit and taxing powers, or the proceeds of any designated tax levies, or the gross or net revenues or charges to be derived from any such site or facility operated by or for the county, or any combination thereof. Taxes levied for the payment of such the bonds and interest shall not reduce the amounts of other taxes which the county is authorized by law to levy. No election shall be required to authorize the issuance of any such the bonds. Except as otherwise provided, such the bonds shall be issued and sold in accordance with the provisions of chapter 475.

Subd. 3. [OPERATION.] Each metropolitan county may operate and maintain solid waste disposal sites and facilities, and for this purpose may employ all necessary personnel, may adopt regulations governing the operation thereof, and may establish and collect reasonable, non-discriminatory rates and charges for the use thereof of the facilities by any local government unit or person, estimated to be sufficient, with any other moneys appropriated for such the purpose, to pay all costs of acquisition, operation and maintenance thereof. Each metropolitan county may use itself or sell all or any part of materials or energy recovered from solid waste to private interests or public agencies for consumption or reuse by them. Section 471.345 and Laws 1951,

Chapter 556, as amended shall not apply to the sale of the materials or energy provided that the dealings of each county shall be on a competitive basis so as not to create an unfair or unreasonable advantage or restraint of trade on the part of the county.

Subd. 4. [CONTRACTS.] Each metropolitan county may contract for the use of existing public or private waste facilities or with any person for the operation and maintenance by such person of any solid waste disposal site or facility owned by it the county. Such The contract shall provide for the operation and maintenance of such site or the facility in accordance with any regulations, criteria, and standards of the pollution control agency, the metropolitan council and the county relating thereto.

Subd. 5. [ORDINANCES.] Each metropolitan county may also adopt ordinances governing the operation collection of solid waste haulers, disposal sites, or facilities in the county by any local government unit or person. The regulation ordinances shall not prevent the hauling of solid waste from one county to another. Such ordinances shall be consistent with applicable regulations adopted by the pollution control agency or the metropolitan council. The county may prescribe a penalty for the violation of any such ordinance not exceeding the maximum which may be specified for a misdemeanor. Any such ordinance enacted shall be published in accordance with the provisions of section 375.51.

A Each municipality and town within a metropolitan county may the metropolitan area shall adopt an ordinance governing the collection of solid waste within its boundaries. If the county within which it is located has adopted an ordinance, the municipality or town shall adopt either the county ordinance by reference or a more strict ordinance than the county's to regulate solid waste haulers making pickups within its boundaries. A hauler who qualified under the ordinance of the municipality where he is making pickups may transport solid waste on streets and highways in other municipalities within the county without conforming to their ordinances.

Each metropolitan county shall by ordinance establish and from time to time revise rules, regulations, and standards for waste facilities within the county, relating to location, sanitary operation, periodic inspection and monitoring, maintenance, termination and abandonment, and other pertinent matters. The ordinance shall require permits or licenses for waste facilities and shall require that such facilities be registered with a county office.

Each metropolitan county shall by ordinance establish and revise rules, regulations, and standards for hazardous waste management relating to (a) the identification of hazardous waste, (b) the labeling and classification of hazardous waste, (c) the handling, collection, transportation and storage of hazardous waste, (d) the ultimate disposal site of hazardous waste, and (e) other matters necessary for the public health, welfare and safety. The county shall require permits or licenses for the generation, col-

lection, and processing of hazardous waste and shall require registration with a county office.

Any ordinance enacted under this subdivision shall embody regulations, standards, and requirements adopted by the agency and goals, policies, criteria, and standards adopted by the council and shall be consistent with the county master plan approved by the council. County ordinances adopted pursuant to this subdivision shall not apply to the location or operation of any hazardous waste facility owned or operated by the waste control commission under section 10. Issuing, denying, modifying, imposing conditions upon, or revoking hazardous waste permits or licenses, and county hazardous waste regulations, shall be subject to review, denial, suspension, and reversal by the agency. The agency shall after written notification have 15 days to review, suspend, modify, or reverse the action of the county. After this period, the action of the county board shall be final subject to appeal to the district court in the manner provided in section 115.05. Any ordinance enacted shall be published in accordance with the provisions of section 375.51.

Subd. 5a. [ENFORCEMENT.] Each metropolitan county shall be responsible for insuring that ~~nonconforming solid waste disposal sites and facilities~~, solid waste collection operations licensed or regulated by the county and hazardous waste generation, collection, and processing operations are brought into conformance with, or terminated and abandoned in accordance with, applicable county ordinances; rules, regulations and requirements of the ~~pollution control agency~~; and goals, policies, criteria, and standards of the council. Counties may provide by ordinance that operators or owners or both of ~~real property being used for solid waste disposal purposes~~ such facilities or operations shall be responsible to the county for satisfactorily performing such terminating and abandonment the procedures required. Counties may further provide that, in the event such If operators or owners or both fail to perform such termination and abandonment activities, the county may recover the costs incurred by the county in completing the satisfactory discharge of such termination and abandonment activities the procedures in a civil action in any court of competent jurisdiction or, in the discretion of the board, the costs may be levied against said operators or owners or both, personally, or against any real or personal property involved certified to the county auditor as a special tax against the land. The ordinances may be enforced by action in district court. The county may prescribe a criminal penalty for the violation of any ordinance enacted under this section not exceeding the maximum which may be specified for a misdemeanor.

Subd. 6. [GRANTS AND LOANS.] Each metropolitan county may accept gifts, may apply for and accept grants or loans of money or other property from the United States, the state, the metropolitan council, any local government unit, or any person, ~~for solid waste disposal to accomplish the purposes specified in sections 473.801 to 473.823 and section 18 of this act~~, may enter into any agreement required in connection therewith, and may hold, use, and dispose of ~~such~~ the money or property in accor-

dance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 7. [JOINT ACTION.] Each metropolitan county and local government unit may act under the provisions of section 471.59 or any other appropriate law providing for joint or co-operative action between government units, to accomplish any purpose specified in sections 473.801 to 473.823 and section 18 of this act .

Subd. 8. [SALE OR LEASE.] Each metropolitan county may sell or lease any ~~facilities or property or property rights ; land, buildings, structures or equipment~~ previously used or acquired ~~for solid waste disposal to accomplish the purposes specified by sections 473.801 to 473.823 and section 18 of this act .~~ Such property may be sold in the manner provided by section 458.196. Each metropolitan county may convey to or permit the use of any such property by a local government unit, with or without compensation, without submitting the matter to the voters of the county. No ~~real property or property rights or land, improved or unimproved,~~ acquired pursuant to this section, may be disposed of in any manner unless and until the county shall have submitted to the ~~agency and the~~ metropolitan council for review and comment the terms on and the use for which the property will be disposed of. ~~The agency and the~~ council shall review and comment on the proposed disposition within 60 days after it ~~each~~ has received the data relating thereto from the county.

Subd. 9. [SOLID AND HAZARDOUS WASTE FUND.] All moneys received by any metropolitan county from any source specified in sections 473.801 to 473.811 ~~473.823 and section 18 of this act~~ shall be paid into the county treasury, placed in a special fund designated as the county solid and hazardous waste disposal fund, and used only for the purposes authorized in those sections, as appropriated by the county board, subject to any lawful restrictions, conditions, or pledges applicable thereto.

Sec. 16. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.813] [CITIES, COUNTIES, TOWNS; SOLID WASTE CONTRACTS.] *Subdivision 1. Notwithstanding any contrary provision of law or charter, and in addition to the powers or authority granted by any other law or charter, a city, county, or town in the metropolitan area may directly negotiate and enter into contracts, for a term not to exceed 30 years, for the delivery of solid waste to a waste facility and the processing of solid waste. Contracts made by direct negotiations shall be approved by resolution adopted by the governing body of the city, county, or town.*

Subd. 2. Before a city, county, or town may enter into any contract pursuant to subdivision 1, which contract is for a period of more than five years, the city, county, or town shall submit the proposed contract and a description of the proposed activities under the contract to the council for review and approval. The council shall approve the proposed contract if it determines that

the contract will not adversely affect collection rates and charges during the term of the contract and that the contract is consistent with the council's plan, permits issued under section 473.823, and county reports or master plans approved by the council. The council may consolidate its review of contracts submitted under this section with its review of related permit applications submitted under section 473.823 and for this purpose may delay the review required by this section.

Sec. 17. Minnesota Statutes, 1975 Supplement, Section 473.823, is amended to read:

473.823 [POLLUTION CONTROL AGENCY; REGULATIONS AND PERMITS.] Subdivision 1. *By April 1, 1977, the pollution control agency, to abate or prevent pollution of air and waters of the state in the metropolitan area, shall adopt regulations relating to the location and operation of solid waste disposal sites and facilities in the metropolitan area and regulations having the force of law for the identification, labeling, classification, storage, collection, treatment, and disposal of hazardous waste. In adopting such the regulations the agency shall consider applicable air and water pollution standards, land and water use, soil conditions, geography, topography, ground water pollution, natural drainage, prevailing weather conditions, the costs of acquisition and operation of such sites and facilities, and any other factors it may deem relevant. Such The regulations shall be adopted in accordance with chapter 15. The regulations, to the extent practicable, shall encourage resource recovery and attempt to reduce the metropolitan area's reliance on direct disposal and landfill.*

Subd. 2. *In the metropolitan area, no metropolitan county or commission, local government unit or person shall commence operation and no metropolitan county, local government unit or person shall or continue operation of any solid waste disposal site or facility, unless a permit for the operation thereof has been issued by the pollution control agency, or unless the site or facility is approved for temporary operation by the pollution control agency prior to the issuance of a permit.*

Subd. 3. *The pollution control agency may prescribe permit and permit application forms, and may request applicants to submit in writing all information deemed relevant by the agency. The agency shall request applicants to submit all information deemed relevant by the council to its review, including without limitation information relating to the geographic areas and population served, the need, the effect on existing facilities and services, the anticipated public cost and benefit, the anticipated rates and charges, the manner of financing, the effect on metropolitan plans and development programs, the supply of waste, anticipated markets for any product, and alternative means of disposal or energy production. The agency, or any employee or agent thereof, when authorized by it, may examine any books, papers, records or memoranda of the applicant pertaining to its solid waste disposal site or facility, and may enter on any property, public or private, for the purpose of obtaining information, conducting surveys or making investigations relative to the location or operation of a*

solid waste disposal site or facility. The agency may issue permits for the operation of solid waste disposal sites and facilities by any metropolitan county or commission, local government unit or person where the operation thereof is consistent with applicable regulations adopted by the agency pursuant to subdivision 1, provided that no permit may be issued for the operation of a solid waste disposal site or facility in the metropolitan area which is not in accordance with the metropolitan council's comprehensive solid and hazardous waste policy plan. The metropolitan council shall determine whether a permit is in accordance with the goals, policies, standards, and criteria in its comprehensive policy plan. In making its determination, the council shall consider the area-wide need and benefit of the applicant facility and may consider, without limitation, the effect of the applicant facility on existing and planned waste facilities described in a waste control commission development program or county report or master plan. If the council determines that a permit is in accordance with its policy plan, the council shall approve the permit. If the council determines that a permit is not in accordance with its policy plan, it shall disapprove the permit. The council's approval of permits may be subject to conditions necessary to satisfy criteria and standards in its policy plan, including conditions respecting the type, character, and quantities of waste to be processed at a waste facility used primarily for resource recovery and restrictions on the geographic territory from which a waste facility used primarily for resource recovery may draw its waste. For this purpose of this review and approval by the council, the agency shall send a copy of each permit application and any supporting information furnished by the applicant to the metropolitan council within 15 days after receipt of the application and all other information requested from the applicant. Within 45 60 days after the application and supporting information are received by the council, it unless a time extension is authorized by the agency, the council shall issue to the agency in writing its determination whether the permit is in accordance with its comprehensive plan disapproved, approved or approved with conditions. If the council does not issue its determination to the agency within the 45 60 day period, unless a time extension is authorized by the agency, the permit shall be deemed to be in accordance with the council's comprehensive policy plan. No permit may be issued in the metropolitan area for a waste facility used primarily for resource recovery, if the facility or site is owned and operated by a public agency or if the acquisition or betterment of the facility or site is secured by obligations pledging the full faith and credit or taxing powers of a city, county, or town, unless the council finds that adequate markets exist for the products recovered without substantially reducing the supply of solid waste available for existing resource recovery operations and that all costs of operation, administration, maintenance and debt service will be covered by reasonable rates and charges for the use of the facility.

Subd. 4. Regulations adopted pursuant to subdivision 1 may be enforced by the pollution control agency in the manner provided in section 115.47 115.071.

Subd. 4a. No permit may be issued for the operation of a hazardous waste treatment or disposal site, system or facility in the metropolitan area which does not comply with the metropolitan council's comprehensive plan. A copy of each permit application and any supporting information furnished by the applicant shall be sent to the metropolitan council within 15 days after receipt of the application and all other information requested from the applicant. Within 45 days after the application and supporting information are received by the council, it shall issue to the pollution control agency in writing its determination whether the permit complies with its comprehensive plan. If the council does not issue its determination to the agency within the 45 day period, the permit shall be deemed to be in accordance with the council's comprehensive plan.

Sec. 18. Minnesota Statutes 1974, Chapter 473, is amended by adding a section to read:

[473.825] [DISCLOSURE.] *For the purpose of the regulations, plans, and reports required or authorized by section 473.149, section 10 of this act, and sections 473.801 to 473.823 and this section, each generator of hazardous waste and each owner or operator of a collection service or waste facility annually shall make the following information available to the agency, council, and metropolitan counties: a schedule of rates and charges in effect or proposed for a collection service or the processing of waste delivered to a waste facility and a description, in aggregate amounts indicating the general character of the solid and hazardous waste collection and processing system, of the types and the quantity, by types, of waste generated, collected, or processed. The county, council, and agency shall act in accordance with the provisions of section 116.075, subdivision 2, with respect to information for which confidentiality is claimed.*

Sec. 19. Minnesota Statutes, 1975 Supplement, Section 473.249, Subdivision 1, is amended to read:

Subdivision 1. The metropolitan council may levy a tax on all taxable property in the counties named in section 473.121 to provide funds for the purposes of sections 473.121 to 473.249 and for the purpose of carrying out other responsibilities of the council as provided by law. The tax shall not exceed seven ~~thirtieths~~ *eight thirtieths* of one mill on each dollar of assessed valuation of all such taxable property, and shall be levied and collected in the manner provided by section 473.08.

Sec. 20. *Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivision 30; 473.149, Subdivision 2; 473.815, and 473.821, are repealed.*

Sec. 21. *This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.*

Sec. 22. *This act is effective on the day following final enactment."*

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

"A bill for an act relating to metropolitan government; regulating waste; providing for a levy; amending Minnesota Statutes 1974, Chapter 473, by adding sections; and Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivisions 27, 29, 31, and by adding subdivisions; 473.149, Subdivision 1, and by adding subdivisions; 473.249, Subdivision 1; 473.801, Subdivision 2, and by adding a subdivision; 473.802; 473.803; 473.811; and 473.823; repealing Minnesota Statutes, 1975 Supplement, Sections 473.121, Subdivision 30; 473.149, Subdivision 2; 473.815; and 473.821."

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

Senate Conferees: (Signed) John C. Chenoweth, William G. Kirchner, Robert D. North

House Conferees: (Signed) James R. Casserly, Tom K. Berg, William H. Schreiber

Mr. Chenoweth moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1383 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S. F. No. 1383: A bill for an act relating to metropolitan government; regulating solid waste; amending Laws 1975, Chapter 13, Sections 1, by adding subdivisions; 11, Subdivision 1; 139; 140, Subdivision 1; 141; 142; 143; and 144; and by adding sections; repealing Laws 1975, Chapter 13, Section 140, Subdivision 2.

Was read the third time, 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Gearty	Kowalczyk	O'Neill	Stassen
Ashbach	Hansen, Baldy	Larson	Patton	Stokowski
Bang	Hansen, Mel	Laufenburger	Perpich, A. J.	Stumpf
Blatz	Hughes	Merriam	Perpich, G.	Tennessee
Brown	Jensen	Milton	Pillsbury	Ueland
Chenoweth	Josefson	Moe	Purfeerst	Wegener
Chmielewski	Keefe, J.	North	Renneke	Willet
Davies	Keefe, S.	Ogdahl	Schmitz	
Doty	Kirchner	Olhoff	Sillers	
Dunn	Kleinbaum	Olson, A. G.	Solon	
Fitzsimons	Knutson	Olson, J. L.	Spear	

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

MOTIONS AND RESOLUTIONS—CONTINUED SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Davies moved that the rules of the Senate be so far suspended

as to make the following bills a Special Orders Calendar for immediate consideration. The motion prevailed.

S. F. Nos. 2032 and 2402 and H. F. Nos. 166, 1996, 1284, 1767, 354, 1929, 81, 790, 1087, 2107, 1130, 374, 753, 1440, 1988, 2520, 1847, 2217, 2188, 2147, 2292, 2440, 814, 1913, 2007, 1333, 1967, 1895, 1330, 1827, 2472, 1143, 2342, 2490, 2560 and 2321.

SPECIAL ORDER

S. F. No. 2032: A bill for an act relating to public welfare; establishing pilot programs for community mental health treatment; appropriating money; amending Minnesota Statutes 1974, Chapter 245, by adding a section.

Mr. Moe moved to amend S. F. No. 2032 as follows:

Page 1, line 22, after "act." insert "*This appropriation shall not lapse but shall remain available until expended.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 2032 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Knutson	Olson, A. G.	Sillers
Ashbach	Gearty	Kowalczyk	Olson, J. L.	Solon
Bang	Hansen, Baldy	Larson	O'Neill	Spear
Berg	Hansen, Mel	Lewis	Patton	Stassen
Blatz	Hughes	Merriam	Perpich, A. J.	Stokowski
Brown	Jensen	Milton	Perpich, G.	Stumpf
Chenoweth	Josefson	Moe	Pillsbury	Ueland
Chmielewski	Keefe, J.	Nelson	Purfeerst	Wegener
Davies	Keefe, S.	North	Renneke	Willett
Doty	Kirchner	Ogdahl	Schmitz	
Dunn	Kleinbaum	Olhoft	Schrom	

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

SPECIAL ORDER

S. F. No. 2402: A bill for an act relating to historic sites; designating additional historic sites; amending Minnesota Statutes 1974, Sections 138.081, by adding a subdivision; 138.53, Subdivisions 7, 38, and by adding subdivisions; 138.58, by adding subdivisions; and 138.73, Subdivision 17.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Berg	Davies	Fitzsimons	Hansen, Mel
Ashbach	Chenoweth	Doty	Gearty	Hughes
Bang	Chmielewski	Dunn	Hansen, Baldy	Jensen

Josefson	Merriam	O'Neill	Schmitz	Stokowski
Kirchner	Moe	Patton	Schrom	Stumpf
Kleinbaum	North	Perpich, G.	Sillers	Tennessee
Knutson	Ogdahl	Pillsbury	Solon	Ueland
Kowalczyk	Olhoft	Purfeerst	Spear	Wegener
Lewis	Olson, J. L.	Renneke	Stassen	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 166: A bill for an act relating to Ramsey county; authorizing the county to acquire Brightwood Hills golf course in the city of New Brighton; authorizing the issuance of bonds to finance the purchase.

Mr. Ashbach moved to amend the amendment placed on H. F. No. 166 by the Committee on Metropolitan and Urban Affairs, adopted by the Senate March 17, 1976, as follows:

Section 1, line 4, after the period insert "An aggregate amount not to exceed"

Section 1, line 5, after "for" insert "the acquisition of the Brightwood Hills golf course in the city of New Brighton."

Section 1, line 6, after the comma, insert "shall be allocated \$700,000"

Further amend the title as follows:

In the title amendment, line 2, after the semicolon, insert "authorizing the county to acquire Brightwood Hills golf course;"

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

H. F. No. 166 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 43 and nays 2, as follows:

Those who voted in the affirmative were:

Arnold	Fitzsimons	Keefe, S.	Olson, J. L.	Solon
Ashbach	Frederick	Kirchner	O'Neill	Spear
Berg	Gearty	Kleinbaum	Patton	Stassen
Brataas	Hansen, Baldy	Knutson	Perpich, G.	Stumpf
Chenoweth	Hansen, Mel	Kowalczyk	Pillsbury	Ueland
Conzemius	Hughes	Larson	Purfeerst	Wegener
Davies	Jensen	Lewis	Schmitz	Willet
Doty	Josefson	North	Schrom	
Dunn	Keefe, J.	Ogdahl	Sillers	

Messrs. Merriam and Olhoft voted in the negative.

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

SPECIAL ORDER

H. F. No. 1996: A bill for an act relating to education; requiring school boards to take control of all co-curricular school activities.

changing the method of accounting for co-curricular and extra curricular activities; describing co-curricular and extra curricular activities; amending Minnesota Statutes 1974, Section 123.38, Subdivisions 1, 2 and 3, and by adding subdivisions.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Arnold	Fitzsimons	Kleinbaum	Patton	Stassen
Ashbach	Frederick	Knutson	Perpich, G.	Stokowski
Berg	Gearly	Kowalczyk	Pillsbury	Stumpf
Brataas	Hansen, Baldy	Lewis	Purfeerst	Ueland
Chenoweth	Hansen, Mel	Moe	Renneke	Wegener
Chmielewski	Hughes	North	Schmitz	Willet
Conzemius	Jensen	Ogdahl	Schrom	
Davies	Josefson	Olhoft	Sillers	
Doty	Keefe, J.	Olson, J. L.	Solon	
Dunn	Kirchner	O'Neill	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1284: A bill for an act relating to aeronautics; providing for airport zoning regulation by municipalities and joint airport zoning boards; amending Minnesota Statutes 1974, Sections 360.063, Subdivisions 1, 3, and 5, and by adding a subdivision; 360.067, Subdivision 4; 360.069; and 360.071, Subdivision 2; repealing Minnesota Statutes 1974, Section 360.063, 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Kowalczyk	Olson, J. L.	Schrom
Bang	Gearly	Lewis	O'Neill	Sillers
Berg	Hansen, Baldy	Merriam	Patton	Solon
Blatz	Hansen, Mel	Milton	Perpich, A. J.	Spear
Chenoweth	Hughes	Moe	Perpich, G.	Stassen
Chmielewski	Jensen	Nelson	Pillsbury	Stokowski
Davies	Josefson	North	Purfeerst	Stumpf
Doty	Kirchner	Ogdahl	Renneke	Ueland
Dunn	Kleinbaum	Olhoft	Schaaf	Wegener
Fitzsimons	Knutson	Olson, A. G.	Schmitz	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1767: A bill for an act relating to bingo; providing penalties; amending Minnesota Statutes 1974, Section 609.75, Subdivision 3; repealing Minnesota Statutes 1974, Chapter 349.

Mr. Stokowski moved to amend H. F. No. 1767 as follows:

Page 3, line 27, strike "*A local*" and insert: "*Nothing in sections 1 to 13 shall be construed to prohibit a local unit of government from*

adopting ordinances, rules and regulations concerning the conduct of bingo which are more restrictive than state regulations, including an ordinance to ban the conduct of bingo."

Page 3, strike lines 28 to 30

Page 3, line 31, strike everything before "Prior"

Page 5, line 6, strike "the purpose of conducting" and insert "purposes including the conduct of"

Page 5, line 10, strike "the" and insert "purposes including the conduct of"

Page 5, line 11, strike "purpose of conducting"

Page 5, line 18, strike "the purpose of" and insert "purposes including the conduct of"

Page 5, line 19, strike "conducting"

Page 9, line 5, after "309.53," insert "provided that an organization that conducts bingo but is exempt from submitting this report to the department of commerce under section 309.53, subdivision 1a, shall nevertheless submit such a report under this subdivision."

Page 9, strike lines 6 to 10

The motion prevailed. So the amendment was adopted.

Mr. Brown moved to amend H. F. No. 1767 as follows:

Page 5, line 27, strike "\$500" and insert "\$1,000"

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

Mr. Stokowski moved to amend H. F. No. 1767 as follows:

Page 7, line 21, strike "ten" and insert "12"

The motion prevailed. So the amendment was adopted.

Mr. Schmitz moved to amend H. F. No. 1767 as follows:

Page 5, line 21, strike everything after "\$100" and insert "except prizes for a game of the type commonly known as a "cover-all" game. "Cover-all" prizes may exceed \$100 provided that the aggregate value of such prizes for a bingo occasion shall not exceed"

Page 5, strike lines 22 and 23

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend H. F. No. 1767 as follows:

Pages 5 and 6, strike Subd. 5.

Re-number the subdivisions in sequence

The motion prevailed. So the amendment was adopted.

Mr. Blatz moved to amend H. F. No. 1767 as follows:

Page 5, line 25, strike "\$1,500" and insert "\$2,500"

Page 5, line 29, strike "\$2,000" and insert "\$3,000"

The motion prevailed. So the amendment was adopted.

H. F. No. 1767 was then progressed.

SPECIAL ORDER

H. F. No. 354: A bill for an act relating to public welfare; providing for the licensing of facilities and services for the handicapped and children; prescribing penalties; amending Minnesota Statutes 1974, Section 252.28; repealing Minnesota Statutes 1974, Sections 245.78; 245.79; 245.80; 245.81; 245.82; 257.081; 257.082; 257.091; 257.101; 257.102; 257.111; 257.123; and 257.124.

Mr. North moved to amend H. F. No. 354 as follows:

Page 4, line 27, after the period insert "*Whenever information required by the commissioner is available through prior evaluation and approval by a nationally recognized accreditation organization, duplication of this information shall not be required by the commissioner in the application for licensure.*"

Page 6, after line 13 insert:

"Subd. 7. In any program located in a hospital licensed under sections 144.50 to 144.58, disclosure of patient records to the patient shall be subject to the judgment of the patient's physician.

Subd. 8. Any advisory committee required by any rule promulgated by the commissioner pursuant to this act shall include representation from participants in the program. A participant member of an advisory committee shall be defined as a person who, at the time of his selection, has been a participant in that or any similar program at any time during the previous 24 months."

Renumber the subdivisions in sequence

Amend the amendment placed on H. F. No. 354 by the Committee on Health, Welfare and Corrections and adopted by the Senate on May 9, 1975, as follows:

Strike the new language inserted in the page 4, line 29 amendment and insert: "*State agencies and departments including, but not limited to, the state fire marshal, state building code, state board of health and state planning agency, which are involved in the investigation and review of a facility or an applicant's qualifications shall direct their employees to report directly to the commissioner on these matters and shall be subject to the rules promulgated by the commissioner with respect to the coordination of licensing and inspection functions. This subdivision relates only to other state departments or agencies and confers no additional powers or duties upon the commissioner respecting federal, county, municipal, or other nonstate agencies. Nothing in this subdivision shall prevent the state fire marshal from delegating inspection duties to local units of government.*"

Strike the amendment to page 14, line 10 and the amendment to page 14, line 11 and further amend by inserting, on line 11, after "Statutes" the word ", Section"

Mr. Frederick requested division of the amendment as follows:

First portion:

Page 4, line 27, after the period insert *"Whenever information required by the commissioner is available through prior evaluation and approval by a nationally recognized accreditation organization, duplication of this information shall not be required by the commissioner in the application for licensure."*

Page 6, after line 13, insert:

"Subd. 7. In any program located in a hospital licensed under sections 144.50 to 144.58, disclosure of patient records to the patient shall be subject to the judgment of the patient's physician."

Subd. 8. Any advisory committee required by any rule promulgated by the commissioner pursuant to this act shall include representation from participants in the program. A participant member of an advisory committee shall be defined as a person who, at the time of his selection, has been a participant in that or any similar program at any time during the previous 24 months."

Renumber the subdivisions in sequence.

Second portion:

Amend the amendment placed on H. F. No. 354 by the Committee on Health, Welfare and Corrections and adopted by the Senate on May 9, 1975, as follows:

Strike the new language inserted in the page 4, line 29 amendment and insert: *"State agencies and departments including, but not limited to, the state fire marshal, state building code, state board of health and state planning agency, which are involved in the investigation and review of a facility or an applicant's qualifications shall direct their employees to report directly to the commissioner on these matters and shall be subject to the rules promulgated by the commissioner with respect to the coordination of licensing and inspection functions. This subdivision relates only to other state departments or agencies and confers no additional powers or duties upon the commissioner respecting federal, county, municipal, or other nonstate agencies. Nothing in this subdivision shall prevent the state fire marshal from delegating inspection duties to local units of government."*

Strike the amendment to page 14, line 10 and the amendment to page 14, line 11 and further amend by inserting, on line 11, after *"Statutes"* the word *", Section"*

The question being taken on the second portion of the amendment,

The motion prevailed. So the second portion of the amendment was adopted.

Mr. Frederick moved a substitute amendment for the first portion of the North amendment to H. F. No. 354 as follows:

Page 6, after line 28, insert:

"(5) Any hospital licensed by the state board of health under sections 144.50 to 144.56, which has a program in which treatment averages not more than 30 days per patient per year;"

Renumber the clauses in sequence

The motion prevailed. So the substitute amendment was adopted.

H. F. No. 354 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H. F. No. 1929: A bill for an act relating to health care; requiring that certain insurance contracts and subscriber contracts provide benefits for certain services performed by podiatrists; amending Minnesota Statutes 1974, Section 62A.043.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 81: A bill for an act relating to real property; termination of contract for sale; providing differing times of notice in

accordance with percentage of purchase price paid; amending Minnesota Statutes 1974, Section 559.21.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olhoft	Schmitz
Arnold	Dunn	Kleinbaum	Olson, J. L.	Schrom
Ashbach	Fitzsimons	Kowalczyk	O'Neill	Sillers
Bang	Gearty	Laufenburger	Patton	Spear
Berg	Hanson, R.	Merriam	Perpich, A. J.	Stumpf
Chenoweth	Hughes	Moe	Perpich, G.	Ueland
Chmielewski	Jensen	Nelson	Pillsbury	Wegener
Coleman	Josefson	North	Purfeerst	Willet
Conzemius	Keefe, J.	Ogdahl	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 790: A bill for an act relating to public welfare; providing visitation rights to unmarried minor children for grandparents in certain cases.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Kowalczyk	O'Neill	Solon
Bang	Gearty	Larson	Perpich, A. J.	Spear
Bernhagen	Hanson, R.	Lewis	Perpich, G.	Stassen
Borden	Hughes	Merriam	Pillsbury	Stokowski
Brown	Humphrey	Moe	Purfeerst	Willet
Chenoweth	Jensen	Nelson	Schaaf	
Coleman	Josefson	North	Schmitz	
Conzemius	Kleinbaum	Olhoft	Schrom	

Messrs. Davies; Hansen, Baldy and Keefe, S. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1087: A bill for an act relating to privacy of communications; authorization for interception of wire or oral communications; amending Minnesota Statutes 1974, Section 626A.05.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 36 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Josefson	Nelson	Solon
Bang	Doty	Keefe, J.	O'Neill	Stassen
Bernhagen	Hansen, Baldy	Keefe, S.	Perpich, A. J.	Stokowski
Borden	Hansen, Mel	Kleinbaum	Perpich, G.	Willet
Brown	Hanson, R.	Kowalczyk	Pillsbury	
Chenoweth	Hughes	Larson	Purfeerst	
Chmielewski	Humphrey	Merriam	Schaaf	
Coleman	Jensen	Moe	Schmitz	

Those who voted in the negative were:

Conzemius	Lewis	Milton	North	Spear
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So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2107: A bill for an act relating to public employees; providing for payment of attorney's fees necessary to obtain benefits for survivors of peace officers killed in line of duty; amending Minnesota Statutes 1974, Chapter 352E, by adding a section.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 39 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Doty	Keefe, S.	Nelson	Schaaf
Borden	Hansen, Baldy	Kleinbaum	North	Schmitz
Brown	Hanson, R.	Kowalczyk	O'Neill	Solon
Chenoweth	Hughes	Larson	Patton	Spear
Chmielewski	Humphrey	Lewis	Perpich, A. J.	Stassen
Coleman	Jensen	Merriam	Perpich, G.	Stokowski
Conzemius	Josefson	Milton	Pillsbury	Willet
Davies	Keefe, J.	Moe	Purfeerst	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1130: A bill for an act relating to the organization, operation and financing of state government; establishing an indirect cost billing system; requiring revolving fund billing rates to be determined by the commissioner of finance; transferring certain powers and duties relating to finance and recordation from and to the department of finance; appropriating money; amending the expense provisions for district court judges; amending Minnesota Statutes 1974, Sections 3.30, Subdivision 2; 15.191, Subdivision 2; 16A.055; 16A.129; 16A.15, Subdivision 3; 16A.17, Subdivisions 1, 4, 5, 6, 7, and by adding a subdivision; 16A.28; 84A.04; 93.12; 276.09; 276.10; 293.10; 348.04; 379.05; 379.07; 379.09; 385.21; 473F.07, Subdivisions 1 and 2; Chapter 16, by adding a section; and Chapter 16A, by adding sections; Minnesota Statutes, 1975 Supplement, Sections 124.28, Subdivision 2; and 484.54; repealing Minnesota Statutes 1974, Sections 3.30, Subdivision 2a; 10.16; 16.141; 16.16; 16.161; 16.164; 16.18; 16.19; 16A.09; 16A.125, Subdivisions 1, 2, 3, 7, 8, 9, and 10; 16A.17, Subdivision 2; and 136.06.

Mr. North moved to amend H. F. No. 1130, as amended pursuant to Rule 49, adopted by the Senate March 22, 1976, as follows:

(The text of the amended House file is identical to S. F. No. 652.)

Page 8, after line 21, insert:

"Subd. 7. [LEGISLATIVE AUDITOR.] Unless otherwise specified by law, a state agency whose financial affairs are audited by the legislative auditor shall transfer to the general fund that portion of the cost of the audit applicable to the moneys received by the agency from sources other than the general fund. The collection by the legislative auditor of the cost of an audit may be waived in whole or in part by the legislative audit commission upon recommendation by the legislative auditor."

Page 10, lines 2 to 3, strike "Laws 1939, Chapter 431," and insert "chapter 16A"

Page 12, lines 26 and 29 to 30, strike "Laws 1939, Chapter 431," and insert "chapter 16A"

Page 13, line 5, strike "Laws 1939, Chapter 431," and insert "chapter 16A"

Page 13, after line 22, insert:

"Subject to approval by the commissioner of finance and pursuant to increases authorized by Minnesota Statutes, Section 16.07, Subdivision 1, the payment amount for materials and supplies may exceed the obligation amount."

Page 18, line 7, after "that" insert *"the commissioner, with the approval of the governor, may reinstate a lapsed appropriation within three months after the date the appropriation lapsed. An appropriation reinstated pursuant to this section shall lapse no later than three months after the date the appropriation has lapsed. No payment may be made pursuant to a reinstated appropriation except as provided under section 16A.15, subdivision 3. Notwithstanding the foregoing,"*

Page 19, line 5, strike "funds" and insert "moneys"

Page 19, line 9, strike "funds" and insert "nonstate moneys"

Page 26, line 24, strike "submit their" and insert "be compensated for"

Page 26, lines 25 to 26, strike "on the same forms state employees must utilize to seek travel reimbursement" and insert "in the same manner and amount as state employees"

Page 26, line 29, after "for" insert "only the following purposes:"

Page 27, line 1, after the stricken language, insert *"; membership dues in the American bar association and affiliated sections, the state bar association and affiliated local district associations, and state and local district judges association; registration fees, tuition, travel and subsistence for attending educational programs, attendance at which is approved by the supreme court; and, for delegates as designated by the supreme court, travel and subsistence for attending regular meetings of the American bar association and its affiliated sections"*

Page 27, line 1, after the period insert "*Travel and subsistence expenses shall be paid in the same manner and amount as for state employees.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1130 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 38 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Keefe, J.	North	Schaaf
Brown	Hansen, Baldy	Keefe, S.	Olhoft	Schmitz
Chenoweth	Hansen, Mel	Kleinbaum	O'Neill	Stassen
Chmielewski	Hanson, R.	Kowalczyk	Patton	Stokowski
Coleman	Hughes	Laufenburger	Perpich, A. J.	Ueland
Conzemius	Humphrey	Lewis	Perpich, G.	Willet
Davies	Jensen	Milton	Pillsbury	
Doty	Josefson	Nelson	Purfeerst	

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

SPECIAL ORDER

H. F. No. 374: A bill for an act relating to local government; local improvements; establishing procedures for deferment of special assessments against homesteads of senior citizens; imposing certain duties on county auditors; amending Minnesota Statutes 1974, Sections 429.021, Subdivision 3; 429.061, Subdivision 1; 435.193; and 435.194.

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 0, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Mel	Kirchner	North	Schmitz
Chenoweth	Hanson, R.	Kleinbaum	Olhoft	Solon
Chmielewski	Hughes	Kowalczyk	O'Neill	Spear
Conzemius	Humphrey	Laufenburger	Patton	Stassen
Davies	Jensen	Lewis	Perpich, A. J.	Stokowski
Doty	Josefson	Merriam	Perpich, G.	Ueland
Gearty	Keefe, J.	Milton	Pillsbury	Willet
Hansen, Baldy	Keefe, S.	Moe	Schaaf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 753: A bill for an act relating to game and fish; providing taking of birds by certain methods; amending Minnesota Statutes 1974, Section 100.29, by adding a subdivision.

Mr. Olhoft moved to amend H. F. No. 753 as follows:

Page 1, line 12, strike "*more than three feet above*" and insert "*which is designed or set to not allow the trapped bird to rest on*"

The question being taken on the adoption of the amendment,
And the roll being called, there were yeas 9 and nays 24, as follows:

Those who voted in the affirmative were:

Bernhagen	Chmielewski	Hanson, R.	Kowalczyk	Wegener
Borden	Frederick	Josefson	Olhoft	

Those who voted in the negative were:

Chenoweth	Keefe, J.	Moe	Pillsbury	Stassen
Davies	Keefe, S.	O'Neill	Purfeerst	Stumpf
Gearty	Kleinbaum	Patton	Schaaf	Ueland
Hughes	Merriam	Perpich, A. J.	Schmitz	Willet
Humphrey	Milton	Perpich, G.	Spear	

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

H. F. No. 753 was read the third time and placed on its final passage.

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Keefe, J.	Moe	Schmitz
Arnold	Davies	Keefe, S.	Ogdahl	Schrom
Bang	Gearty	Kirchner	O'Neill	Spear
Brataas	Hansen, Baldy	Kleinbaum	Patton	Stassen
Brown	Hansen, Mel	Kowalczyk	Perpich, A. J.	Stokowski
Chenoweth	Hughes	Laufenburger	Perpich, G.	Stumpf
Chmielewski	Humphrey	Merriam	Pillsbury	Ueland
Coleman	Jensen	Milton	Schaaf	Willet

Those who voted in the negative were:

Bernhagen	Hanson, R.	Olhoft	Purfeerst	Wegener
Borden				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1440: A bill for an act relating to private cemeteries; recovery of abandoned lots; amending Minnesota Statutes 1974, Chapter 307, by adding a section.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Arnold	Conzemius	Keefe, J.	Moe	Schmitz
Bang	Davies	Keefe, S.	Olhoft	Spear
Bernhagen	Gearty	Kirchner	O'Neill	Stassen
Borden	Hansen, Baldy	Kleinbaum	Patton	Stokowski
Brataas	Hansen, R.	Kowalczyk	Perpich, A. J.	Stumpf
Brown	Hughes	Laufenburger	Perpich, G.	Ueland
Chenoweth	Humphrey	Merriam	Pillsbury	Wegener
Chmielewski	Jensen	Milton	Schaaf	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1988: A bill for an act relating to port authorities; authorizing port authorities to apply for and exercise the powers of a foreign trade zone; amending Minnesota Statutes 1974, Section 458.192, Subdivision 1, and by adding a subdivision.

Mr. Doty moved to amend H. F. No. 1988 as follows:

Page 2, after line 1, insert:

"Sec. 3. [CREATION OF COMMISSION.] Subdivision 1. [DUTIES.] There is created a commission, to be known as the Interstate Port Authority Commission, which shall develop a plan for the merger of the port authorities at Duluth, Minnesota, and Superior, Wisconsin. The commission shall collect, interpret and correlate information, investigate plans and policies in other states, and shall draft a comprehensive interstate agreement to accomplish the merger. The commission shall:

(1) Study the interrelationship of federal law and the laws of Minnesota and Wisconsin in areas of commerce, common carriers, and public utilities;

(2) Investigate the impact the merger will have on the economics of the region;

(3) Consider alternatives of ownership and control of the merged facility, and the relationship of the facility to the existing governmental entities;

(4) Recommend plans of bonding and taxation to support the merged facility;

(5) Study methods to avoid needless duplication of facilities and services, keeping in mind the resulting effects upon employment in the community;

(6) Develop a system of accountability and periodic review of the activities and functions of the merged facility;

(7) Cooperate and work with the Minnesota-Wisconsin Boundary Area Commission;

(8) Research any other matters it deems necessary for the performance of its duties.

Subd. 2. [COMPOSITION OF COMMISSION.] The commission shall consist of five members from the state of Minnesota, to be chosen as follows: one state senator selected by the committee on committees, one state representative selected by the speaker of the house of representatives, one person appointed by the governor, one person appointed by the mayor of Duluth, and one person appointed by the Duluth port authority. Each member shall be entitled to reimbursement by the appointing authority for expenses incurred in the performance of his duties in the same manner and amount as provided for state employees. The members from the state of Minnesota shall meet with five members from the state of Wisconsin, selected in a similar manner as determined by the legislature of the state of Wisconsin. The commission may employ staff or assistants necessary in the performance of its duties.

Sec. 4. [REPORT TO LEGISLATURE.] *The commission shall submit to the legislature in January, 1977, a report of its findings and a draft of an interstate agreement to merge the port authorities at Duluth, Minnesota, and Superior, Wisconsin.*

Sec. 5. *There is appropriated from the general fund to the Interstate Port Authority Commission the sum of \$1,600 for the purposes of this act, to be available until June 30, 1977. This appropriation is contingent upon the passage of a bill in the legislature of the state of Wisconsin providing the Wisconsin members of the commission, and appropriating a like amount of money to the commission."*

Renumber the remaining section

Page 2, line 3, after "enactment." insert "Sections 3 to 5 shall expire on June 30, 1977."

Amend the title in line 4 after "zone;" by inserting "creating an interstate commission to develop a plan to merge the port authorities at Duluth, Minnesota, and Superior, Wisconsin; appropriating money;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1988 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	Olhoft	Stassen
Bang	Doty	Keefe, S.	Patton	Stokowski
Bernhagen	Gearty	Kirchner	Perpich, A. J.	Stumpf
Borden	Hansen, Baldy	Kowalczyk	Perpich, G.	Ueland
Brataas	Hansen, Mel	Laufenburger	Pillsbury	Willet
Brown	Hanson, R.	Milton	Purfeerst	
Chenoweth	Hughes	Moe	Schmitz	
Chmielewski	Humphrey	Nelson	Solon	
Conzemius	Jensen	North	Spear	

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

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Keefe, S., moved that the following members be excused for a Conference Committee on S. F. No. 1499 at 12:30 p.m.:

Messrs. Keefe, S.; Brown and Stumpf. The motion prevailed.

SPECIAL ORDER

H. F. No. 2520: A bill for an act relating to education; requiring school districts to provide instructional materials for certain nonpublic school children.

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 1, as follows:

Those who voted in the affirmative were:

Arndt	Conzemius	Jensen	Nelson	Schmitz
Ashbach	Doty	Keefe, J.	North	Solon
Bang	Gearty	Kirchner	Olhoft	Stassen
Bernhagen	Hansen, Baldy	Kleinbaum	Patton	Stokowski
Borden	Hansen, Mel	Kowalczyk	Perpich, A. J.	Ueland
Brataas	Hanson, R.	Laufenburger	Perpich, G.	Willet
Chenoweth	Hughes	Milton	Pillsbury	
Chmielewski	Humphrey	Moe	Purfeerst	

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1847: A bill for an act relating to dentistry; providing for registration of dental assistants; changing the membership of the board of dentistry; providing for continuing education; amending Minnesota Statutes 1974, Sections 150A.01, by adding a subdivision; 150A.06, Subdivision 6, and by adding subdivisions; 150A.08; 150A.09, Subdivisions 1 and 2; and 150A.10, Subdivision 2; and amending Minnesota Statutes, 1975 Supplement, Section 150A.02, 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 36 and nays 4, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Keefe, J.	O'Neill	Spear
Ashbach	Doty	Kirchner	Patton	Stokowski
Bang	Gearty	Kleinbaum	Perpich, A. J.	Ueland
Bernhagen	Hansen, Mel	Kowalczyk	Perpich, G.	Willet
Chenoweth	Hanson, R.	Laufenburger	Pillsbury	
Chmielewski	Hughes	Milton	Purfeerst	
Coleman	Humphrey	Moe	Schaaf	
Conzemius	Jensen	Olhoft	Solon	

Messrs. Hansen, Baldy; Josefson; North and Stassen voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2217: A bill for an act relating to veterinary medicine; proscribing certain practices by unlicensed persons; authorizing practice by students in certain circumstances; changing the licensing fee; setting licensing standards; defining terms; amending Minnesota Statutes 1974, Sections 156.001, by adding a subdivision; 156.02, Subdivisions 1 and 2; 156.03; 156.04; 156.07; 156.072, Subdivision 1, and by adding subdivisions; and 156.12.

Mr. Purfeerst moved to amend H. F. No. 2217 as amended by Rule 49, adopted by the Senate on March 12, 1976, as follows:

Page 2, lines 20 to 21, strike "*not to exceed \$100*" and insert "*as set by the board*"

Page 3, lines 13 to 14, strike the new language and insert "as set by the board"

Page 4, line 6, strike everything after "shall"

Page 4, strike lines 7 to 9

Page 4, line 10, strike "than"

Page 4, line 10, strike everything after the stricken language

Page 4, strike lines 11 to 25 and insert "*periodically renew his license in a manner prescribed by the board. Renewal fees shall be set by the board. The board may assess a charge for delinquent payment of a renewal fee.*"

Page 4, lines 30 to 31, strike "for annual registration"

The motion prevailed. So the amendment was adopted.

H. F. No. 2217 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 38 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Davies	Josefson	Moe	Solon
Bang	Doty	Keefe, J.	North	Spear
Bernhagen	Gearty	Kleinbaum	Olhoff	Stassen
Brataas	Hansen, Baldy	Kowalczyk	Patton	Stokowski
Chenoweth	Hanson, R.	Laufenburger	Perpich, A. J.	Ueland
Chmielewski	Hughes	Lewis	Perpich, G.	Willet
Coleman	Humphrey	Merriam	Pillsbury	
Conzemius	Jensen	Milton	Purfeerst	

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

SPECIAL ORDER

H. F. No. 2188: A bill for an act relating to motor vehicles; defining powers of the registrar of motor vehicles; providing for the appointment of private deputy registrars; providing for the appointment of a county license bureau director as deputy registrar; removing bond as qualification for certain deputy registrars and their employees; amending Minnesota Statutes 1974, Section 373.35, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Section 168.33, Subdivision 2; repealing Minnesota Statutes 1974, Section 373.36.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Arnold	Brataas	Coleman	Doty	Hanson, R.
Bang	Chenoweth	Conzemius	Gearty	Hughes
Bernhagen	Chmielewski	Davies	Hansen, Baldy	Humphrey

Jensen	Kowalczyk	North	Perpich, G.	Stassen
Josefson	Laufenburger	Olhoft	Pillsbury	Stokowski
Keefe, J.	Merriam	O'Neill	Purfeerst	Ueland
Kirchner	Milton	Patton	Solon	Wegener
Kleinbaum	Moe	Perpich, A. J.	Spear	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2147: A bill for an act relating to traffic regulation; providing for traffic and parking regulation by school boards; providing a penalty; amending Minnesota Statutes 1974, Chapter 123, by adding a section.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 38 and nays 1, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Olhoft	Solon
Ashbach	Gearty	Kleinbaum	O'Neill	Stassen
Bang	Hansen, R.	Kowalczyk	Patton	Stokowski
Borden	Hughes	Laufenburger	Perpich, A. J.	Ueland
Brataas	Humphrey	Merriam	Perpich, G.	Wegener
Brown	Jensen	Milton	Pillsbury	Willet
Chenoweth	Josefson	Moe	Purfeerst	
Chmielewski	Keefe, J.	North	Schmitz	

Mr. Hansen, Baldy voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2292: A bill for an act relating to Independent School Districts No. 834, No. 832 and No. 833; instructions to pupils from other districts; authorizing the districts to enter into agreements for the furnishing of instruction to non-resident pupils.

Mr. Brown moved to amend the amendment placed on H. F. No. 2292 by the Committee on Education, adopted by the Senate March 12, 1976, as follows:

In the amendment to page 1, line 14, fourth line, after "shall be" insert "voluntary and"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 23 and nays 25, as follows:

Those who voted in the affirmative were:

Arnold	Brown	Hansen, Baldy	Kirchner	Stassen
Ashbach	Chmielewski	Hansen, Mel	Kowalczyk	Ueland
Bang	Fitzsimons	Hansen, R.	Merriam	Willet
Bernhagen	Frederick	Jensen	O'Neill	
Brataas	Gearty	Josefson	Patton	

Those who voted in the negative were:

Borden	Doty	Milton	Perpich, A. J.	Solon
Chenoweth	Hughes	Moe	Perpich, G.	Spear
Coleman	Humphrey	North	Pillsbury	Stokowski
Conzemius	Kleinbaum	Olhoff	Schaaf	Stumpf
Davies	Laufenburger	Olson, H. D.	Schmitz	Wegener

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

H. F. No. 2292 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 51 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Brown voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2440: A bill for an act relating to the administration of justice; authorizing judicially imposed fees for county law libraries; amending Minnesota Statutes 1974, Sections 140.22; 140.23; 140.26; 140.30; 140.31; and Chapter 140, by adding sections.

Mr. Moe moved to amend H. F. No. 2440, as amended pursuant to Rule 49, adopted by the Senate March 17, 1976, as follows:

(The text of the amended House file is identical to S. F. No. 2325.)

Pages 1 and 2, strike section 1 and insert:

"Section 1. [COUNTY LAW LIBRARY FEES; BELTRAMI AND CLEARWATER; DISTRICT COURT.] *Notwithstanding any provision of law contained in Minnesota Statutes, Chapter 140, to the contrary, it shall be the duty of the clerk of the district court in Beltrami and Clearwater counties to collect in each civil suit, action or proceeding filed in the court, as law library fees, the sum of \$3 from the plaintiff or person instituting the suit, action or proceeding at the time of the filing of the first paper therein, and the sum of \$3 from the defendant or other adverse or intervening party at the time his appearance is entered or when the first paper on his part is filed therein.*

Sec. 2. [BELTRAMI AND CLEARWATER COUNTY COURTS; FEES.] *Notwithstanding any provision of law contained in Minnesota Statutes, Chapter 140, to the contrary, it shall be the duty of the clerk*

of the county court in Beltrami and Clearwater counties, to collect in each civil suit, action or proceeding filed in the court relating to Beltrami or Clearwater county, as law library fees, the sum of \$3 from the plaintiff or person instituting the suit, action or proceeding at the time of filing the first paper therein.

Sec. 3. [BELTRAMI AND CLEARWATER PROBATE COURTS; FEES.] Notwithstanding any provision of law contained in Minnesota Statutes, Chapter 140, to the contrary, it shall be the duty of the judge of probate court in Beltrami and Clearwater counties in each proceeding in the probate court relating to Beltrami or Clearwater county, in the matter of the estate of a deceased person looking to the entry of a decree determining the descent of real estate or of a decree or order for distribution of estate, except in summary administrative procedures for small estates pursuant to Minnesota Statutes, Sections 524.3-1203 or 524.3-1204 or summary proceedings instituted pursuant to Minnesota Statutes, Section 525.51, to collect, as a county law library fee, the sum of \$3 from the petitioner instituting the proceeding at the time of the filing of the petition therein. The disbursement shall be an item of expense of administration of the estate, entitling the petitioner to reimbursement therefor out of the estate.

Sec. 4. [BELTRAMI AND CLEARWATER DISTRICT AND COUNTY COURTS; CRIMINAL DEFENDANT; FEES.] Notwithstanding any provision of law contained in Minnesota Statutes, Chapter 140, to the contrary, in the counties of Beltrami and Clearwater there shall be included in the costs or disbursements assessed against the defendant convicted in the district court or county court of the violation of any statute or municipal ordinance, in all criminal prosecutions in which, upon conviction, the defendant may now or hereafter be subject to the payment of the costs or disbursements of the prosecution in addition to a fine or other penalty, the sum of \$3, as a county law library fee. Provided, the item of costs or disbursements may not be assessed for any offense committed prior to the establishment of the county law library, and, provided further, that the item of costs or disbursements may not be assessed in any criminal case where the fine assessed is \$10 or less."

Page 2, line 12, after "collected" insert "and shall collect a law library fee from each defendant and each other adverse or intervening party when his appearance is entered in the action or when the first paper on his part is filed"

Page 2, line 22, delete "sections 1 and 2" and insert "section 5"

Page 3, delete lines 7 to 32

Page 4, delete lines 1 to 32

Page 5, delete lines 1 to 32

Page 6, delete lines 1 to 4

Renumber the sections in order

Further amend the title as follows:

Page 1, line 5, delete "sections" and insert "a section"

Page 1, line 5, after "140.23;" delete "140.26; 140.30; 140.31;"

The motion prevailed. So the amendment was adopted.

H. F. No. 2440 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Jensen	North	Solon
Arnold	Dunn	Keefe, J.	Olhoft	Spear
Ashbach	Fitzsimons	Kleinbaum	O'Neill	Stokowski
Bang	Frederick	Kowalczyk	Patton	Stumpf
Bernhagen	Gearty	Laufenburger	Perpich, A. J.	Tennessen
Chmielewski	Hansen, Baldy	Merriam	Perpich, G.	Ueland
Coleman	Hansen, Mel	Milton	Pillsbury	Wegener
Conzemius	Hanson, R.	Moe	Schaaf	Willet
Davies	Hughes	Nelson	Schmitz	

Mr. Josefson voted in the negative.

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

SPECIAL ORDER

H. F. No. 814: A bill for an act relating to taxation; authorizing an increase in fees charged for preparation of delinquent tax, current tax and federal tax lien certificates; amending Minnesota Statutes 1974, Sections 272.12; 272.47; and 272.483.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Doty	Josefson	O'Neill	Spear
Arnold	Dunn	Keefe, J.	Patton	Stassen
Ashbach	Fitzsimons	Kleinbaum	Perpich, A. J.	Stokowski
Bang	Frederick	Laufenburger	Perpich, G.	Stumpf
Berg	Gearty	Merriam	Pillsbury	Tennessen
Bernhagen	Hansen, Baldy	Milton	Purfeerst	Wegener
Brataas	Hansen, Mel	Nelson	Schaaf	Willet
Chmielewski	Hanson, R.	North	Schmitz	
Coleman	Hughes	Olhoft	Sillers	
Davies	Jensen	Olson, J. L.	Solon	

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Conzemius moved that the following members be excused for a Conference Committee on S. F. No. 60:

Messrs. Conzemius, Kowalczyk and Nelson. The motion prevailed.

SPECIAL ORDER

H. F. No. 1913: A bill for an act relating to the city of Waseca; authorizing lump sum firemen's service pensions.

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	Doty	Josefson	Patton	Stassen
Arnold	Dunn	Keefe, J.	Perpich, A. J.	Stokowski
Ashbach	Fitzsimons	Keefe, S.	Perpich, G.	Stumpf
Bang	Frederick	Kleinbaum	Pillsbury	Tennessen
Berg	Gearty	Laufenburger	Purfeerst	Ueland
Bernhagen	Hansen, Baldy	Merriam	Schaaf	Willet
Brataas	Hansen, Mel	Milton	Schmitz	
Brown	Hanson, R.	North	Sillers	
Chmielewski	Hughes	Olhoft	Solon	
Davies	Jensen	O'Neill	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1333: A bill for an act relating to coroners; providing for fees and traveling expenses; prohibiting interference with a dead body or the scene of death; prescribing penalties; amending Minnesota Statutes 1974, Sections 357.11; and 390.11, Subdivision 8.

Mr. Brown moved to amend H. F. No. 1333 as follows:

Page 2, strike lines 27 to 32 and insert:

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

[609.502] [INTERFERENCE WITH DEAD BODY OR SCENE OF DEATH.] *Whoever*"

Amend the title as follows:

Line 6, strike "Sections" and insert "Section"

Line 6, strike "390.11, Subdivision 8" and insert "Chapter 609, by adding a section"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. moved to amend H. F. No. 1333 as follows:

Page 1, line 10, after "[CORONERS.]" insert "*Fees*"

Page 1, strike lines 11 to 22 and insert "*body, for holding an inquest, for preparing folios, and allowances for mileage for necessary travel shall be determined by the county board.*"

Page 1, line 23 strike "(2)" and insert "(1)"

Page 2, line 2, strike "(3)" and insert "(2) *Fees and mileage for*"

Page 2, strike lines 3 to 6 and insert "*shall be determined by the county board.*"

Page 2, line 7, strike "compensation for the services."

The motion prevailed. So the amendment was adopted.

H. F. No. 1333 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Jensen	Olhoft	Sillers
Arnold	Coleman	Josefson	Olson, J. L.	Spear
Ashbach	Davies	Keefe, S.	O'Neill	Stassen
Bang	Doty	Kirchner	Patton	Stokowski
Berg	Dunn	Larson	Perpich, A. J.	Stumpf
Bernhagen	Frederick	Laufenburger	Perpich, G.	Tennessee
Borden	Gearty	Merriam	Pillsbury	Ueland
Brataas	Hansen, Mel	Milton	Purfeerst	Wegener
Brown	Hughes	Moe	Schaaf	Willet
Chenoweth	Humphrey	North	Schmitz	

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

SPECIAL ORDER

H. F. No. 1967: A bill for an act relating to the city of Rockford; proportionate service pensions and financing requirements of the firemen's relief association.

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	Chmielewski	Hughes	Moe	Sillers
Arnold	Coleman	Humphrey	North	Spear
Ashbach	Davies	Jensen	Olhoft	Stassen
Bang	Doty	Josefson	Olson, J. L.	Stokowski
Berg	Dunn	Keefe, S.	O'Neill	Stumpf
Bernhagen	Frederick	Kirchner	Perpich, A. J.	Tennessee
Borden	Gearty	Larson	Perpich, G.	Ueland
Brataas	Hansen, Baldy	Laufenburger	Pillsbury	Wegener
Brown	Hansen, Mel	Merriam	Purfeerst	Willet
Chenoweth	Hanson, R.	Milton	Schaaf	

So the bill passed and its title was agreed to.

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.

MEMBERS EXCUSED

Pursuant to Rule 21, Mr. Keefe, S. moved that the following members be excused for a Conference Committee on S. F. No. 819 at 2:00 p.m.:

Messrs. Stumpf; Keefe, S.; Tennesen; Fitzsimons and Brown. The motion prevailed.

SUSPENSION OF RULES

Mr. Davies moved that the rules of the Senate be so far suspended that H. F. No. 1962, No. 43 on General Orders, be made a Special Order for immediate consideration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1962: A bill for an act relating to the city of Wadena; increasing payments for firemen's relief association service pensions.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Frederick	Knutson	Olson, J. L.	Stokowski
Ashbach	Gearty	Larson	O'Neill	Tennesen
Berg	Hansen, Baldy	Laufenburger	Patton	Ueland
Borden	Hanson, R.	Lewis	Perpich, G.	Wegener
Brataas	Hughes	Merriam	Pillsbury	Willet
Chmielewski	Humphrey	North	Renneke	
Davies	Jensen	Olhoft	Schaaf	
Doty	Josefson	Olson, A. G.	Sillers	
Dunn	Kirchner	Olson, H. D.	Stassen	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1895: A bill for an act relating to highway traffic regulations; brakes; amending Minnesota Statutes 1974, Section 169.67, Subdivision 3.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Arnold	Chmielewski	Gearty	Jensen	Laufenburger
Ashbach	Davies	Hansen, Baldy	Josefson	Merriam
Berg	Doty	Hanson, R.	Kirchner	North
Brataas	Dunn	Hughes	Knutson	Olhoft
Chenoweth	Frederick	Humphrey	Larson	Olson, A. G.

Olson, H. D.	Patton	Pillsbury	Sillers	Ueland
Olson, J. L.	Perpich, A. J.	Renneke	Stassen	Wegener
O'Neill	Perpich, G.	Schaaf	Stokowski	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1330: A bill for an act relating to labor; directing the commissioner of labor and industry to enforce the prohibition against administering polygraph tests to employees; prescribing penalties; amending Minnesota Statutes 1974, Section 181.75; repealing Minnesota Statutes 1974, Section 181.77.

Mr. Doty moved to amend the amendment placed on H. F. No. 1330 by the Committee on Judiciary, adopted by the Senate March 19, 1976, as follows:

Strike the amendment to page 1, line 17

Page 1, line 17, after "employee." insert "*No person shall sell to or interpret for an employer or his agent a test that he knows has been induced or required by an employer or his agent to test the honesty of an employee or prospective employee.*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1330 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 38 and nays 15, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Lewis	Olson, H. D.	Stassen
Arnold	Dunn	Merriam	O'Neill	Stokowski
Borden	Gearty	Milton	Perpich, A. J.	Stumpf
Brataas	Hughes	Moe	Perpich, G.	Tennessen
Brown	Humphrey	North	Schaaf	Wegener
Chenoweth	Keefe, S.	Ogdahl	Schmitz	Willet
Chmielewski	Kleinbaum	Ohof	Sillers	
Davies	Laufenburger	Olson, A. G.	Spear	

Those who voted in the negative were:

Bang	Frederick	Jensen	Olson, J. L.	Renneke
Berg	Hansen, Baldy	Josefson	Patton	Schrom
Bernhagen	Hanson, R.	Larson	Pillsbury	Ueland

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Davies moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

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. 1956: A bill for an act relating to nursing homes; providing for the licensing and inspection of nursing homes; providing for the licensing of nursing home administrators; reorganizing various laws relating to nursing homes and nursing home administrators; clarifying language and making necessary revisions; prescribing civil and criminal penalties; amending Minnesota Statutes 1974, Sections 144.053, Subdivision 3; 144.49, Subdivisions 6 and 7; 144.50; 144.51; 144.55; 144.572; 144.63, Subdivision 2; 144.652; 144.653; Subdivision 1; 144.654; 144.655; 144.656; 144.657; 144.68, Subdivisions 2 and 3; 145.61, Subdivision 4; 145.75; 145.862, Subdivision 4; 245.691, Subdivision 3; 256B.02, Subdivision 2; 256B.30; 256D.18, Subdivision 2; 299F.39, Subdivision 1; 609.231; 626.555, Subdivisions 1, 2 and 7; and Minnesota Statutes, 1975 Supplement, Sections 144.53; 144.571; 145.72, Subdivision 2; 145.74; and 214.01, Subdivision 2; repealing Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 144.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952.

Senate File No. 1956 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 26, 1976

Mr. Milton moved that S. F. No. 1956 be laid on the table. The motion prevailed.

Mr. President:

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

S. F. No. 1800: A bill for an act relating to unemployment compensation; providing for exclusion of certain part time services; providing for an emergency surtax in employer contributions; modifying disqualifying conditions for employment compensation; permitting information to be furnished to department of public welfare by commissioner of employment services; permitting information to be furnished to department of employment services by commissioner of revenue; providing taxation of unemployment compensation benefits in certain conditions; providing a penalty; amending Minnesota Statutes 1974, Sections 268.04, Subdivision 29; 268.06, by adding a subdivision; 268.10, Subdivision 1; 268.18, Subdivision 3; 268.12, Subdivision 12; and 290.61; Minnesota Statutes, 1975 Supplement, Sections 268.04, Subdivision 12; 268.06, Subdivision 8; 268.07, Subdivision 2; 268.09, Subdivision 1; and 290.01, Subdivision 20.

Senate File No. 1800 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 26, 1976

Mr. Wegener moved that the Senate do not concur in the amendments by the House to S. F. No. 1800 and that a Conference Committee of 5 members be appointed by the Committee on Committees

on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

APPOINTMENTS

Mr. Davies, from the Committee on Committees, recommends that the following named Senators be and they hereby are appointed as a Conference Committee on:

H. F. No. 348, pursuant to the request of the House:

Messrs. Laufenburger, Kowalczyk and Milton.

H. F. No. 746, pursuant to the request of the House:

Messrs. Solon, Nelson and Laufenburger.

H. F. No. 2203, pursuant to the request of the House:

Messrs. Milton, Kirchner and Spear.

S. F. No. 2288, pursuant to the request of the Senate:

Messrs. Willet, Solon and Hanson, R.

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

SPECIAL ORDER

H. F. No. 1827: 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.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 40 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olson, A. G.	Renneke
Ashbach	Frederick	Kleinbaum	Olson, H. D.	Schmitz
Bang	Gearty	Knutson	Olson, J. L.	Sillers
Berg	Hansen, Mel	Larson	O'Neill	Solon
Borden	Hanson, R.	Laufenburger	Patton	Spear
Brataas	Hughes	Lewis	Perpich, A. J.	Stassen
Chmielewski	Humphrey	Milton	Perpich, G.	Stokowski
Doty	Josefson	Olhoft	Pillsbury	Willet

Messrs. Jensen and Merriam voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2472: A bill for an act relating to Independent School District No. 624 and Independent School District No. 12; providing for the exchange of territory between the districts.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Dunn	Josefson	Moe	Schmitz
Arnold	Frederick	Kirchner	Olhoff	Sillers
Ashbach	Gearty	Kleinbaum	Olson, A. G.	Spear
Bang	Hansen, Baldy	Knutson	Olson, H. D.	Stassen
Bernhagen	Hansen, Mel	Larson	Olson, J. L.	Stokowski
Borden	Hanson, R.	Laufenburger	Patton	Willet
Brataas	Hughes	Lewis	Perpich, A. J.	
Chmielewski	Humphrey	Merriam	Perpich, G.	
Doty	Jensen	Milton	Renneke	

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. 2215, No. 86 on the General Orders Calendar, a Special Order to be heard immediately.

H. F. No. 2215: A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangars.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Anderson	Davies	Humphrey	Moe	Renneke
Arnold	Doty	Jensen	Ogdahl	Schmitz
Ashbach	Dunn	Josefson	Olhoff	Sillers
Bang	Frederick	Kleinbaum	Olson, A. G.	Spear
Berg	Gearty	Knutson	Olson, H. D.	Stassen
Bernhagen	Hansen, Baldy	Laufenburger	Olson, J. L.	Stokowski
Borden	Hansen, Mel	Lewis	Patton	Wegener
Brataas	Hanson, R.	Merriam	Perpich, A. J.	Willet
Chmielewski	Hughes	Milton	Perpich, G.	

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. 2560, No. 89 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 2560: A bill for an act relating to state university employees; approving wage and economic fringe benefit agreements between the state and certain employees of the state university system; amending Minnesota Statutes 1974, Chapter 136, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 43.12, Subdivision 17.

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	Davies	Humphrey	Ogdahl	Purfeerst
Arnold	Doty	Jensen	Olhoft	Renneke
Bang	Dunn	Josefson	Olson, A. G.	Sillers
Berg	Frederick	Kleinbaum	Olson, H. D.	Solon
Bernhagen	Gearty	Knutson	Olson, J. L.	Spear
Borden	Hansen, Baldy	Laufenburger	Patton	Stassen
Brataas	Hansen, Mel	Lewis	Perpich, A. J.	Stokowski
Chmielewski	Hanson, R.	Milton	Perpich, G.	Wegener
Coleman	Hughes	Moe	Pillsbury	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. 2300, No. 94 on the General Orders Calendar, a Special Order to be heard immediately.

S. F. No. 2300: A bill for an act relating to livestock sanitation; providing indemnification to owners of condemned cattle by reason of being nonreactors to the brucellosis test, or by reason of being exposed to brucellosis and not eligible for test; authorizing indemnity to owners of grade bulls slaughtered because of certain other dangerous diseases; appropriating money; amending Minnesota Statutes 1974, Section 35.09, Subdivision 2, and by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kleinbaum	Olson, J. L.	Spear
Arnold	Gearty	Knutson	O'Neill	Stassen
Ashbach	Hansen, Baldy	Laufenburger	Patton	Stokowski
Bernhagen	Hansen, Mel	Lewis	Perpich, G.	Wegener
Brataas	Hanson, R.	Milton	Pillsbury	Willet
Chmielewski	Hughes	Moe	Purfeerst	
Coleman	Humphrey	Ogdahl	Renneke	
Doty	Jensen	Olhoft	Sillers	
Dunn	Josefson	Olson, H. D.	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1767: A bill for an act relating to bingo; providing penalties; amending Minnesota Statutes 1974, Section 609.75, Subdivision 3; repealing Minnesota Statutes 1974, Chapter 349.

Mr. Perpich, A. J. moved to amend H. F. No. 1767 as follows:

Strike sections 1 to 13

Page 10, strike lines 15 and 16

Page 10, line 17, strike "(5)" and insert "(4)"

Renumber the sections in sequence

Amend the title as follows:

Line 2, strike "providing penalties;"

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 6 and nays 35, as follows:

Those who voted in the affirmative were:

Coleman	Olhoft	Perpich, A. J.	Perpich, G.	Sillers
Kleinbaum				

Those who voted in the negative were:

Anderson	Davies	Hansen, Mel	Larson	Purfeerst
Arnold	Doty	Hughes	Laufenburger	Spear
Bang	Dunn	Humphrey	Moe	Stassen
Berg	Fitzsimons	Jensen	North	Stokowski
Bernhagen	Frederick	Josefson	Olson, H. D.	Stumpf
Borden	Gearty	Keefe, J.	O'Neill	Tennessen
Chmielewski	Hansen, Baldy	Keefe, S.	Pillsbury	Willet

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

Mr. Stassen moved to amend H. F. No. 1767 as follows:

Page 4, line 28, after "occasion" insert "*except by resolution of a majority of the membership, recorded in the official minutes of the organization, non-management assistants may be hired to assist members in conducting a bingo occasion*"

The motion prevailed. So the amendment was adopted.

Mr. Jensen moved to amend the amendment placed on H. F. No. 1767 by the Committee on Transportation and General Legislation, adopted by the Senate March 17, 1976, as follows:

In the amendment to page 6, line 14, after "cancellation." insert:

"The governing body of a local unit of government may waive this bond requirement by including a waiver provision in the bingo license issued to an organization, provided that a license containing such a provision shall be granted only by unanimous vote."

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

Mr. Stokowski moved to amend H. F. No. 1767 as follows:

Page 7, line 13, after "conducted" insert "*without complying with the requirements of sections 4 and 7, Subdivisions 2 and 3, if conducted: (a)*"

Page 7, line 18, strike "without"

Page 7, strike line 19

Page 7, strike everything before "the" and insert "provided that"

Page 7, line 21, before the period insert " ; and (b) by an organization that conducts less than five bingo occasions in any calendar year"

The motion prevailed. So the amendment was adopted.

H. F. No. 1767 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 50 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Keefe, S.	Olson, A. G.	Schrom
Arnold	Dunn	Kirchner	Olson, H. D.	Sillers
Bang	Fitzsimons	Kleinbaum	Olson, J. L.	Solon
Bernhagen	Frederick	Knutson	O'Neill	Spear
Borden	Gearty	Larson	Patton	Stassen
Brataas	Hansen, Mel	Lewis	Perpich, A. J.	Stokowski
Chenoweth	Hanson, R.	Moe	Pillsbury	Stumpf
Chmielewski	Hughes	North	Purfeerst	Tennessee
Coleman	Humphrey	Ogdahl	Renneke	Ueland
Davies	Jensen	Olhoft	Schmitz	Willet

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

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

SPECIAL ORDER

H. F. No. 1143: A bill for an act relating to public health; providing that chiropractic colleges shall be entitled to receive cadavers for the purpose of anatomical study; amending Minnesota Statutes 1974, Sections 145.14 and 525.923.

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 5, as follows:

Those who voted in the affirmative were:

Anderson	Fitzsimons	Keefe, J.	Olson, H. D.	Schrom
Arnold	Frederick	Keefe, S.	Olson, J. L.	Solon
Bang	Gearty	Kirchner	Patton	Spear
Bernhagen	Hansen, Baldy	Kleinbaum	Perpich, A. J.	Stassen
Borden	Hansen, Mel	Knutson	Perpich, G.	Stokowski
Chmielewski	Hanson, R.	Laufenburger	Pillsbury	Stumpf
Coleman	Hughes	Lewis	Purfeerst	Ueland
Davies	Humphrey	Moe	Renneke	Wegener
Doty	Jensen	Ogdahl	Schaaf	Willet
Dunn	Josefson	Olhoft	Schmitz	

Those who voted in the negative were:

Brataas	Chenoweth	Merriam	North	Tennessee
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So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2342: A bill for an act relating to state hospitals; providing certain name changes; amending Minnesota Statutes 1974, Sections 252.025, Subdivision 1; 253.201; 253A.02, by adding a subdivision; and 254.05.

Mr. Olhoft moved to amend H. F. No. 2342 as follows:

Pages 1 and 2, strike section 2

Renumber the sections in sequence

Amend the title as follows:

Line 4, strike "253.201;"

The motion prevailed. So the amendment was adopted.

H. F. No. 2342 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Keefe, S.	Olson, H. D.	Schrom
Arnold	Fitzsimons	Kirchner	O'Neill	Solon
Bang	Frederick	Kleinbaum	Patton	Spear
Bernhagen	Hansen, Baldy	Knutson	Perpich, A. J.	Stassen
Borden	Hansen, Mel	Laufenburger	Perpich, G.	Stokowski
Brataas	Hanson, R.	Lewis	Pillsbury	Stumpf
Chmielewski	Hughes	Merriam	Purfeerst	Tennessen
Coleman	Humphrey	Moe	Renneke	Willet
Davies	Jensen	Ogdahl	Schaaf	
Doty	Josefson	Olhoft	Schmitz	

Mr. North voted in the negative.

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

SPECIAL ORDER

H. F. No. 2490: A bill for an act relating to highways; designating and establishing the route of the "Glacial Ridge Trail"; amending Minnesota Statutes 1974, Section 161.14, Subdivision 15.

Mr. Olhoft moved to amend H. F. No. 2490, as amended pursuant to Rule 49, adopted by the Senate March 12, 1976, as follows:

(The text of the amended House file is identical to S. F. No. 2172.)

Page 5, line 15, strike "8" and insert "12"

Page 5, line 16, strike "8" and insert "12"

The motion prevailed. So the amendment was adopted.

H. F. No. 2490 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Doty	Josefson	Ogdahl	Schmitz
Arnold	Dunn	Keefe, J.	Olhoft	Schrom
Bang	Fitzsimons	Keefe, S.	Olson, H. D.	Sillers
Bernhagen	Frederick	Kirchner	Olson, J. L.	Solon
Borden	Gearty	Kleinbaum	Patton	Spear
Brataas	Hansen, Baldy	Laufenburger	Perpich, G.	Stassen
Chenoweth	Hansen, Mel	Lewis	Pillsbury	Stokowski
Chmielewski	Hughes	Merriam	Purfeerst	Stumpf
Coleman	Humphrey	Moe	Renneke	Tennessen
Davies	Jensen	North	Schaaf	Willet

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

SPECIAL ORDER

H. F. No. 2560: A bill for an act relating to highway traffic regulations; prescribing the width of vehicles; amending Minnesota Statutes 1974, Section 169.80, 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 43 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Olson, H. D.	Solon
Arnold	Gearty	Kleinbaum	Olson, J. L.	Spear
Bernhagen	Hansen, Mel	Laufenburger	Patton	Stassen
Borden	Hanson, R.	Lewis	Pillsbury	Stumpf
Chenoweth	Hughes	Merriam	Purfeerst	Tennessen
Chmielewski	Humphrey	Moe	Renneke	Wegener
Coleman	Jensen	North	Schaaf	Willet
Davies	Josefson	Ogdahl	Schmitz	
Doty	Keefe, S.	Olhoft	Sillers	

Those who voted in the negative were:

Bang	Hansen, Baldy	Keefe, J.	Perpich, G.	Schrom
Frederick				

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2321: A bill for an act relating to the city of Sauk Rapids; fireman's lump sum service pensions; amending Laws 1973, Chapter 481, Section 1.

Mr. Kleinbaum moved to amend H. F. No. 2321 as follows:

Page 2, strike lines 5 through 7 and insert:

"Sec. 2. Laws 1969, Chapter 1134, Section 3, Subdivision 3, is amended to read:

Subd. 3. [COMMISSION; STATE TREASURER TO BE TREASURER; FISCAL YEAR.] The treasurer shall receive, hold, disburse, invest, and otherwise dispose of all moneys of the commission as provided by law. Except as otherwise expressly provided, he shall disburse moneys of the commission only as directed

by the commission or by any of its officers thereto authorized by the commission. The fiscal year of the commission ~~shall be from July 1 to June 30 ending June 30, 1976 shall be extended to September 30, 1976. Thereafter the fiscal year of the commission shall be from October 1 to September 30.~~

Sec. 3. Laws 1969, Chapter 1134, Section 3, Subdivision 4, as amended by Laws 1971, Chapter 546, Section 2, is amended to read:

Subd. 4. [COMMISSIONERS; COMPENSATION AND EXPENSES.] A commissioner shall receive no compensation for his services except as hereinafter provided, but shall be reimbursed for actual and necessary expenses incurred in the performance of his duties. Each commissioner shall be paid such sum as the commission by *resolution* may determine, ~~not exceeding \$35 by public hearing~~ for each day or part thereof spent in attending meetings of the commission; provided, that no commissioner shall receive more than \$2,500 for such attendance during the first 12 months beginning with and following the organization meeting, nor more than \$1,600 in any one calendar year thereafter. The secretary and the treasurer shall receive such compensation as the commission may determine, which may be in addition to their compensation as a commissioner if they are such.

Sec. 4. [EFFECTIVE DATE.] *Subdivision 1. Section 1 of this act is effective upon approval by the city council of the city of Sauk Rapids and upon compliance with Minnesota Statutes, Section 645.021.*

Subd. 2. Sections 2 and 3 of this act are effective upon approval by the governing body of the St. Cloud metropolitan transit commission and upon compliance with Minnesota Statutes, Section 645.021."

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

"A bill for an act relating to local government in Benton, Sherburne and Stearns counties; increasing fireman's lump sum service pensions in the city of Sauk Rapids; changing the fiscal year of the St. Cloud metropolitan transit commission; increasing the per diem pay of commissioners; amending Laws 1969, Chapter 1134, Section 3, Subdivision 3 and Subdivision 4, as amended; Laws 1973, Chapter 481, Section 1.

The motion prevailed. So the amendment was adopted.

H. F. No. 2321 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Bernhagen	Chmielewski	Dunn	Hansen, Baldy
Arnold	Brataas	Coleman	Frederick	Hansen, Mel
Bang	Chenoweth	Doty	Gearty	Hanson, R.

Hughes	Kleinbaum	Ogdahl	Purfeerst	Solon
Humphrey	Laufenburger	Olson, H. D.	Renneke	Spear
Jensen	Merriam	Olson, J. L.	Schaaf	Stassen
Josefson	Milton	Perpich, A. J.	Schmitz	Stumpf
Keefe, J.	Moe	Perpich, G.	Schrom	Willet
Kirchner	North	Pillsbury	Sillers	

Messrs. Davies; Keefe, S. and Olhoft voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Milton moved that S. F. No. 1956 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Milton moved that the Senate concur in the amendments by the House to S. F. No. 1956 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1956: A bill for an act relating to nursing homes; providing for the licensing and inspection of nursing homes; providing for the licensing of nursing home administrators; reorganizing various laws relating to nursing homes and nursing home administrators; clarifying language and making necessary revisions; prescribing civil and criminal penalties; amending Minnesota Statutes 1974, Sections 144.053, Subdivision 3; 144.49, Subdivisions 6 and 7; 144.50; 144.51; 144.55; 144.572; 144.63, Subdivision 2; 144.652; 144.653, Subdivision 1; 144.654; 144.655; 144.656; 144.657; 144.68, Subdivisions 2 and 3; 145.61, Subdivision 4; 145.75; 145.862, Subdivision 4; 245.691, Subdivision 3; 256B.02, Subdivision 2; 256B.30; 256D.18, Subdivision 2; 299F.39, Subdivision 1; 609.231; 626.555, Subdivisions 1, 2 and 7; and Minnesota Statutes, 1975 Supplement, Sections 144.53; 144.571; 145.72, Subdivision 2; 145.74; and 214.01, Subdivision 2; repealing Minnesota Statutes 1974, Sections 144.584; 144.951; 144.953; 144.954; 144.955; 144.9555; 144.956; 144.957; 144.958; 144.959; 144.96; 144.961; 144.962; 144.963; 144.964; and 144.965; and Minnesota Statutes, 1975 Supplement, Section 144.952.

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 40 and nays 17, as follows:

Those who voted in the affirmative were:

Arnold	Doty	Kirchner	Ogdahl	Spear
Bang	Dunn	Knutson	Olhoft	Stassen
Borden	Gearty	Kowalczyk	Perpich, A. J.	Stokowski
Brown	Hansen, Mel	Merriam	Perpich, G.	Stumpf
Chenoweth	Hughes	Milton	Pillsbury	Tennessen
Coleman	Humphrey	Moe	Schaaf	Ueland
Conzemius	Keefe, J.	Nelson	Sillers	Wegener
Davies	Keefe, S.	North	Solon	Willet

Those who voted in the negative were:

Berg	Hansen, Baldy	Kleinbaum	Patton	Schrom
Bernhagen	Hanson, R.	Laufenburger	Purfeerst	
Chmielewski	Jensen	Olson, J. L.	Renneke	
Frederick	Josefson	O'Neill	Schmitz	

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

SPECIAL ORDER

H. F. No. 471: A bill for an act relating to condominiums; providing for registration and disclosure prior to sale; providing penalties; amending Minnesota Statutes 1974, Section 83.26, Subdivision 1; and repealing Minnesota Statutes 1974, Chapter 515.

Mr. Tennesen moved to amend the amendment placed on H. F. No. 471 by the Committee on Labor and Commerce, adopted by the Senate March 19, 1976, as follows:

Subd. 6 (a), line 2, strike "years" and insert "days"

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

H. F. No. 471 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kleinbaum	O'Neill	Solon
Bang	Frederick	Knutson	Patton	Spear
Bernhagen	Gearty	Lewis	Perpich, A. J.	Stassen
Borden	Hansen, Baldy	Merriam	Perpich, G.	Stokowski
Brataas	Hansen, Mel	Milton	Pillsbury	Stumpf
Brown	Hughes	Nelson	Purfeerst	Tennesen
Chenoweth	Humphrey	North	Renneke	Ueland
Chmielewski	Jensen	Ogdahl	Schaaf	
Coleman	Josefson	Olhoft	Schmitz	
Davies	Keefe, S.	Olson, H. D.	Schrom	
Doty	Kirchner	Olson, J. L.	Sillers	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Merriam moved that H. F. No. 943 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

CONFERENCE COMMITTEE REPORT ON H F. NO. 943

A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting counties to establish translator systems; amending Minnesota Statutes 1974, Sections

238.02, Subdivision 11; 238.04, Subdivision 1; 238.05, Subdivisions 2, 6, 7, 12, and by adding a subdivision; 238.06, Subdivision 1; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 375.164; repealing Minnesota Statutes 1974, Sections 238.05, Subdivisions 8 and 16; and 238.09, Subdivision 2.

March 22, 1976

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

The Honorable Alec G. Olson
President of the Senate

We, the undersigned conferees for H. F. No. 943 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 943 be amended as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1974, Section 238.02, Subdivision 11, is amended to read:

Subd. 11. "Person" shall mean any individual, trustee, partnership, *municipality*, association, corporation or other legal entity.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 238.04, Subdivision 1, is amended to read:

238.04 [COMMISSION CREATED.] Subdivision 1. A state commission on cable communication is hereby created within the department of administration and shall consist of seven members. ~~The commission shall reside within the department of administration for a period not to exceed four years from May 24, 1973.~~

The members of the commission shall be representative of the broad range of interests related to telecommunication needs and concerns.

Sec. 3. Minnesota Statutes 1974, Section 238.05, Subdivision 2, is amended to read:

Subd. 2. The commission shall, to the extent permitted by, and not contrary to, applicable federal and state law, rules and regulations;

(a) prescribe procedures and practices which municipalities shall follow in granting franchises, including those providing for issuance of a public invitation to compete for the franchise, said invitation containing the outlines for the municipality's cable system and the desired services as well as the criteria and priorities ~~which shall be applied~~ *the municipality has developed to review franchise applications* ;

(b) prescribe minimum standards for inclusion in franchises, including maximum initial, renegotiation and renewal periods; length of residential subscriber contracts; provisions for municipal purchase; *prohibitions against the invasion of privacy through a cable communications system; provisions covering the construction, operation and abandonment of cable communications systems*; and a requirement that no such franchise may be exclusive. Taking into account the size of the cable communications system, the commission shall also prescribe minimum standards for performance bond requirements; for channel capacity; for two-way capability; for access to, and facilities to make use of, channels for education, government, *and the general public*; and for construction and operation of the cable communications system;

~~(c) prescribe a list of items for inclusion in franchises;~~

~~(d) (c) prescribe standards for: franchises awarded in the twin cities metropolitan area which designate a uniform regional channel reserved for public use ; the interconnection of all cable systems within this area; and the designation of a single entity to schedule programs and facilitate use of this channel ;~~

(d) designate the entity referred to in clause (c) and prescribe rules for its operation and practice which rules shall insure that priority is given to public use of the uniform regional channel .

Sec. 4. Minnesota Statutes 1974, Section 238.05, Subdivision 6, is amended to read:

Subd. 6. The commission shall adopt, after consulting with either the metropolitan council or regional development commissions of the state as appropriate, a set of minimum standards for the establishment of cable territories within which a franchise may be awarded, and procedures to be followed for alteration of cable service territory boundaries , ~~by municipalities in the twin cities metropolitan area as designated in Minnesota Statutes 1971, Section 473B.01, and other designated standard metropolitan statistical areas .~~

Sec. 5. Minnesota Statutes 1974, Section 238.05, Subdivision 7, is amended to read:

Subd. 7. The commission shall approve , ~~modify~~ or reject boundaries for specific territories upon receipt of proposals from municipalities or cable communications operator applicants, after consultation with the metropolitan council or the affected regional planning commission. *If the proposed boundaries, in whole or part, are within the seven county metropolitan area, the metropolitan council shall be allowed 90 days to review and comment on the proposed boundaries.*

Sec. 6. Minnesota Statutes 1974, Section 238.05, is amended by adding a subdivision to read:

Subd. 17. The commission shall also promulgate rules pertaining to cable transmission line extension by cable communications companies.

Sec. 7. Minnesota Statutes 1974, Section 238.06, Subdivision 1, is amended to read:

238.06 [POWERS OF COMMISSION.] Subdivision 1. The commission may promulgate, issue, amend, rescind, and provide for the enforcement of such orders, rules and regulations as it may find necessary or appropriate to carry out the provisions of ~~Laws 1973, Chapter 568~~ chapter 238 in accordance with ~~Minnesota Statutes 1971, chapter 15.~~ *The commission may also issue any necessary and appropriate orders.* Such orders, rules and regulations may classify persons and matters within the jurisdiction of the commission and prescribe different requirements for different classes of persons or matters. A copy of any order, rule or regulation promulgated hereunder shall be subject to public inspection during reasonable business hours.

Sec. 8. Minnesota Statutes 1974, Section 238.06, is amended by adding a subdivision to read:

Subd. 5. The commission may, upon a suitable showing of need in individual instances, order the interconnection of cable communications systems.

Sec. 9. Minnesota Statutes 1974, Section 238.06, is amended by adding a subdivision to read:

Subd. 6. The commission may require from any cable communications system granted a certificate of confirmation information and supporting documentation in the form and at the times the commission may deem appropriate.

Sec. 10. Minnesota Statutes 1974, Section 238.08, Subdivision 1, is amended to read:

238.08 [FRANCHISE REQUIREMENT.] Subdivision 1. A municipality shall ~~have the power to~~ require a franchise of any cable communications system providing service within the municipality.

Sec. 11. Minnesota Statutes 1974, Section 238.08, Subdivision 2, is amended to read:

Subd. 2. Nothing in the provisions of Laws 1973, Chapter 568 chapter 238 shall be construed to prevent franchise requirements in excess of those prescribed by the commission, unless such requirement is inconsistent with the provisions of Laws 1973, Chapter 568 chapter 238 or any regulation, policy or procedure of the commission.

Sec. 12. Minnesota Statutes 1974, Section 238.08, Subdivision 3, is amended to read:

Subd. 3. Nothing in Laws 1973, Chapter 560 chapter 238 shall be construed to limit any municipality from the right to construct, purchase, and operate a cable communications system. Any municipal system shall be subject to the laws, rules and regulations of the commission to the same extent as would any non-public cable communications system.

Sec. 13. Minnesota Statutes 1974, Section 238.09, Subdivision 6, is amended to read:

Subd. 6. ~~Any cable communications company granted a franchise after April 1, 1973, Except as provided in subdivision 3, every~~ cable communications company shall be required to secure a certificate of confirmation from the commission before becoming operational. *Except as provided in subdivisions 3, 4, 5 and 9, such certificate may be granted after full commission proceedings and shall be for a period of ten years.*

Sec. 14. 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 certificate of confirmation may be issued prior to the expiration of any existing certificate.*

Sec. 15. Minnesota Statutes 1974, Section 238.13, is amended to read:

238.13 [POLES, DUCTS AND CONDUITS.] The commission ~~shall within two years from May 24, 1973, may~~ adopt appropriate rules specifying necessary regulations for contractual agreements between cable communications operators and any public utilities with respect to the use of poles, ducts, conduits, and other appurtenances related to the cable communications transmission lines.

Sec. 16. 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 .~~

Sec. 17. *Notwithstanding the provisions of Minnesota Statutes, Section 375.164, or any other law to the contrary, the county board of any county owning, operating or maintaining a translator system on the effective date of this act may singly or jointly with contiguous counties appropriate from the general revenue*

fund an amount necessary to fund the construction, acquisition, improvement maintenance and operations of a translator system either within or without the county for the purpose of receiving and transmitting television broadcasting signals. The county may singly or jointly with contiguous counties acquire, by gift, lease or purchase, any real estate or interest therein upon such terms or conditions, including contracts for fees, as it shall determine, either within or without the county, for the purpose of establishing, improving or operating a television translator system. No real estate located in another county may be acquired unless the county board of the county in which the real estate is located approves the proposed acquisition. The county may issue bonds in accordance with the provisions of Minnesota Statutes, Chapter 475, for the acquisition, construction or improvement of television translator systems and the acquisition of real estate therefor.

Sec. 18. [REPEALER.] *Minnesota Statutes 1974, Section 238.09, Subdivision 2, is repealed.*

Sec. 19. [EFFECTIVE DATE.] *This act is effective on the day following its final enactment."*

Further delete the title in its entirety and insert:

"A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting certain counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.05, Subdivisions 2, 6, 7, and by adding a subdivision; 238.06, Subdivision 1, and by adding subdivisions; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 238.15; and Minnesota Statutes, 1975 Supplement, Section 238.04, Subdivision 1; repealing Minnesota Statutes 1974, Section 238.09, Subdivision 2."

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

House Conferees: (Signed) Paul McCarron, William N. Kelly, C. Thomas Osthoff

Senate Conferees: (Signed) Gene Merriam, John B. Keefe, Winston W. Borden

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on H. F. No. 943 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.

H. F. No. 943: A bill for an act relating to cable communications; making the cable communications commission a permanent part of the department of administration; authorizing the commission to promulgate a line extension policy; interconnection; orders; municipal cable systems; information gathering; permitting certain counties to establish translator systems; amending Minnesota Statutes 1974, Sections 238.02, Subdivision 11; 238.05, Subdivisions 2, 6, 7, and by adding a subdivision; 238.06, Sub-

division 1, and by adding subdivisions; 238.08, Subdivisions 1, 2 and 3; 238.09, Subdivisions 3 and 6, and by adding subdivisions; 238.13; and 238.15; and Minnesota Statutes, 1975 Supplement, Section 238.04, Subdivision 1; repealing Minnesota Statutes 1974, Section 238.09, Subdivision 2.

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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Dunn	Kirchner	Olhoft	Spear
Bang	Frederick	Kleinbaum	Olson, J. L.	Stassen
Berg	Gearty	Knutson	O'Neill	Stokowski
Bernhagen	Hansen, Baldy	Kowalczyk	Perpich, A. J.	Stumpf
Borden	Hansen, Mel	Laufenburger	Perpich, G.	Tennessen
Brataas	Hughes	Lewis	Pillsbury	Willet
Chenoweth	Humphrey	Merriam	Renneke	
Coleman	Jensen	Nelson	Schaaf	
Davies	Josefson	North	Schrom	
Doty	Keefe, S.	Ogdahl	Solon	

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

MOTIONS AND RESOLUTIONS—CONTINUED SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the rules of the Senate be so far suspended as to make General Orders a Special Orders Calendar for immediate consideration. The motion prevailed.

Mr. Ogdahl moved that S. F. No. 998 be stricken from General Orders and re-referred to the Committee on Governmental Operations. The motion prevailed.

SPECIAL ORDER

H. F. No. 2225: A bill for an act relating to veterans affairs; applications for adjusted compensation; establishing an application time limit; extending the appropriation expiration date; amending Minnesota Statutes, 1975 Supplement, Section 197.973; and Laws 1975, Chapter 3, Section 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Arnold	Berg	Brataas	Coleman	Davies
Bang	Borden	Chenoweth	Conzemius	Doty

Dunn	Keefe, J.	Moe	Perpich, G.	Spear
Frederick	Keefe, S.	Nelson	Pillsbury	Stassen
Gearty	Kirchner	North	Purfeerst	Stokowski
Hansen, Baldy	Kleinbaum	Ogdahl	Renneke	Stumpf
Hansen, Mel	Knutson	Olhoft	Schaaf	Tennessen
Hughes	Kowalczyk	Olson, H. D.	Schmitz	Ueland
Humphrey	Laufenburger	Olson, J. L.	Schrom	Willet
Jensen	Lewis	O'Neill	Sillers	
Josefson	Merriam	Patton	Solon	

So the bill passed and its title was agreed to.

Mr. Borden moved that S. F. No. 2343, No. 12 on General Orders, be stricken and re-referred to the Committee on Natural Resources and Agriculture. The motion prevailed.

SPECIAL ORDER

H. F. No. 2335: A bill for an act relating to insurance; revising financial requirements for certain insurance companies; amending Minnesota Statutes 1974, Section 60A.07, Subdivisions 5a, 5b, 5c and 5d.

Mr. Laufenburger moved to amend H. F. No. 2335 as follows:

Page 1, line 10, after "shall be", insert "initially"

Page 1, line 21, strike "continuously" and insert "constantly"

Page 1, line 22, after "after" and before "authorization" insert "initial"

Page 6, line 10, strike "1982" and insert "1983"

Page 6, line 14, strike "1982" and insert "1983"

Page 6, line 18, strike "1982" and insert "1983"

The motion prevailed. So the amendment was adopted.

H. F. No. 2335 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 39 and nays 11, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Kirchner	Olhoft	Sillers
Brataas	Gearty	Knutson	Olson, H. D.	Spear
Brown	Hansen, Mel	Kowalczyk	O'Neill	Stassen
Chmielewski	Humphrey	Laufenburger	Perpich, A. J.	Tennessen
Coleman	Jensen	Lewis	Pillsbury	Ueland
Conzemius	Josefson	Moe	Purfeerst	Wegener
Doty	Keefe, J.	Nelson	Schaaf	Willet
Dunn	Keefe, S.	Ogdahl	Schmitz	

Those who voted in the negative were:

Chenoweth	Hughes	Milton	Patton	Schrom
Davies	Merriam	North	Perpich, G.	Stumpf
Hansen, Baldy				

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

SPECIAL ORDER

H. F. No. 2117: A bill for an act relating to public welfare; authorizing the assignment of accident insurance proceeds by any recipient of medical assistance; amending Minnesota Statutes, 1975 Supplement, Sections 256B.02, Subdivision 9; 256B.042, by adding a subdivision; and 256B.06, 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Hansen, Mel	Laufenburger	Patton	Spear
Bernhagen	Hughes	Lewis	Perpich, A. J.	Stassen
Brataas	Jensen	Milton	Perpich, G.	Stumpf
Brown	Josefson	Moe	Pillsbury	Tennessee
Conzemius	Keefe, J.	Nelson	Purfeerst	Ueland
Davies	Keefe, S.	North	Schaaf	Wegener
Doty	Kirchner	Ogdahl	Schmitz	Willet
Dunn	Kleinbaum	Olhoff	Schrom	
Gearty	Knutson	Olson, H. D.	Sillers	
Hansen, Baldy	Kowalczyk	O'Neill	Solon	

So the bill passed and its title was agreed to.

Mrs. Brataas moved that S. F. No. 2423, No. 18 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Moe moved that S. F. No. 2485, No. 19 on General Orders, be stricken and returned to the author. The motion prevailed.

Mr. Schrom moved that S. F. No. 2247, No. 21 on General Orders, be stricken and re-referred to the Committee on Natural Resources and Agriculture. The motion prevailed.

Mr. Schrom moved that S. F. No. 2250, No. 29 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

SPECIAL ORDER

H. F. No. 1955: A bill for an act relating to crimes; exempting prison guards from pistol permit requirements when on duty; amending Minnesota Statutes, 1975 Supplement, Section 624.714, by adding a subdivision.

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

The question being taken on the passage of the bill,

And the roll being called, there were yeas 37 and nays 7, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Kirchner	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Kleinbaum	O'Neill	Stassen
Borden	Hansen, Mel	Knutson	Patton	Tennessen
Brown	Hughes	Kowalczyk	Perpich, G.	Ueland
Coleman	Humphrey	Moe	Pillsbury	Willet
Davies	Jensen	Nelson	Purfeerst	
Doty	Josefson	North	Schmitz	
Dunn	Keefe, J.	Olhoft	Schrom	

Those who voted in the negative were:

Conzemius	Lewis	Schaaf	Spear	Stumpf
Keefe, S.	Perpich, A. J.			

So the bill passed and its title was agreed to.

Mr. North moved that S. F. No. 1877, No. 31 on General Orders, be stricken and re-referred to the Committee on Governmental Operations. The motion prevailed.

Mr. North moved that S. F. No. 1837, No. 35 on General Orders, be stricken and re-referred to the Committee on Governmental Operations. The motion prevailed.

SPECIAL ORDER

S. F. No. 2276: A bill for an act relating to the designer selection board; defining terms; prescribing the powers and duties of the board; amending Minnesota Statutes 1974, Sections 16.822, Subdivision 5, and by adding a subdivision; 16.823, Subdivision 4; and 16.826, Subdivision 2.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Bang	Hansen, Mel	Kowalczyk	Patton	Spear
Bernhagen	Hughes	Lewis	Perpich, A. J.	Stassen
Brown	Humphrey	Merriam	Perpich, G.	Stokowski
Conzemius	Jensen	Milton	Purfeerst	Tennessen
Davies	Josefson	Moe	Schaaf	Ueland
Doty	Keefe, J.	Nelson	Schmitz	Willet
Dunn	Kirchner	Olhoft	Schrom	
Gearty	Kleinbaum	Olson, H. D.	Sillers	
Hansen, Baldy	Knutson	O'Neill	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Bang	Dunn	Kirchner	O'Neill	Solon
Bernhagen	Gearty	Kowalczyk	Patton	Spear
Borden	Hansen, Baldy	Merriam	Perpich, A. J.	Stassen
Brown	Hansen, Mel	Milton	Perpich, G.	Stokowski
Chenoweth	Hughes	Moe	Purfeerst	Stumpf
Coleman	Humphrey	Nelson	Schaaf	Tennessen
Conzemius	Jensen	North	Schmitz	Ueland
Davies	Josefson	Olhoft	Schrom	Willet
Doty	Keefe, J.	Olson, H. D.	Sillers	

So the bill passed and its title was agreed to.

Mr. Perpich, A. J., moved that S. F. No. 2470, No. 38 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

SPECIAL ORDER

H. F. No. 2338: A bill for an act relating to the city of Fergus Falls; firemen's service pensions; amending Laws 1971, Chapter 2, Section 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Kowalczyk	O'Neill	Sillers
Borden	Hansen, Baldy	Lewis	Patton	Solon
Brataas	Hansen, Mel	Merriam	Perpich, A. J.	Spear
Brown	Hughes	Milton	Perpich, G.	Stassen
Chenoweth	Humphrey	Moe	Pillsbury	Stokowski
Conzemius	Jensen	Nelson	Purfeerst	Stumpf
Davies	Josefson	North	Schaaf	Tennessen
Doty	Keefe, J.	Olhoft	Schmitz	Ueland
Dunn	Kirchner	Olson, H. D.	Schrom	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2600: A bill for an act relating to highway traffic regulations; license requirements for operating motorcycles; requiring enrollment in two-wheeled vehicle safety course prior to issuance of instruction permit; amending Minnesota Statutes, 1975 Supplement, Section 169.974, 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 41 and nays 5, as follows:

Those who voted in the affirmative were:

Bang	Hughes	Moe	Perpich, G.	Stokowski
Bernhagen	Keefe, J.	Nelson	Pillsbury	Stumpf
Coleman	Keefe, S.	North	Purfeerst	Tennessen
Conzemius	Kirchner	Ogdahl	Schaaf	Ueland
Davies	Kowalczyk	Olhoft	Schmitz	Willet
Doty	Laufenburger	Olson, H. D.	Sillers	
Dunn	Lewis	O'Neill	Solon	
Gearty	Merriam	Patton	Spear	
Hansen, Mel	Milton	Perpich, A. J.	Stassen	

Those who voted in the negative were:

Borden	Hansen, Baldy	Jensen	Josefson	Schrom
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So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 2410: A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1974, Section 273.13, Subdivision 17b; and Chapter 273, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 276.04.

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

The question being taken on the passage of the bill,

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

Those who voted in the affirmative were:

Bang	Gearty	Kowalczyk	Olson, H. D.	Sillers
Bernhagen	Hansen, Baldy	Laufenburger	O'Neill	Solon
Borden	Hansen, Mel	Lewis	Patton	Spear
Chenoweth	Hughes	Merriam	Perpich, A. J.	Stassen
Coleman	Jensen	Milton	Perpich, G.	Stokowski
Conzemius	Josefson	Moe	Purfeerst	Stumpf
Doty	Keefe, J.	Nelson	Schaaf	Tennessen
Dunn	Keefe, S.	North	Schmitz	Willet
Frederick	Kirchner	Ogdahl	Schrom	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1828: A bill for an act relating to industrial loan and thrift companies; requiring approval of name by commissioner of banks; regulating renewals of loans and refunds of interest or discounts; amending Minnesota Statutes 1974, Sections 53.03, by adding a subdivision; and 53.07; and Minnesota Statutes, 1975 Supplement, Section 53.04.

Mr. Stumpf moved to amend H. F. No. 1828 as follows:

Page 5, after line 11, insert:

"Sec. 3. Minnesota Statutes, 1975 Supplement, Section 53.05, is amended to read:

53.05 [POWERS, LIMITATION.] No industrial loan and thrift company shall have power to do any of the following:

(1) To carry commercial or demand banking accounts; to use the

word "bank" or "banking" in its corporate name; to receive savings accounts or deposits or operate as a savings bank;

(2) To have outstanding at any one time certificates of indebtedness, exclusive of those held by the company, as security for loans made by it of more than seven times the sum of the contributed capital and appropriated reserves of the company;

(3) To lend money in excess of ten percent of its contributed capital and appropriated reserves to any person primarily liable; provided, however, if a loan has been made to any one person primarily liable and payments have been made on the certificate of indebtedness securing it, the amount of such payments may be added to the limitation stated in this clause for the purpose of determining whether additional loans may be made to that person;

(4) To accept trusts or act as guardian, administrator, or judicial trustee in any form; or

(5) To deposit any of its funds in any banking corporation, unless that corporation has been designated by vote of a majority of directors or of the executive committee present at a meeting duly called, at which a quorum was in attendance.

(6) To change any allocation of capital made pursuant to section 53.03 or to reduce or withdraw in any way any portion of the contributed capital and appropriated reserves without prior written approval of the commissioner of banks.

(7) To take any instrument in which blanks are left to be filled in after execution."

Renumber the remaining sections

Amend the title as follows:

Page 1, line 8, strike "Section" and insert "Sections"

Page 1, line 8, after "53.04" insert "; and 53.05"

The motion prevailed. So the amendment was adopted.

H. F. No. 1828 was read the third time, as amended, and placed on its final passage.

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

And the roll being called, there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Keefe, S.	Olhoft	Sillers
Bernhagen	Gearty	Kirchner	O'Neill	Solon
Borden	Hansen, Baldy	Kowalczyk	Patton	Spear
Brataas	Hansen, Mel	Merriam	Perpich, G.	Stassen
Brown	Hughes	Milton	Pillsbury	Stokowski
Chenoweth	Humphrey	Moe	Purfeerst	Stumpf
Coleman	Jensen	Nelson	Schaa'	Tennessee
Conzemius	Josefson	North	Schmitz	Ueland
Doty	Keefe, J.	Ogdahl	Schrom	Willet

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

SPECIAL ORDER

S. F. No. 2148: A bill for an act relating to taxation; including cost of water filtration equipment in medical expense deduction; amending Minnesota Statutes 1974, Section 290.09, Subdivision 10.

Mr. Frederick moved to amend S. F. No. 2148 as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 1974, Section 273.133, is amended to read:

273.133 [TREATMENT OF COOPERATIVES, CHARITABLE CORPORATIONS OR OTHER NONPROFIT CORPORATIONS.] *Subdivision 1.* When a building which contains several dwelling units is owned by a corporation or association organized under sections 308.05 to 308.18, and each person who owns a share or shares in the corporation or association is entitled to occupy a unit in the building, the corporation or association may claim homestead treatment for each unit in accordance with section 273.13, subdivision 7, for the part of the value of the building represented by each such unit occupied by a shareholder. Each unit shall be designated by legal description, and the assessed value of the building shall be the sum of the assessed values of each of the respective units comprising said building. To qualify for the treatment provided by this section, the corporation or association must be wholly owned by persons having shares entitling them to occupy a unit in the building. A charitable corporation organized under the laws of Minnesota and not otherwise exempt thereunder with no outstanding stock shall qualify for such homestead treatment with respect to member residents of such dwelling units who have purchased and hold residential participation warrants entitling them to occupy such units.

Subd. 2. [OTHER NONPROFIT CORPORATIONS.] When a building containing several dwelling units is owned by an entity organized under chapter 317 and operating as a nonprofit corporation which enters into membership agreements with persons under which they are entitled to life occupancy in a unit in the building, homestead classification shall be given to each unit so occupied and the entire building shall be assessed in the manner provided in subdivision 1 for cooperatives and charitable corporations."

Page 2, after line 9, insert:

"Sec. 3. Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 12, is amended to read:

Subd. 12. [GROSS RENT.] "Gross rent" means rental paid solely for the right of occupancy, at arms-length, of a homestead, exclusive of charges for any utilities, services, furniture, furnishings or personal property appliances furnished by the landlord as part of the rental agreement, whether expressly set out in the rental agreement or not. If the landlord and tenant have not dealt with each other at arms-length and the commissioner determines that the gross rent charged was excessive, he may adjust the gross rent to a reasonable amount for purposes of sections 290A.01 to 290A.21.

If the landlord does not supply the charges for any utilities, furniture, furnishings or personal property appliances furnished by him, or if the charges appear to be incorrect the commissioner may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.

Any amount paid by a claimant residing in property assessed pursuant to section 273.133 for occupancy in that property shall be excluded from gross rent for purposes of this chapter. However, property taxes imputed to the homestead of the claimant pursuant to section 273.133 shall be included within the term "property taxes payable" as defined in subdivision 13, notwithstanding the fact that ownership is not in the name of the claimant."

Page 2, line 10, strike "*This act*" and insert "*Section 2*"

Renumber the sections in sequence

Amend the title as follows:

Line 2, after "taxation;" insert "providing for the assessment of dwelling units in certain buildings;"

Line 4, strike "Section" and insert "Sections 273.133; and"

Line 5, after "10" insert "; and Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 12"

The motion prevailed. So the amendment was adopted.

S. F. No. 2148: A bill for an act relating to taxation; providing for the assessment of dwelling units in certain buildings; including cost of water filtration equipment in medical expense deduction; amending Minnesota Statutes 1974, Sections 273.133; and 290.09, Subdivision 10; and Minnesota Statutes, 1975 Supplement, Section 290A.03, Subdivision 12.

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 40 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Conzemius	Kirchner	Olhoft	Schaaf
Bang	Doty	Kleinbaum	Olson, H. D.	Schmitz
Bernhagen	Dunn	Laufenburger	O'Neill	Schrom
Borden	Frederick	Lewis	Patton	Sillers
Brataas	Gearty	Milton	Perpich, A. J.	Solon
Brown	Hansen, Baldy	Moe	Perpich, G.	Stassen
Chenoweth	Hughes	Nelson	Pillsbury	Stumpf
Coleman	Keefe, J.	North	Purfeerst	Willet

Those who voted in the negative were:

Jensen	Kowalczyk	Merriam	Ogdahl	Stokowski
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So the bill, as amended, passed and its title was agreed to.

Mr. Perpich, A. J. moved that H. F. No. 980, No. 74 on General Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

SPECIAL ORDER

H. F. No. 61: 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.

Mr. North moved to amend H. F. No. 61 as follows:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1975 Supplement, Section 161.12, is amended to read:

161.12 [ADDITIONAL ROUTES ADDED TO TRUNK HIGHWAY SYSTEM.] To take advantage of federal aid made available by the United States to the state of Minnesota for highway purposes, the following trunk highway routes are added to the trunk highway system which routes form a part of the national system of interstate and defense highways and may be referred to as the interstate system:

Route No. 390. Beginning at a point on the boundary between the states of Minnesota and Iowa, southerly of Albert Lea; thence extending in a general northerly direction to a point on Route No. 111 in the city of St. Paul; and then beginning again at a point on Route No. 392 in through the city of St. Paul; thence extending in a general northeasterly direction to a point in Duluth on the boundary between the states of Minnesota and Wisconsin.

Route No. 391. Beginning at a point on the boundary between the states of Minnesota and South Dakota, westerly of Luverne; thence extending in a general easterly direction to a point on the boundary between the states of Minnesota and Wisconsin, near La Crescent.

Route No. 392. Beginning at a point on the boundary between the states of Minnesota and North Dakota in or near Moorhead; thence extending in a general southeasterly direction through the city of Minneapolis; thence in a general easterly direction through the city of St. Paul to a point on the boundary between the states of Minnesota and Wisconsin in or near Lakeland.

Route No. 393. Beginning at a point on Route No. 392, easterly of the city of St. Paul; thence in a general southerly and westerly direction through the city of South St. Paul; thence in a general westerly direction to a point in Eden Prairie Township, Hennepin County; thence in a general northerly direction to a point in the city of Maple Grove, Hennepin County; thence in a general easterly direction to a point on Route 390; thence in a general easterly, southeasterly and southerly direction to the point of beginning on Route No. 392, easterly of St. Paul.

Route No. 394. Beginning at a point on Route No. 390, southerly of the Minnesota River; thence extending in a general northerly and northeasterly direction through the city of Minneapolis; thence continuing in a northeasterly direction to a point on Route No. 390, near Forest Lake and there terminating.

Route No. 395. Beginning at a point on Route No. 390 at or near the intersection of Superior Street and Nineteenth Avenue West in

the city of Duluth, thence extending in a northeasterly direction to a point on Route No. 103 at or near the intersection of Superior Street and Tenth Avenue East in the city of Duluth.

Sec. 2. Minnesota Statutes, 1975 Supplement, Sections 161.117 and 161.123, are repealed."

Amend the title by striking it and inserting:

"A bill for an act relating to highways; additional trunk highway routes; removing restrictions on construction of certain trunk highways; removing certain routes from the trunk highway system; amending Minnesota Statutes, 1975 Supplement, Section 161.12; repealing Minnesota Statutes, 1975 Supplement, Sections 161.117 and 161.123."

The question being taken on the adoption of the amendment,

And the roll being called, there were yeas 27 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Doty	Josefson	O'Neill	Stassen
Bang	Dunn	Keefe, J.	Patton	Stokowski
Bernhagen	Frederick	Kleinbaum	Pillsbury	Ueland
Blatz	Hansen, Mel	Kowalczyk	Renneke	
Brataas	Hughes	North	Schmitz	
Brown	Jensen	Ogdahl	Sillers	

Those who voted in the negative were:

Borden	Humphrey	Merriam	Perpich, A. J.	Solon
Coleman	Keefe, S.	Milton	Perpich, G.	Spear
Conzemius	Kirchner	Moe	Purfeerst	Stumpf
Gearty	Laufenburger	Olhoft	Schaaf	Tennessen
Hansen, Baldy	Lewis	Olson, H. D.	Schrom	Willet

The motion prevailed. So the amendment was adopted.

H. F. No. 61 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 30 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Chenoweth	Jensen	Milton	Schmitz
Bang	Doty	Josefson	Ogdahl	Sillers
Bernhagen	Dunn	Keefe, J.	O'Neill	Solon
Blatz	Frederick	Kirchner	Patton	Stokowski
Brataas	Hansen, Mel	Kleinbaum	Pillsbury	Stumpf
Brown	Hughes	Kowalczyk	Renneke	Ueland

Those who voted in the negative were:

Borden	Keefe, S.	Nelson	Perpich, G.	Stassen
Coleman	Laufenburger	North	Purfeerst	Tennessen
Conzemius	Lewis	Olhoft	Schaaf	Willet
Gearty	Merriam	Olson, H. D.	Schrom	
Hansen, Baldy	Moe	Perpich, A. J.	Spear	

So the bill failed to pass.

RECONSIDERATION

Mr. Laufenburger moved that the vote whereby H. F. No. 2335

was passed by the Senate on March 26, 1976, be now reconsidered. The motion prevailed.

Mr. Laufenburger moved that the vote whereby the Laufenburger amendment to H. F. No. 2335 was passed by the Senate on March 26, 1976, be now reconsidered. The motion prevailed.

H. F. No. 2335: A bill for an act relating to insurance; revising financial requirements for certain insurance companies; amending Minnesota Statutes 1974, Section 60A.07, Subdivisions 5a, 5b, 5c and 5d.

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 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Kirchner	Ogdahl	Sillers
Bang	Gearty	Kleinbaum	Olhoft	Solon
Bernhagen	Hansen, Mel	Kowalczyk	Olson, H. D.	Spear
Brataas	Hughes	Laufenburger	O'Neill	Stassen
Brown	Humphrey	Lewis	Pillsbury	Stokowski
Coleman	Jensen	Milton	Purfeerst	Stumpf
Conzemius	Josefson	Moe	Renneke	Tennessen
Doty	Keefe, J.	Nelson	Schaaf	Ueland
Dunn	Keefe, S.	North	Schmitz	Willet

Those who voted in the negative were:

Borden	Hansen, Baldy	Patton	Perpich, G.	Schrom
Chenoweth	Merriam	Perpich, A. J.		

So the bill passed and its title was agreed to.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H. F. No. 617.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 26, 1976

FIRST READING OF HOUSE BILLS

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

H. F. No. 617: A bill for an act relating to taxation; adding certain disabled persons to those paying reduced property taxes; amending Minnesota Statutes, 1975 Supplement, Section 273.13, Subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

RECONSIDERATION

Mr. Conzemius moved that the vote whereby H. F. No. 2492 failed to pass the Senate on March 25, 1976, be now reconsidered.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 11:00 o'clock a.m., Monday, March 29, 1976. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate